

GENERAL PERMIT WMGM020

RECOVERY AND BENEFICIAL USE OF FERROUS  
AND NONFERROUS METALS; AND REMOVAL OF UNBURNED  
MATERIAL FROM MUNICIPAL WASTE INCINERATION FACILITIES

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF WASTE MANAGEMENT  
DIVISION OF MUNICIPAL AND RESIDUAL WASTE

Expires January 29, 2023

**SPECIAL CONDITIONS**  
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1. The approval granted herein is limited to salvage facilities that store and process (shaking, scraping and screening) ferrous/non-ferrous metal coated with ash residue that is recovered from municipal waste incineration facilities.
2. Surface water runoff from the facility shall not cause groundwater or surface water degradation and shall be managed in accordance with the Clean Streams Law and regulations promulgated thereunder.
3. Ash residue shall be stored in an enclosed container, which may include a properly tarped container, or an enclosed area, which may include an adequately ventilated building. Leachate from the ferrous/non-ferrous metals coated with ash residue and ash residue storage and processing areas shall be collected and managed in a manner that complies with the Solid Waste Management Act and the regulations promulgated thereunder.
4. The ferrous/non-ferrous metal coated with ash residue and ash residue shall not be stored or processed where continuous or intermittent contact may occur between the wastes and groundwater or surface water. Storage pads or liners shall be used to protect the groundwater or surface water, they shall collect all leachate or runoff from the ash residue, be no less permeable than  $1 \times 10^{-7}$  cm/sec, shall not be adversely affected by the physical or chemical characteristics of the wastes and its associated leachate, and shall divert surface water run-on from coming into contact with the ash residue.
5. Ferrous/non-ferrous metal coated with ash residue and the ash residue associated with the processing facility shall not be stored for more than sixty (60) days from the date when the wastes were first received at the facility, unless otherwise specified in the facility site operational plan and the alternative storage time is approved in writing by the Department. Ash residue shall be returned to the municipal waste incinerator facility that generated it, or disposed or otherwise managed at a legally permitted facility. All cleaned ferrous/nonferrous metal shall be recycled or beneficially used.
6. The permittee shall comply with the fugitive emissions standards adopted under 25 Pa. Code, Chapter 123 (Standards for Contaminants) issued under the Air Pollution Control Act, the Act of January 8, 1960, as amended, P.L. 2119, 35 P.S. §4005 and shall comply with the Fugitive Emissions Sections 12.3.1 and 12.3.2.
7. Ferrous/non-ferrous metal coated with ash residue and ash residue shall be processed and/or stored in a manner that prevents harborage or breeding of vectors or release of odors, litter and other nuisances that are harmful to the environment or public health, or which create safety hazards, odors, dust, noise, unsightliness and other public nuisances.
8. Nothing in this permit shall be construed to supersede, amend, or authorize a violation of any of the provisions of any valid and applicable local law,

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ordinance, or regulations, providing that said local law, ordinance, or regulation is not preempted by the Pennsylvania 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.

9. As a condition of this 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 waste, soils, water, or gases; to take photographs; to perform measurements, surveys and other tests; to 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 Section 608 and 610(7) of the Solid Waste Management Act, 35 P.S. Section 6018.608 and 6018.610(7). This condition in no way limits any other powers granted under the Solid Waste Management Act.
10. Approval of any plans or facilities herein refers to the functional design, but does not guarantee operational efficiency. Failure of the measures and facilities 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 permit, for any reason, shall be grounds for the revocation or suspension of the permittee's approval to operate under this permit.
11. The activities authorized by this 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 modify, suspend, revoke, or reissue the authorization granted in this permit if it deems necessary to prevent harm or the threat of harm to the public health, the environment, or if the activities cannot be adequately regulated under the conditions of this permit.
12. The permittee shall comply with the terms and conditions of this general permit and with the environmental protection acts to the same extent as if the activities were covered by an individual permit. The Department may require an individual permit if the permittee is not in compliance with the conditions of this general permit or is conducting an activity that harms or presents a threat of harm to the health, safety, or welfare of the people or the environment of this Commonwealth.
13. Person or municipalities that 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 Regional Office (address in the attached DEP Regional Offices list) which has jurisdiction for

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waste related activities in the county where the facility will be located. No activities shall commence unless specifically authorized in writing by the Department.

At a minimum, the following information, if applicable, must be provided on forms available from the Regional Office or the Department's Bureau of Waste Management:

- a. Name and street address of applicant.
- b. Number and title of the general permit.
- c. A detailed site plan of the facility including drawings and descriptions and locations of all ash residue storage and processing areas, processing units, containment structure design and composition, access roads, property lines, setbacks, contours, wells, utilities, erosion and sedimentation controls, etc. The plan must clearly describe how the ash residue will be kept segregated from other waste or material at the facility and kept free from additional contamination. In addition, the plan shall state the quantities of ferrous/nonferrous metal coated with ash residue and ash residue to be processed and stored at the facility and the frequency of ash residue disposal.
- d. A plan to minimize and control hazards or nuisances from vectors, odors, noise, dust and other nuisances. The plan shall include methods used to minimize and control odors, dustfall and noise off the property boundary from the facility. The plan shall also include routine assessments to evaluate the effectiveness of the controls.
- e. Signed and notarized statement by the person or municipality who seeks a "Determination of Applicability" accepting all conditions and agreeing to operate under the terms and conditions of this general permit.
- f. An application fee in the amount specified in the municipal waste regulations payable to the "Commonwealth of Pennsylvania."
- g. Proof that copies of the application have been submitted to each municipality, county, county planning agency, and county health department, if one exists, in which activities are or will be located.
- h. Proof that the applicant has legal right to enter the land and perform the facility activities approved under this permit.
- i. An irrevocable written consent from the landowner giving the Department permission to enter upon land where the applicant will be conducting waste management activities.

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- j. Information that identifies the applicant (i.e., individual, corporation, partnership, government agency, association, etc.) and related parties, including the names and addresses of every officer who has a financial interest in or controls the facility operation.
  - k. Proof the ferrous/non-ferrous metal and ash residue and the solid waste management activities are consistent with the general permit.
  - l. A list of all previous permits or licenses issued to the applicant or any related parties by the Department, other State government or the Federal government under the environmental protection acts; the dates issued, status and compliance history concerning the environmental protection acts.
  - m. Proof that any independent contractors retained by the applicant to perform any activities authorized under this permit are in compliance with State and Federal laws and regulations relating to environmental protection as required in Condition 19.
  - n. Any additional information the Department believes is necessary to make a decision.
14. Any person operating under the provisions of this permit must notify the Department, in writing, if the facility is relocated or if new location(s) are to be included under this permit by submitting the information, which must be approved prior to operating the facility, in accordance with Condition 25 below.
15. Any person that operates under the provisions of this permit shall immediately notify, in writing, the waste program Operations Manager of the appropriate regional office of the Department (address in attached list) of any changes in: the name, address, owners, operators and/or responsible officials of the company; the physical or chemical characteristics of the ash residue; new sources of ferrous/non-ferrous metal coated with ash residue and ash residue, the status of any permit issued by the state or federal government under the environmental protection acts; and the land ownership and the right to enter and operate on the land where the facility is located.
16. The ferrous/non-ferrous metal coated with ash residue and ash residue shall not be mixed with other types of municipal waste, residual waste, hazardous waste or special handling waste.
17. No hazardous waste shall be stored or processed under this general permit at the processing facility.
18. Ferrous/non-ferrous metal coated with ash residue and ash residue shall not be processed or stored within these minimum isolation distances:

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- a. In the 100-year floodplain of waters of this Commonwealth, unless the Department approves, in writing, a method of protecting the facility from a 100-year flood consistent with the Flood Plain Management Act (32 P.S. §§679.101-679.601) and the Dam Safety and Encroachments Act (32 P.S. §§693.1-693.27).
  - b.1. In or within 300 feet of an exceptional value wetland as defined in §105.17 (relating to wetland).
  - 2. In or within 100 feet of a wetland other than an exceptional value wetland, unless storage and processing will not occur within that distance or storage and processing take place in an enclosed facility and one of the following applies:
    - (A) If the operation is in or along the wetland, the operator has received a permit from the Department under Chapter 105 (relating to dam safety and waterway management).
    - (B) If the operation is not in or along the wetland, no adverse hydrologic or water quality impacts will result.
  - c. Within 300 yards measured horizontally from an occupied dwelling, unless the current owner has provided a written waiver consenting to the activities being closer than 300 yards.
  - d. Within 100 feet of an intermittent or perennial stream, unless storage and processing will not occur within that distance and no adverse hydrologic or water quality impacts will result.
  - e. Within 50 feet of a property line unless the operator demonstrates that actual processing of waste is not occurring within that distance, or that the current owners of occupied dwellings within that distance have provided written waivers consenting to the facility being closer than 50 feet. The waiver shall be knowingly made and separate from a lease or deed unless the lease or deed contains an explicit waiver from the owner.
19. Any independent contractors or agents retained by the permittee in the completion of activities authorized under this general permit shall be subject to a compliance history review by the Department prior to performance as specified by the Solid Waste Management Act of 1980, as amended.
20. The permittee shall maintain records of unacceptable and unauthorized wastes that are rejected and disposed or returned to the generator by the permittee. The records shall include the name and address of the disposal location, date of disposal, volume or weight of the wastes disposed. Records shall also be maintained of the quantities and where the ferrous/non-ferrous metals are recycled and the quantities and disposal location of ash residue

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disposed. In addition, records shall be maintained indicating where the ash came from and to demonstrate compliance with the sixty (60) day ferrous/non-ferrous metal and ash residue storage limitation. The records required in this Condition shall be retained by the permittee for a minimum of (5) years and made available to the Department upon request.

21. Equipment used for the storage and processing of ferrous/non-ferrous metal and ash residue shall be maintained in good operating condition. Weekly inspections of the storage areas and processing equipment 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.
22. 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 stored ferrous/non-ferrous metal coated with ash residue and ash residue and any other wastes or other materials which contain or have been contaminated by the wastes and shall provide for the processing and disposal of the waste or material in accordance with the Solid Waste Management Act of 1980, as amended, the environmental protection acts and the regulations promulgated thereunder.
23. This general permit does not authorize and shall not be construed as an approval to discharge any wastes, wastewater, leachate or runoff from areas where solid waste management activities are conducted to the waters of the Commonwealth.
24. The storage and transportation of ferrous/non-ferrous metal coated with ash residue and ash residue shall be in a manner which does not create a nuisance or be harmful to the public health, safety or the environment and shall comply with the requirements of 25 Pa Code, Chapter 285 (relating to Storage, Collection and Transportation of Municipal Waste).
25. The permittee under this general permit may utilize new waste processing location or expand an existing facility by providing notification to the Department. The notification shall be submitted via certified mail and contain the following:
  - a. For expansion of an existing site, submission of information as required in items b, c, d, g, h, l, and k of Condition 13 above. The notification shall be submitted at least 20 days prior to starting expanded operations.

For operations at a new location, the information required in items a, b, c, d, g, h, l, k, and m, of Condition 13 above must be submitted. The notification shall be submitted at least 30 days prior to starting the new operations at a new waste processing location.

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**Department of Environmental Protection**  
**Regional Offices**  
**(and Counties Served)**

- I. Bucks, Chester, Delaware, Montgomery, Philadelphia.

**Southeast Regional Office**

2 East Main Street  
Norristown, PA 19401  
Phone: (484) 250 – 5960

- II. Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne, Wyoming.

**Northeast Regional Office**

2 Public Square  
Wilkes-Barre, PA 18711-0790  
Phone: (570) 826 – 2511

- III. Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry, York.

**Southcentral Regional Office**

909 Elmerton Avenue  
Harrisburg, PA 17110-8200  
Phone: (717) 705 – 4706

- IV. Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga, Union.

**Northcentral Regional Office**

208 West 3<sup>rd</sup> Street - Suite 101  
Williamsport, PA 17701  
Phone: (570) 327 – 3653

- V. Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington, Westmoreland.

**Southwest Regional Office**

400 Waterfront Drive  
Pittsburgh, PA 15222-4745  
Phone: (412) 442 – 4000

- VI. Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango, Warren.

**Northwest Regional Office**

230 Chestnut Street  
Meadville, PA 16335-3481  
Phone: (814) 332 – 6848