

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM016**

1. The approval herein granted is limited to the processing and beneficial use of trees, tree stumps, limbs, clean pallets, untreated and unpainted scrap lumber, packing crates and brush, hereinafter referred to as “wood waste”, to produce wood chips for wholesale purposes to be utilized off-site for further processing in the production of mulch material.
2. The approved processing is limited to size reduction (grinding) and screening of the wood waste prior to beneficial use as wood chips.
3. This general permit limits the storage of wood waste pile(s) as follows:
  - a. The storage pile(s) used in the processing operation shall not exceed 50 feet wide and 20 feet high.
  - b. The storage pile(s) shall be constructed lengthwise up and down surface slopes of the site.
  - c. The wood waste operation shall not exceed 15,000 cubic yards of total materials.
  - d. At a minimum, 20 feet of space shall be maintained between aerated or static piles to allow the unobstructed movement of emergency personnel and equipment.
5. Biological decomposition, with or without the use of water, of the wood waste is not authorized under this general permit.
6. Leaf and yard waste, other than the wood waste specified in Condition 1 of this general permit, are not authorized under this general permit and may not be received, mixed, stored or beneficially used with the wood waste in the production of wood chips.
7. Construction and demolition waste, concrete, asphalt, painted, treated and laminated wood, food waste, particle board, plastic bags, food processing sludge, spent mushroom substrate, dewatered dredge waste, manure, etc., are not authorized under this general permit.
8. Rejected and other wastes, other than the wood waste specified in Condition 1 of this general permit, that are not authorized under this general permit shall be segregated from the wood waste intended for beneficial use in the production of wood chips.
9. Scrap metal (i.e., nails, screws, bolts, etc.) separated from the wood waste shall be transported to a recycling facility or to a permitted disposal facility.
10. The staging and processing areas shall be constructed and maintained in a well-drained area with a workable surface and slope of 2% – 4% to prevent ponding and control surface water runoff.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM016**

11. Storm water runoff at the facility shall be diverted away from the processing, tipping, staging and storage areas. Surface water controls shall be based on a 24-hour precipitation event to be expected once every 25 years. Proper drainage (i.e., diversions, drains, dikes, etc.) must be constructed and maintained to prevent ponding, excessive wetting and minimize the storm water runoff from being contaminated by the wood waste or wood chips. Collection of storm water runoff from the facility shall be managed in accordance with the Clean Streams Law (35 P.S. §§ 691.1 – 691.1001) and the regulations promulgated thereunder.
12. Storm water runoff from the wood waste processing area and leachate from the production of wood chips, if generated, shall be directed to:
  - a. A properly sized vegetated filter area for treatment.
  - b. A properly sized holding pond for later reuse, or
  - c. A holding tank for later disposal.

The permittee shall not cause or allow a point or non-point source discharge of the combined storm water runoff and leachate in this Condition from the facility to the surface water of the Commonwealth. An NPDES (National Pollutant Discharge Elimination System) permit may be required if a point or non-point source discharge of the combined storm water runoff and leachate to the surface waters of the Commonwealth exists.

13. Runoff from the wood waste and wood chips storage areas shall not cause surface water pollution or groundwater degradation and shall be managed in accordance with The Clean Streams Law and regulations promulgated thereunder.
14. The working surface (i.e., processing and storage areas) shall be firm, uniformly graded, dry and constructed as one of the following:
  - a. Soil of moderate permeability: A compacted mixture, at least four feet thick, of select granular material with adequate fine-grained particles to bind it together and reduce permeability.
  - b. Soil of rapid or very rapid permeability: A clay or geosynthetics liner to address permeability and stability as well as to reduce potential leaching problems.
  - c. A surface paved with concrete or asphalt.
15. The storage and transportation of wood waste and wood chips shall be in a manner which does not create a nuisance or be harmful to the public health, safety or the environment and

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM016**

shall comply with the requirements of Title 25 Pa Code, Chapter 285 (relating to Storage, Collection and Transportation of Municipal Waste).

16. Equipment used for the storage and transportation of the wood waste and wood chips shall be maintained in good operating condition to prevent wood waste and wood chips from being conveyed out of the storage area(s). Weekly inspections of each storage area and their surrounding environs are to be conducted to determine compliance of the terms and conditions of this general permit, and for evidence of failure.
17. The wood waste and wood chips shall be stored in a manner that prevents a risk of fire or explosion, harborage or breeding of vectors or creation of odor, litter, noise and other nuisances which may be harmful to the public health, safety, welfare, and the environment.
18. The wood waste and wood chips under the authorization granted in this general permit shall be managed in accordance with the permittee's application. Except to the extent the permit states otherwise, the permittee shall utilize the wood waste and wood chips for beneficial use purposes as described in the permit application.
19. Failure of measures herein approved to perform as intended, or as designed, or in compliance with the applicable laws, rules, and regulations and terms and conditions of this general permit, for any reason, shall be grounds for the revocation or suspension of the permittee's approval to operate under this permit.
20. Hazardous waste, municipal waste, special handling waste, and other residual wastes may not be mixed and/or stored or beneficially used with the wood waste.
21. This general permit does not authorize and shall not be construed as an approval to discharge any industrial wastes, wastewater, leachate or runoff from processing or storage areas where solid waste management activities are conducted to the waters of the Commonwealth.
22. The permittee and subsequent seller of the wood waste shall inform all persons or municipalities, which propose to beneficially use the wood waste covered under this general permit, of the conditions and limitations imposed on the beneficial use of wood chips by the Department of Environmental Protection (Department). This notification shall be by providing a copy of Appendix A (Use Restrictions) of this general permit. The conditions in Appendix A also apply to: (1) the permittee, (2) any person who obtains a Determination of Applicability to conduct activities authorized by this permit, and (3) all subsequent end-users of the wood chips.

The permittee shall record the name and address of each person who is given or purchases the wood waste and shall record its intended use. This information shall be included in the annual report required in Condition 26 of this general permit. It is incumbent upon the

**SPECIAL CONDITIONS  
GENERAL PERMIT NO. WMGM016**

permittee to ensure that all users of the wood chips approved under this general permit are aware of all conditions contained in the Appendix A (Use Restrictions) of this general permit.

23. Upon cessation of operations or by the expiration date of this general permit or unless extended by the Department in writing, the permittee shall remove any remaining wood waste(s) and any other wastes or other materials which contain or have been mixed with the wood waste and shall provide for the processing and disposal of the waste or material in accordance with the Solid Waste Management Act, the environmental protection acts and the regulations promulgated thereunder.
24. The permittee shall immediately notify the Department (see address in Condition 26), in writing, of any changes in: the name, address, owners, operators and/or responsible officials of the company; change in facility location; changes in land ownership or the right to operate on the land occupied; the physical characteristics of the wood waste; the production process which produces the wood chips; the change in status of bonding and insurance of the facility and the change in status of any permit issued by the Department or any state authority or federal government under the environmental protection acts.
25. The permittee shall maintain records of rejected, unacceptable and unauthorized wastes that are disposed of from the facility. The records shall include the name and address of the disposal location, date of disposal, volume or weight of the waste that is disposed. The recordkeeping required in this Condition shall be retained at the facility, for a minimum of 5 years, and made available to the Department upon request.
26. Persons operating under the provisions of this general permit shall submit, within 30 days after the anniversary date of the issuance of this permit, to the Department's Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste, P.O. Box 8472, Harrisburg, PA, 17105-8472 and the appropriate Department Regional Office, an annual report which contains the information outlined in Conditions 8, 9, 24 and 25, and summarizes the following information:
  - a. Name and address of each generator of the wood waste.
  - b. Weight or volume of the wood waste received.
  - c. Weight or volume of the wood waste sold, traded or given away during the last 12 months ending on the anniversary date of the permit.
27. The permittee shall comply with the fugitive emissions regulations under 25 Pa. Code, Chapter 123 (Standards for Contaminants) issued under the Air Pollution Control Act, the Act of January 8, 1960, P.L. 2119, 35 P.S. §4005 and shall comply with all the applicable provisions of the Fugitive Emissions §§123.1 and 123.2.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM016**

28. Nothing in this general permit shall be construed to supersede, amend, or authorize a violation of any of the provisions of any valid and applicable local law, ordinance, or regulation, providing that said local law, ordinance, or regulation is not preempted by the Solid Waste Management Act, 35 P.S. §6018.101 et seq; and the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, 53 P.S. §4000.101 et seq.
29. As a condition of this general permit and of the permittee's authority to conduct the activities authorized by this permit, the permittee hereby authorizes and consents to allow authorized employees or agents of the Department, without advance notice or search warrant, upon presentation of appropriate credentials and without delay, to have access to and to inspect all areas on which solid waste management activities are being, will be, or have been conducted. This authorization and consent shall include consent to collect samples of wastes, soils, water, or gases; take photographs; to perform measurements, surveys, and other tests; inspect any monitoring equipment; to inspect the methods of operation and to inspect and/or copy documents, books, and papers required by the Department to be maintained. This permit condition is referenced in accordance with §§608 and 610(7) of the Solid Waste Management Act, 35 P.S. §§6018.608 and 6018.610(7). This condition in no way limits any other powers granted under the Solid Waste Management Act.
30. The activities authorized by this general permit shall not harm or present a threat of harm to the health, safety or welfare of the people or environment of this Commonwealth. The Department may:
  - a. Modify, suspend, revoke and reissue the authorization granted in this general permit if the permittee cannot comply with the conditions of this general permit or if the authorized activities cannot be adequately regulated under the conditions of this general permit.
  - b. Require an individual permit be obtained if it deems necessary to prevent harm or the threat of harm to the public health, and the environment.
31. Any independent contractors or agents retained by the permittee in the completion of activities authorized under this general permit shall be subject to compliance history review by the Department prior to performance of any activities, as specified by the Solid Waste Management Act of 1980 as amended.
32. Persons or municipalities which propose to operate under the terms and conditions of this general permit, after the date of permit issuance, must obtain a "Determination of Applicability" from the Department's Bureau of Land Recycling and Waste Management, (see address in Condition 26). No activities shall commence unless specifically authorized by the Department in writing.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM016**

At a minimum, the following information must be provided on forms available from the Department's Bureau of Land Recycling and Waste Management:

- a. Name and street address of applicant.
- b. Name and street address of facility where the wood waste will be processed and wood chips will be produced.
- c. Name and location of the generator(s) of wood waste to be used in the generation of wood chips.
- d. A description of the wood waste will be used in the production of wood chips.
- e. A description of the method will be used to inspect wood waste received at the facility for use in the production of wood chips.
- f. A description of the method will be used to manage wood waste that are not acceptable for beneficial use and rejected from the facility.
- g. A description of the method of processing that will produce the wood chips.
- h. Description of the beneficial use of wood chips.
- i. Number and title of the general permit.
- j. Evidence the wood waste, wood chips and waste management activities will be consistent with the general permit.
- k. Signed and notarized statement by the person operating the facility which states that the person accepts all conditions of this general permit.
- l. An application fee in the amount required under §271.842 (b) of the Municipal Waste Regulations made payable to the "Commonwealth of Pennsylvania".
- m. Proof that copies of the application have been submitted to each municipality, county, county planning agency and county health department in which processing activities are or will be located.
- n. Proof that the applicant has legal right to enter the land and operate the facilities approved under this permit.
- o. An irrevocable written consent from the landowner giving the Department permission to enter upon land where the applicant will be conducting processing activities.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM016**

- p. Information which identifies the applicant (i.e. individual, corporation, partnership, government agency, association, etc.), including the names and addresses of every officer which has a beneficial interest in or otherwise controls the operation of the company.
- q. A list of all previous permits or licenses issued by the Department or Federal government under the environmental protection acts; the dates issued, status and compliance history concerning environmental protection acts.
- r. A copy of the facility's Preparedness, Prevention and Contingency Plan (PPC) which is consistent with the Department's most recent guidelines on the development and implementation of PPC plans.
- s. Proof that independent contractors retained by the permittee to perform any activities authorized under this permit are in compliance with the Department's regulations as required in Condition 31.
- t. Total amount of the wood waste to be processed and wood chips to be produced and stored.
- u. Bonding and insurance in an amount acceptable to the Department with supporting documents.
- v. A map clearly showing the location of the processing facility to be operated by the applicant under this general permit, including the following:
  - 1. Boundaries and names of present owners of record of the land (surface and sub-surface), including easements, rights-of-way, and other property interests for the proposed permit area and adjacent properties.
  - 2. Boundaries of land within the proposed permit area; description of title, deed, or usage restrictions.
  - 3. Location of access roads (include slopes, grades, dimensions) and gates in relation to public and private roads, wells, and property lines.
  - 4. Location of the loading, tipping, staging, processing and storage areas.
  - 5. Within 300 feet of the facility: right-of-way for high-tension power lines, pipelines, railroads, public and private roads, buildings (school, dwelling, etc.) currently in use.
  - 6. Proposed water quality monitoring points.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM016**

7. 100-year flood plain.
  8. Barriers, fences and similar structures required for access control.
  9. Drawings showing the dimensions of processing piles, leachate, and storm water runoff prevention and controls for the processing and storage areas.
  10. Water diversion, collection, conveyance, erosion and sedimentation control, treatment, storage, and discharge facilities.
  11. Scales and weighing stations to be used in the operation.
  12. Areas for which a bond will be posted (Chapter 271, Sub-Chapter D).
  13. All utilities installed at the facility (electrical, gas, water, sewer, telephone, etc.).
  - x. Additional information the Department believes is necessary to make a decision.
33. Any person operating under the provisions of this general permit must notify the Department, in writing, if the processing facility is relocated or if new location(s) are to be included under this general permit. At least thirty (30) days prior to a permittee operating at a new location, two (2) copies of the information as required in: a, b, c, d, e, f, j, k, l, m, n, o, p, q, r, s, t and u of Condition 32 of this general permit must be supplied to the Department (see address in Condition 26), for review and approval.
34. Unless specifically approved by the Department in writing, the wood waste and wood chips shall not be stored for more than one (1) year, and as follows:
- i. The maximum amount of wood waste and wood chips stored, at any one time, shall not exceed 15,000 cubic yards (CY) of total materials as described in the approved application;
  - ii. The wood waste and wood chips are not accumulated before being beneficially used unless the permittee shows that the wood waste and wood chips are potentially reusable and have a feasible means of being beneficially used; and
  - iii. During the calendar year (commencing on January 1), the wood waste or wood chips that are beneficially used or transferred to a different site for beneficial use, equals at least 75% by weight or volume of the wood waste or wood chips accumulated at the beginning of the period. In calculating the percentage of turnover, the 75% requirement is to be applied to each wood waste of the same type (i.e., trees, tree



**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM016**

stumps, limbs, clean pallets, untreated and unpainted scrap lumber, packing crates and brush) that is beneficially used in the same way (that is, from which the same material is recovered or that is used in the same way).

35. The wood waste and wood chips shall not be placed directly into the surface water or groundwater of the Commonwealth.
36. The permittee shall maintain a bond in an amount and with sufficient guarantees as provided by 25 Pa. Code, Chapter 271, Subchapter D (relating to Financial Assurances Requirements).
37. The bond filed with the Department under Condition 36 shall continue for the operational life of the facility, until 10 years after final closure of the facility, unless released in whole or in part by the Department, in writing, prior thereto as provided by 25 Pa. Code §271.341 (relating to Release of Bonds).
38. The permittee shall maintain in force and effect a general liability insurance policy, in accordance with 25 Pa. Code, Chapter 271, Subchapter D (relating to Financial Assurances Requirements) to provide continuous coverage during operation of the facility and until the Department issues a final closure certification as provided by 25 Pa. Code §271.342 (relating to Final Closure Certification).

## APPENDIX A

### USE RESTRICTIONS GENERAL PERMIT NO. WMGM016

The following “Use Restrictions” apply to the beneficial use of wood chips to produce mulch material. Persons receiving, storing and/or using the wood chips for beneficial use purposes must comply with the following requirements:

#### USE RESTRICTIONS:

- A1. The wood chips shall not be placed directly into the surface water or groundwater of the Commonwealth.
- A2. The wood chips shall not be used as a valley fill material, to fill open pits from coal or non-coal mining or other fills, or to level an area or bring an area to grade.
- A3. Hazardous waste, municipal waste, special handling waste, and other residual wastes may not be mixed and/or stored or beneficially used with the wood chips.
- A4. Unless specifically approved by the Department in writing, the wood chips shall not be stored for more than one (1) year.
- A5. Runoff from the wood chips storage areas shall not cause surface water pollution or groundwater degradation and shall be managed in accordance with The Clean Streams Law and regulations promulgated thereunder.
- A6. The wood chips shall be stored in a manner that prevents a risk of fire or explosion, harborage or breeding of vectors or creation of odor, litter, noise and other nuisances which may be harmful to the public health, safety, welfare, and the environment. Storage shall be in a manner that prevents dispersal of wood waste or wood chips by wind or water erosion or a risk of fire or explosion.