

FRIENDS OF LACKAWANNA GROUP ACTIVISM CASE STUDY & PHOTO ESSAY

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For our environmental injustice case study, our group chose to partner with the environmental activist group Friends of Lackawanna in order to learn more about their fight against the expansion of the Keystone Sanitary Landfill. Friends of Lackawanna is based in Lackawanna County, Pennsylvania in the town of Dunmore, which is located just outside of Scranton. Keystone Sanitary Landfill is one of the largest landfills in the state of Pennsylvania and is in close proximity to the towns of Dunmore and Throop. As such, the landfill presents a variety of significant environmental safety and public health threats to the residents of these towns. Friends of Lackawanna represents the interests of these residents in opposing the Phase III expansion of the landfill, which would prevent the expiration of the Waste Management Permit that the landfill currently holds with the Pennsylvania Department of Environmental Protection and would allow the landfill to continue accepting waste for nearly 50 more years (Pennsylvania Department of Environmental Protection 2015; Friends of Lackawanna 2016c).

We initially contacted one of the founding members of the organization, Michele Dempsey, who agreed to work with us for this project. Over both phone and email, Michele provided us with valuable information about the environmental injustices posed by Keystone Sanitary Landfill. In addition to this, we traveled approximately 200 miles to Dunmore to witness for ourselves the true size of the landfill and its impact on the nearby residential areas (see Appendix B). Visiting Dunmore afforded us a more comprehensive and contextual understanding of the injustices imposed upon the area by the landfill. We also employed the photovoice method to gain insight into the particular problems that those directly impacted by the landfill think are most deserving of attention. The photos, titles, and descriptions (see Appendix A) contributed by members of Friends of Lackawanna afforded us a more personal perspective of the environmental injustice issues of the landfill. The combination of all of these

various avenues of contact and research ensured that we gained an intimate knowledge of the various injustices that the proposed future expansion of the Keystone Sanitary Landfill presents, as well as the grassroots methods Friends of Lackawanna utilizes to mobilize against it.

The Keystone Sanitary Landfill has a long history of disregard for environmental safety laws since it began accepting waste in 1973. The first instance of such disregard was in 1987, when the Department of Environmental Resources fined the landfill \$500,000 for intentionally continuing to accept waste despite exceeding its limit. Despite this, the landfill was permitted by the Throop Borough Council to expand into Throop in 1987, likely because of the employment opportunities and economic boost the landfill would supposedly provide to the area. In 1988, the landfill was again charged by the Department of Environmental Resources. This time the landfill was charged with 80 misdemeanor violations of the Pennsylvania Solid Waste Management Act, in addition to being charged for criminal conspiracy to violate the act, for intentionally dumping 10 loads of auto “fluff” onto the site, further highlighting the disregard of the Keystone Sanitary Landfill for safety and health. As the landfill continued to grow over the next several decades, local doctors in Lackawanna County began to gather statistics evincing that residents of the county have a significantly higher rate than the national average of certain health issues like cancer, seizures, and learning disabilities (Friends of Lackawanna 2016b).

Despite repeated historical instances of disregard for environmental safety and public health, the landfill has continued to expand and today accepts more than 7,200 tons of trash every day. Importantly, only 36% of that trash is actually generated within the state of Pennsylvania, while 64% comes from New York, New Jersey, and Connecticut. Although Lackawanna County is home to only 1.65% of the total population of Pennsylvania, Keystone Sanitary Landfill is responsible for accepting approximately 10% of the state’s total waste

(Friends of Lackawanna 2016a). As a result, residents of Dunmore and Throop are forced to live in close proximity to massive amounts of waste for which they are not responsible. The landfill is also the source of foul smells that often spread miles from the landfill. Moreover, Dunmore Reservoir #1, a backup drinking supply for the town, is located only 450 feet away from the landfill and risks being contaminated with leachate from the leaking landfill. It is also noteworthy that fracking drill cuttings and drilling mud, which “are mixed with small amounts of naturally occurring radioactive elements,” are accepted. These radioactive elements, as well as disease carried by seagulls attracted to the landfill, contaminate water in the surrounding area (Friends of Lackawanna 2016a). These are only a few of the many issues that have led Friends of Lackawanna to so strongly oppose the Keystone Sanitary Landfill and its proposed expansion.

Friends of Lackawanna has been persistent in its protest of the expansion of Keystone Sanitary Landfill. The grassroots organization initially sought to prevent the approval of the Phase III permit for the expansion of the landfill by challenging an assessment made by the Dunmore Zoning Board on the applicability of a zoning ordinance to the landfill. In December 2014, Zoning Officer Joseph Lorince declared the landfill to be “a pre-existing use” and “not a building under the current zoning ordinances” (Gibbons 2015; Friends of Lackawanna 2015). As a result of this characterization of the landfill, the current zoning restriction regarding maximum building height was deemed to be irrelevant to the proposed vertical expansion of the landfill.

Friends of Lackawanna subsequently filed an appeal of the opinion of the Zoning Officer. Keystone Sanitary Landfill, Inc. then claimed the appeal was “frivolous” and, in response, filed “a petition for bond in the amount of \$1.2 million” against the organization, questioning whether the appellants had standing to appeal (Friends of Lackawanna 2015; Gibbons 2015). Counsel for Friends of Lackawanna, Jordan Yeager, Esq. of Curtin & Heefner LLP, described the petition as

a strategic maneuver, one meant to “distract the court” and cast doubt on the credibility of the anti-expansionist organization (Gibbons 2015). It is possible that the petition had yet another calculated intention. “Keystone Sanitary Landfill’s first legal strike against Friends of Lackawanna,” according to one staff writer for *The Times-Tribune*, “threatens to hit [Friends of Lackawanna’s] weakest spot: their pocketbook” (Gibbons 2015). Ultimately, however, the Lackawanna County Court found in favor of Friends of Lackawanna and against the landfill, with Judge John L. Braxton ruling the bond unnecessary for the appeal (Gibbons 2015).

The appeal proceeded. Between March and April of 2015, Friends of Lackawanna presented its case to the Dunmore Zoning Board. It contended that the landfill fit the definition of a structure and that the zoning ordinance also applied to such structures, rather than exclusively to buildings as defined in the ordinance (Wind 2015a). Keystone Sanitary Landfill, Inc. subsequently presented its own argument to the Board. During May and June, it called for the initial opinion of the Zoning Officer to be upheld. In September, the Dunmore Zoning Board ruled in favor of the landfill (Friends of Lackawanna 2016b). Unanimously upholding the opinion of Lorince, the Board decided that “a 50-foot height restriction in the borough’s zoning ordinance does not limit how high Keystone Sanitary Landfill can grow” (Wind 2015b). In October, the grassroots environmental justice organization filed another appeal of the Dunmore Zoning Board decision with the Court of Common Pleas (Friends of Lackawanna 2016b).

Several months later, and more than a year after requesting state approval of the Phase III permit for the landfill expansion, Keystone Sanitary Landfill altered its expansion proposal “in hopes of appeasing people who live around the landfill” (Lange 2016b). Landfill officials admit that the decision to do so was a direct result “of concerns from the public” (Lange 2016b). The revised plan entails filling in the valleys between the “four smaller sites spread across the

facility's 714-acre property" and will not result in significant vertical growth (Wind 2016).

The Pennsylvania Department of Environmental Protection has not yet granted approval of the expansion plan, as it is still reviewing the revised proposal. A recent discovery by the PA DEP, however, has provided Friends of Lackawanna and other opponents of the expansion with some additional "ammunition" (Lange 2016a). Less than one month ago, the PA DEP cited Keystone Sanitary Landfill for three violations concerning "the landfill's management of leachate or groundwater that flows through the garbage" (Lange 2016a). So far this year, there have already been two leachate spills. Moreover, the PA DEP has uncovered that leachate has been leaking from Keystone Sanitary Landfill "possibly for several years" (Lange 2016a).

Keystone Sanitary Landfill, Inc. has failed in its attempt to pacify Friends of Lackawanna and to appease concerned residents of the surrounding area with its novel expansion plan. The photos and descriptions provided by members of Friends of Lackawanna (see Appendix A) are a testament to the fact that the organization will consider nothing less than complete withdrawal of the expansion proposal a "win". It is for this reason that Friends of Lackawanna continues fighting the approval of the Phase III permit for the expansion of Keystone Sanitary Landfill.

The environmental justice movement is a collection of grassroots activists comprised of hundreds of community-based environmental justice organizations working to reverse the ecological, public health, and economic burdens disproportionately borne both by minorities and impoverished communities (Faber and McCarthy 2003). The Pennsylvania Department of Environmental Protection designated a part of Dunmore as an "Environmental Justice Area" (see Figure 1) because of the environmental injustices of the Keystone Sanitary Landfill. Moreover, approximately 14.8% of households located in Lackawanna County live in poverty and the average household income in Lackawanna County is \$44,296, which is \$10,079 less than the

average household income in Pennsylvania (see Figure 2). Additionally, about half of the trash that enters the landfill comes from out of state, as the towns that are able to export the trash to Keystone Sanitary Landfill are wealthier and therefore can afford to export the environmental costs associated with accommodating the trash to smaller, more rural areas like Dunmore and Throop that are desperate for the economic opportunity the landfill provides (Klibanoff 2016).

Dunmore and Throop are boroughs of Lackawanna County, Pennsylvania located just outside of Scranton. The area experienced a rapid increase in population from the early to mid-twentieth century due to extensive coal, brick, and silk interests. This boom, however, did not last and in the 1950s the prominence of the coal industry began to decline due to technological improvements that made deep mining techniques uneconomical. The new technology replaced a great deal of jobs in the region, leading to an economic downfall and, subsequently, migration out of the area. One of the key selling points for the Keystone Sanitary Landfill is that it employs 150 people and spends about \$8 million locally per year. The expansion will supposedly provide the area with an additional \$200 million over the next 50 years (Klibanoff 2016). A division remains between those who believe that saving the environment for future generations is a priority and those who believe that generating profit now is more important.

Friends of Lackawanna believes that Dunmore and Throop have taken their “fair share” of the environmental injustices of the landfill. In Photo 9 (see Appendix A), the photographer expresses her discontent with the situation and claims that the region has taken its fair share of the trash. This sentiment is consistent with the principle of distributive justice, which posits that every municipality should have an equal share of environmental benefits and burdens, regardless of the particular demographics and financial capabilities of the population (Blowers 2003). It is necessary to highlight the fact that this is not a case of NIMBYism, but rather of NIABYism.

This is even stated explicitly on the website: “Our area already has cancer rates higher than the national average. We cannot be exposed to any more risk. And this is not a case of NIMBY (Not In My Back Yard). We have allowed the trash from NY and NJ into our backyard for decades. This is a case of enough! Simple as that” (Friends of Lackawanna 2016a).

When we first spoke to Michele, she told us the founding story of, as well as the motivation for, Friends of Lackawanna. Growing up in the area, she had always heard stories about the landfill but it was not until she read an exposé on the landfill that she became dedicated to stopping the proposed expansion. Michelle explained to us that she was so passionate about preventing the expansion of the landfill that she could not stop talking about the issue to other people. Finally, her sister connected her with a neighbor who was just as passionate about stopping the expansion of Keystone Sanitary Landfill and Friends of Lackawanna was soon born.

People joined Friends of Lackawanna because they could connect to the movement. Solidarity, identity, consciousness, and micromobilization are the four central problematics within micro-level collective action, according to social psychologists (Bell 2016b). Friends of Lackawanna has overcome these problematics to produce change. The organization has been able to create a sense of solidarity by constructing a forum to fight against the landfill expansion. By facilitating open discussion and fostering community connections, Friends of Lackawanna encourages would-be participants to fight against the injustice. For many participants, the organization seems to have become a part of their identity. Through solidarity and this seemingly shared identity, the group functions as a collective unit with the common objective of stopping the Phase III expansion of the Keystone Sanitary Landfill.

According to Bell, gender roles are an important part of who participates in a movement. In Appalachia, the majority of movement participants were females because they felt

it was their duty to protect their families from water contamination, flooding, and air pollution (Bell 2016a). This is similarly applicable for Friends of Lackawanna, as this sentiment is echoed by a number of the female members of the organization. For these women, one of the primary motivations for joining Friends of Lackawanna was that the women felt that they had a duty to protect their families. In Photo 3 (see Appendix A), photographer Kara Seitzinger is concerned for the protection of school children. Additionally, the Department of Environmental Protection testimony of another female member, Sharon Cuff, explains that one of her primary concerns regarding the landfill stems from the noxious chemicals that her household, which consists of three at-risk individuals, including a lifelong severe asthmatic, are exposed to because of the landfill. The Friends of Lackawanna website provides further evidence of the relevance of maternalism and maternal instincts for involvement in the environmental justice movement. Displayed prominently on the “Who We Are” section of the website is the following quote from core member Katherine Mackrell Oven: “People of our area deserve the opportunity to live and raise our families in a safe and healthy environment” (Friends of Lackawanna 2016c).

Friends of Lackawanna, a local nonprofit organization and grassroots environmental justice activist group, has been and continues to be committed to preventing the approval of the proposed Phase III expansion of the Keystone Sanitary Landfill located in Dunmore and Throop, Pennsylvania. The landfill has been in operation for decades and has, in opposition to the claims advanced by the owners of the landfill, its direct beneficiaries, and its proponents, had a largely negative effect on the surrounding area. This much is undeniable. Admittedly, so is the fact that there is an obvious financial incentive associated with hosting the landfill. However, no amount of economic stimulation can justify the environmental and social costs resulting from the Keystone Sanitary Landfill. Dunmore and Throop, as well as other residential communities in

close proximity to the landfill, have paid the price of accepting massive amounts of waste for which they are not responsible. The photovoice pictures, titles, and descriptions are evidence of this truth and serve as proof that residents of Dunmore and Throop are dissatisfied with their current conditions and believe that they have taken their fair share of waste. It is time that we recognize the communities that have been made to bare a disproportionate amount of environmental burdens and take positive, tangible steps to remedy the situation. This is precisely what Friends of Lackawanna seeks to do. The organization has thus far had a number of significant successes in its fight against the proposed Phase III expansion of the landfill. In particular, that the local opposition cultivated and coordinated by Friends of Lackawanna was powerful enough to convince Keystone Sanitary Landfill, Inc. to alter its proposal is promising. We believe that Friends of Lackawanna is a perfect example of the benefits of grassroots community mobilization for effectuating real change and promoting environmental justice.

FIGURES

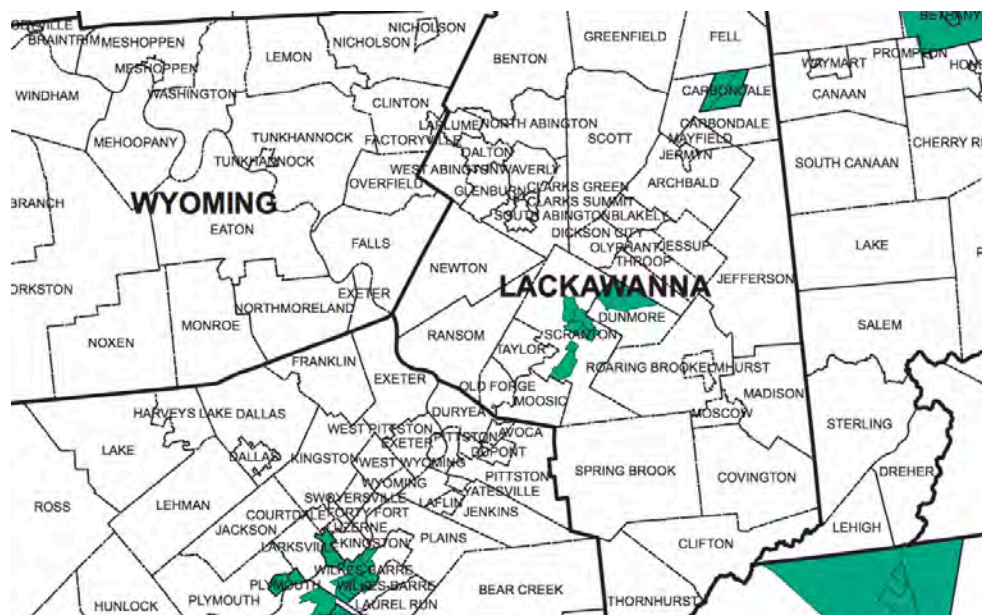


Figure 1 – Map of Environmental Justice Areas of Pennsylvania (Pennsylvania Department of Environmental Protection 2014)

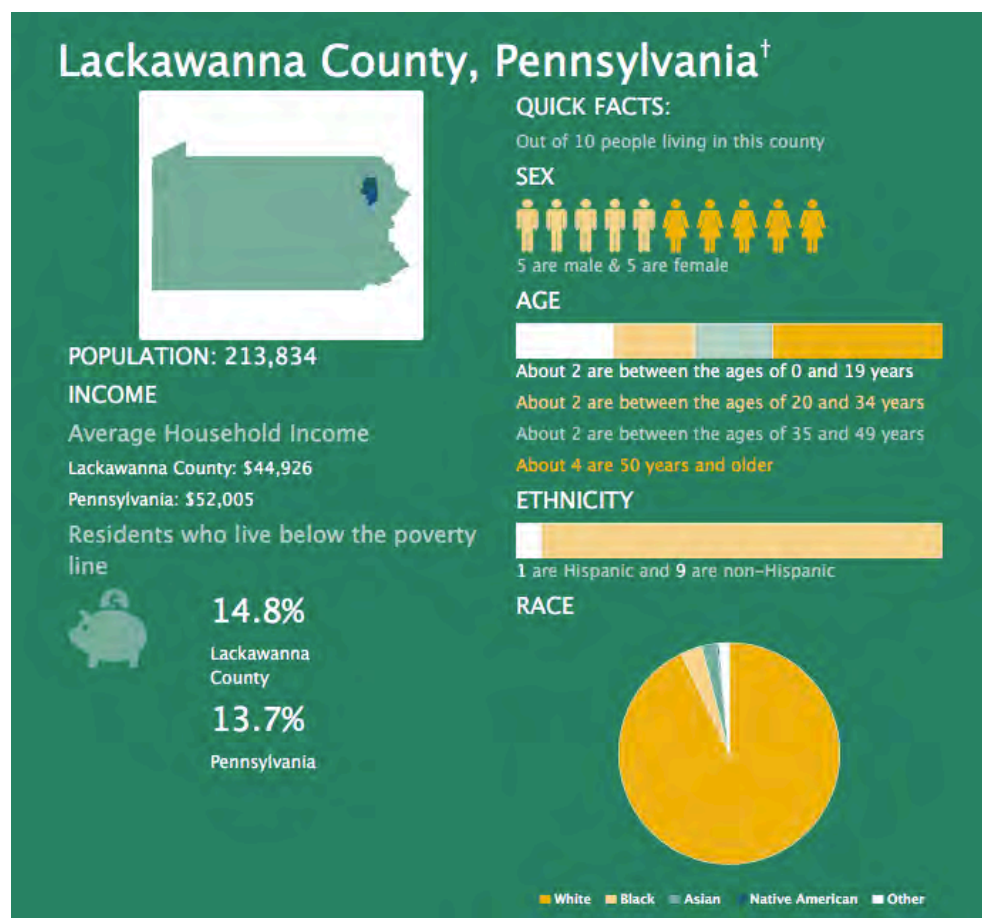


Figure 2 – Environmental Public Health for Lackawanna County, Pennsylvania (Centers for Disease Control and Prevention 2013)

APPENDIX A – PHOTOVOICE

PHOTO 1 – “INVASIVE GULLS”

Michele Dempsey

October 2016



“I grew up spending summers at this lake and visiting it throughout the year. Now most of my family lives at this lake year round. For 34 years of my life, there was never a gull on the lake. Then the landfill started to grow exponentially only 3 miles away. During the past 10 years, the number of gulls roosting on the lake continues to increase as the size of the landfill increases. I have personally seen thousands of these exact birds swarming around the “open face” of the Keystone Sanitary Landfill where the garbage is dumped. Research shows that because of landfills, the gulls migratory pattern is altered as they tend to stay in the areas where they can get the most food, i.e. near landfills, for longer periods of time. This throws off not only the local ecosystems where they stop, but also the ecosystem of their southern destination. The gulls disrupt local populations of smaller bird species. Moreover, they are a nuisance and source of biological pollution that is potentially harmful to the health of humans and other animals.”

PHOTO 2 – “SPOILED VIEWS OF THE VALLEY”
Anonymous (Submitted by Michele Dempsey)
December 2015



“This is a view from Dickson City across the valley from the Keystone Sanitary Landfill, which is located in both Dunmore and Throop. The landfill is the most prominent feature in the Lackawanna Valley and it is directly adjacent to homes. It is a growing tumor spreading quickly and jeopardizing the health and well-being of our citizens and environment. Under a thin green layer of grass, that vast bald spot on the mountain is full of millions of tons of the most heinous and disgusting trash (and God knows what else) ever produced. Think about the worst, most putrid, most disgusting trash you have ever witnessed—now multiply it by billions of pounds. Think of the disgusting, toxic garbage juice known as leachate leaking through the failed liners of the landfill and contaminating the soil and water of our beautiful valley. The fact that the landfill was ever allowed to get this big in the middle of a thriving residential community is preposterous. The fact that an expansion is being considered at all, let alone for almost 50 years, is unconscionable.”

PHOTO 3 – “SEWER BACKUP AT ST. PAUL’S SCHOOL AFTER A STORM”
Kara Seitzinger (Submitted by Michele Dempsey)
July 2016



“This is a picture of the flooded basement of St. Paul’s/St. Clare’s school basement after a storm. What is significant is that despite a 1991 Settlement Agreement that prohibits leachate from Keystone Sanitary Landfill to run through this neighborhood, the Scranton Sewer Authority changed their contract with the Landfill *mid-contract and without alerting the public* to allow leachate to be discharged to the Scranton Sewer Authority via this combined sewer system daily! Now this school could be flooded with the toxins leachate—a dangerous, poisonous landfill byproduct also known as “garbage juice”.”

PHOTO 4 – “UNNATURAL DISASTER”

Sharon Cuff

June 2015



“This photo was taken along a walking trail which circles Dunmore Reservoir # 1, our backup water supply. The reservoir is only 450 feet from Keystone Sanitary Landfill. This photo shows dead trees and dead ground vegetation. Based on Google maps, this is the closest point to the landfill on the walking trail. Another oddity is the lack of animals in the woods surrounding the reservoir trail; no squirrels, rabbits, deer etc. This certainly gives me cause for concern and makes me wonder what the source of the problem is.”

PHOTO 5 – “NATURAL GROWTH”
Sharon Cuff
June 2015



“This photo was taken along a walking trail which circles Dunmore Reservoir # 1, our backup water supply. The reservoir is only 450 feet from Keystone Sanitary Landfill. This photo shows healthy trees and vegetation in contrast to the area of dead vegetation closest to the landfill on the walking trail.”

PHOTO 7 – “LEACHATE ANYONE?!”
Sharon Cuff
June 2015



“This is a brand new, currently unused, six million dollar treatment plant that Keystone Sanitary Landfill built in anticipation of (*rubber stamp*) approval of their 50 year expansion request. Intervention by Friends of Lackawanna has changed their course dramatically!”

PHOTO 6 – “DRILLING WASTE SLUDGE PROCESSING AREA”

Sharon Cuff

June 2015



“Keystone Sanitary Landfill is authorized to receive drill cuttings and drilling mud. The cuttings are mixed with small amounts of naturally occurring radioactive elements in addition to heavy metals and can contaminate of our air, water and soil. The radiation detection monitors at Keystone sounded 130 times the year this photo was taken, yet only 3 of those trucks were turned away. The residents of this community do not agree with the Keystone’s “allowable limits”. They have taken enough and want NO more exposure to radioactive chemicals. **source of detection monitor info: Brooke Reynolds Air Quality Manager at KSL, during landfill tour 6/9/2015*”

PHOTO 8 – “BALLROOM OVERFLOWED!”

Sharon Cuff

March 2016



“Friends of Lackawanna are the voice for so many concerned citizens. Over 400 hundred people attended the “Let’s Talk Trash” event March 21, 2016. Two additional ballrooms were opened to accommodate the crowd.”

PHOTO 9 – “MEGA LANDFILL”

Sharon Cuff
Winter 2016



“This Mega landfill that sits within a residential community submitted the largest expansion request that PA DEP has ever received. Parks, schools and daycares are all within a mile of the landfill. It is an unfair and unreasonable burden to the people in this community to be dumped on any longer. This has been going on for generations. We have taken our share. We cannot allow the injustice to continue. **source: Roger Bellas, PA DEP, confirmed statement above re expansion request**”

PHOTO 10 – “TRASH MOUNTAIN”
Sharon Cuff
July 2016



“This resident’s view of the natural mountainside is obstructed by the mega landfill. They never would have envisioned Keystone landfill becoming the monstrosity it is now when they purchased their home. The thought of it expanding even further sickens them. They cannot open their windows in the summer because of the pungent odors. How dare Keystone do this? What about the homeowner’s rights?”

APPENDIX B – SITE VISIT PHOTOS

STEIGER PHOTOS



STEIGER PHOTOS



ROSENBERG PHOTOS



ROSENBERG PHOTOS



HEUCKE PHOTOS



HEUCKE PHOTOS



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