



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT



COMPLIANCE ORDER

OPERATOR NAME A & M Composting, Incorporated			DEP DOCKET NUMBER (Office Use Only)
ADDRESS 2650 Audubon Road, Audubon, PA 19403			PERMIT NUMBER 602247
FACILITY OR SITE A & M Composting, Incorporated			LICENSE NUMBER (Transporter)
FACILITY OR SITE LOCATION 2022 Mountain Road, Penn Township, Lancaster County:			MUNICIPALITY Penn Township
NAME AND TITLE OF PERSON SERVED JP McGee			COUNTY Lancaster
DATE OF INSPECTION 12/15/2025	TIME OF INSPECTION FROM A.M. 1:00 P.M. TO A.M. 2:10 P.M.	DATE OF SERVICE 12/23/2025	DEP REGION AND PHONE NUMBER Southcentral Region 610-916-0144

The Department of Environmental Protection (Department) is the agency with authority to administer and enforce the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, 35 P.S. Section 6018.1 *et seq.*, and the Rules and Regulations of the Environmental Quality Board adopted thereunder.

The undersigned authorized representative of the Department has conducted an inspection of the above site on the above date and has determined that violations listed in attachment(s) exist. This order constitutes a separate order for each violation listed.

Pursuant to Section 602 of the Solid Waste Management Act (35 P.S. § 6018.602) and Section 1917-A of the Administrative Agency Code (71 P.S. § 510-17), the Department hereby orders that the operator shall perform the corrective actions listed in the attachment within the designated time. Under Section 608 of the Solid Waste Management Act (35 P.S. § 6018.608), upon completion of the actions required by the order, you are required to submit a written report describing the means by which the violations noted herein were corrected.

Nothing contained in the order shall be construed to relieve or limit the obligations of the above mentioned operator to comply with the terms and conditions of any permit existing or hereafter issued by the Department to the operator or to limit any civil or criminal liability of the operator. Additional requirements may be imposed in the future by subsequent Department orders or other actions. Your prompt compliance with this order will be considered when assessing a civil penalty for the violation(s) which are the subject of this order.

APPEAL NOTICE

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board) pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is: Environmental Hearing Board, Rachel Carson State Office Building, Second Floor, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

The undersigned operator/authorized representative, hereby acknowledges receipt of this order and attachment(s) hereto. This signature does not constitute an acknowledgement that any or all of the violations listed in the attachment(s) have occurred or continue to occur. Operator/Representative Signature:	Department Representative Name and Title Jonathan Lorio, Solid Waste Specialist Supervisor
	Signature Jonathan Lorio 12/23/2025 12-23-25

ORDER (Continuation) PARAGRAPH -

DEP Docket Number

Description of Violations: A & M Composting, Incorporated ("A & M Compost") is a composting facility ("Facility") that has been issued Permit No. 602247 from the Pennsylvania Department of Environmental Protection ("Department"). The Facility is located at 2022 Mountain Road in Penn Township, Lancaster County. On December 6, 2025, Terry Gadd, Environmental Compliance Manager for A & M Compost, notified the Department that biofilter medium caught fire at the North Biofilter area of the Facility. According to the Penryn Volunteer Fire Company Chief, Shannon Martin, fire departments from Penryn, Durlach Mt. Airy, Brickerville, Brunnerville, East Petersburg, Lititz, Manheim, Mastersonville, Gordonville, Lincoln, Mt. Gretna, Reamstown, and West Earl were involved with controlling the fire. According to Martin, biofilter medium (wood chips) were actively burning. A & M Compost employees utilized heavy equipment to dig into the most actively burning pile to allow water penetration. According to Martin, A & M Compost personnel then determined that the bulk of the fire had been knocked down so that they could continue their overhaul and continue dousing any existing hot spots and removal of material. According to Martin, approximately 7700 square feet of the building was impacted by the fire. On December 10, 2025, Randal Weiss ("Weiss"), Solid Waste Specialist with the Department, conducted an inspection of the Facility. Weiss observed smoke pouring out of the northeast corner of the North Biofilter area, indicating that the fire was active in that area. Weiss observed that A & M Compost failed to operate the Facility to prevent and minimize the potential for fire and the release of solid waste constituents to the air that could threaten public health or safety, public welfare or the environment. On December 12, 2025, Lancaster County Communications dispatched fire services to the Facility for a commercial building fire. According to Martin, Joe from A & M Compost stated that they have the fire under control and that no fire services were needed. On December 15, 2025, A & M Compost called reporting that they need assistance with their problem (fire). According to Martin, A & M Compost personnel requested "mega-water" to be released onto the biofilter medium so their employees could continue using heavy equipment to empty the building. Martin estimated that approximately 110,000 square feet of material may have been involved. According to Martin, A & M employees could not see in the building due to the heavy smoke. According to Martin, approximately 50 firefighters were onsite during the dispatch. Martin recommended to A & M Compost to get a 6-inch pump to pull water from their existing pond so they can continue saturating the smoldering areas as needed and recommended A & M Compost to hire a firm that specializes in this type of situation like they did during the fire event in 2023. Weiss and Jonathan Lorio ("Lorio"), Solid Waste Supervisor with the Department, visited the Facility. Lorio learned from A & M Compost personnel that the fire started when compost entered the North Biofilter area and mixed with biofilter medium. Weiss and Lorio observed smoke emanating from the Biofilter area. Weiss and Lorio observed smoke crossing the Facility's property line. Weiss smelled smoke from the Facility along Boyer Run Road, located a half mile southeast of the Facility. Emergency personnel onsite, along with A & M Compost personnel, determined that the biofilter medium within the processing building remained on fire. On December 15, 2025, A & M Compost failed to operate the Facility to minimize the potential for fire and the release of solid waste constituents into the air that could threaten public health or safety, public welfare or the environment. A & M Compost continued to store biofilter medium and solid waste that remained on fire within their Processing Building. A & M Compost also failed to prevent the storage of biofilter medium, compost, and other solid waste within an area affected by fire. On December 16, 2025, Weiss confirmed smoke from the Facility's fire impacting Brickerville, PA, which is an estimated 5 miles from the Facility.

Location of Violations: 2022 Mountain Road, Manheim, PA 17545; Deed Number 991051830

Provisions of Regulation, Statute or Permit Violated:

The Solid Waste Management Act (SWMA), Act of July 9, 1980, P. L. 380, No. 97, *as amended*, 35 P.S. §§ 6018.101-6018.1003; and the Municipal Waste Rules and Regulations found at 25 Pa. Code Chapters 271-285.

1. 25 Pa. Code § 281.261 states: "A composting facility shall be designed, constructed, maintained and operated to prevent and minimize the potential for fire, explosion or release of solid waste constituents to the air, water or soil of this Commonwealth that could threaten public health or safety, public welfare or the environment."
2. 25 Pa. Code § 281.263(c)(2) states: "After an emergency, the operator of the facility shall....prevent processing or storage of solid waste in the area affected by the emergency until the operator has cleaned up the area, and the Department has inspected and approved the cleanup."
3. 25 Pa. Code § 281.218(b) states: "The operator shall control and minimize conditions not otherwise prohibited by this subchapter that are harmful to the environment or public health, or which create safety hazards, odors, dust, noise, unsightliness and other public nuisances."
4. Section 610(2) of the SWMA, 35 P.S. § 6018.610(2), states: "It shall be unlawful for any person or municipality to construct, alter, operate or utilize a solid waste storage, treatment, processing or disposal facility without a permit from the Department as required by this act or in violation of the rules or regulations adopted under this act, or orders of the Department, or in violation of any term or condition of any permit issued by the Department."

5. Section 610(4) of the SWMA, 35 P.S. § 6018.610(4), states: “It shall be unlawful for any person or municipality to store, collect, transport, process, treat, beneficially use or dispose of, or assist in the storage, collection, transportation, processing, treatment, beneficially use or disposal of, solid waste contrary to the rules or regulations adopted under this act, or orders of the Department, or any term or any condition of any permit, or in any manner as to create a public nuisance or to adversely affect the public health, safety, and welfare.
6. Section 610(9) of the SWMA, 35 P.S. § 6018.610(9), states: “It shall be unlawful to cause or assist in the violation of any provision of this act, any rule or regulation of the department, any order of the department or any term or condition of any permit.”

Corrective Action Required or Activity to be Ceased:

Effective Immediately, unless a specific deadline is provided, A & M Compost shall:

1. Cease accepting any solid waste, biosolids, compost, or cover materials until the Department has inspected the Facility and approved the cleanup.
2. Remove all fire impacted and actively burning solid waste and biofilter medium from the building and extinguish the fire at the Facility by any means necessary.
3. Cease the storage of biofilter medium, that was affected by the fire, thus a solid waste, within the processing building until the Department has inspected and approved the cleanup.
4. If biofilter medium, compost, or any other solid wastes are removed from the Facility, such solid wastes shall be managed in accordance with applicable plans, setbacks, regulations, and the SWMA in a manner to prevent adverse impacts to public health, safety, welfare or the environment and to prevent pollution to any waters of the Commonwealth, as defined in Section 1 of the Clean Streams Law, 35 P.S. § 691.1.
5. Within 3 days, unless the Department approves a later date in writing, submit a Storage and Handling Plan (“Plan”) to the Department that will summarize how all fire impacted biofilter medium, compost and any other solid wastes are managed and stored at the Facility and handled in a manner that will not cause any adverse effect on public health, safety, welfare or the environment. The Plan shall have a Designated Waste Storage Area (“Storage Area”) for all materials impacted by the fire.

Once the biofilter medium, compost and other solid wastes (hereafter referred to as “fire impacted waste”) have been extinguished and the potential for fire and the release of solid waste constituents into the air has been eliminated, all fire impacted waste shall be stored and disposed according to the following requirements:

6. All fire impacted biofilter medium, compost and other solid wastes must be stored within the Storage Area and stored in a manner that meets the requirements of the Plan.
7. Before January 16, 2026, all fire impacted solid wastes, compost, and biofilter medium shall be transported from the Facility to a disposal facility that possesses a permit issued by the Department to accept such wastes, compost, and biofilter medium.

Required Abatement Date: January 16, 2026

Date of Service: 12/23/25

Department Representative: Jonathan Lorio