

GENERAL PERMIT WMGM044

Processing and beneficial use of unpainted and untreated wood waste, gypsum board, brick, block and concrete waste for uses as: mulch for landscaping purposes, soil erosion control material, aggregate material in construction, animal bedding and alternative fuel or distributed to wholesale outlets.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT
DIVISION of MUNICIPAL and RESIDUAL WASTE**

**Issued: September 24, 2012
Amended: April 12, 2016
Expires: September 23, 2022**

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A. Authorization:

This general permit authorizes the following solid waste management activities:

1. Processing by sorting, screening, crushing, grinding, and shredding of unpainted and untreated tree stumps, limbs, pallets, skids, saw dust, wooden boxes or containers, wood shavings or slab wood from saw mills, packing crates, dimensional wood scraps, and construction wood scraps from new residential home construction activities, hereinafter referred to as "wood waste", to produce wood chips for wholesale purposes to be utilized off-site as mulch material or for further processing in the production of mulch material.
2. Processing by crushing and screening, of uncontaminated, clean rock, stone, brick, gravel, block, and concrete for beneficial use as an aggregate material in roadway construction.
3. Processing by grinding, shredding, and screening of untreated and unpainted standard gypsum wallboard, commonly known as Type X, generated at residential homes and commercial construction sites, or manufacturing facilities for beneficial uses as: (i) land application of the ground gypsum as a soil amendment or soil conditioner for agricultural purposes, and (ii) utilization of the backing paper as an animal bedding material.
4. Processing by grinding, shredding, screening, and blending of the following wastes for beneficial use of as an alternative fuel material:
 - a. Engineered, stained and laminated scrap wood, composite scrap wood, sawdust, wood shaving, slab wood, and wood scraps with applied finishes from industrial operations;
 - b. Textile wastes (i.e., scrap carpet, scrap diaper fiber, scrap burlap bags, soiled rags);
 - c. Pre-consumer plastic waste, rubber waste, elastomer waste, and latex materials;
 - d. Source segregated packaging materials, standard and laminated paper, newspaper, and wax coated cardboard;
 - e. Construction and demolition wastes from residential and commercial structures segregated by type of waste such as wood, concrete, block;
 - f. Waste tires and discarded conveyer belts;
 - g. Segregated post-consumer plastic waste with the plastic recycling codes of 4 through 7;
 - h. Roofing felt materials;

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- i. Non-asbestos waste asphalt shingles; and
 - j. Recyclable wood waste materials (i.e., pallets, skids, saw dust, wood boxes or containers, wood shavings or slab wood, dimensional wood scraps, construction wood scraps) and construction debris that have not been subject to a spill or release of regulated substance.
5. Sorting and screening prior to distribution for beneficial use, without further processing, of plastic waste (i.e., 5-gallon buckets and lids; HDPE geothermal pipe; HDPE storm pipe; HDPE, LDPE and PP plastic film such as shrink wraps; PVC pipe; vinyl siding, and planter pots).
 6. Sorting and screening of the following recyclable wastes separated from other processed waste or segregated by type of waste listed below, prior to being reused on-site, sold, donated, or distributed to wholesale outlets for beneficial use without further processing:
 - a. Reusable structurally sound piece of lumber.
 - b. Unused or reusable building materials.
 - c. Architectural elements (i.e., windows, doors, sinks, skyscraper glass, vinyl siding).
 - d. Reusable stone and bricks.
 - e. Pallets and crates.
 - f. Office furniture and equipment.
 7. Processing by baling of source segregated paper, cardboard and newspaper for transportation to a cardboard mill or a recycling facility.
 8. Shredding, grinding and screening at the point of waste generation, by a mobile processing unit, and beneficial use of untreated and unpainted standard gypsum wallboard commonly known as Type X for a one-time land application to the soil as: (a) a soil amendment, and/or (b) distributed to wholesale outlets.
 9. Temporary storage of scrap metal (i.e., nails, screws, bolts, steel, aluminum flashing) and metal piping separated from other processed waste for transportation to a recycling facility or to a permitted disposal facility.
 10. Incidental materials or wastes that are not readily recyclable (i.e., waste tire, fluorescent light bulb, ballast, e-waste, pentachlorophenol-treated, and creosote-treated wood waste, and paint) shall be segregated, gathered, and temporary stored at the facility for (i) distribution to a wholesale outlet, (ii) transportation to a recycling facility for further processing, or (iii) donation to charitable organization.

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11. Non-recyclable waste materials shall be transported to a permitted municipal waste disposal facility.

B. Determination of Applicability Requirements:

A person that proposes to operate under the terms and conditions of this general permit after the date of permit issuance must obtain a Determination of Applicability (DOA) from the appropriate Department Regional Office (see attached list) prior to commencing authorized activities under this general permit. A completed (i) General Information Form (Authorization Application for a Residual or Municipal Waste General Permit Application), (ii) Form B (Professional Certification), (iii) Form 20 (Application For a Municipal or Residual Waste General Permit), (iv) Form 27R (Acceptance of General Permit Conditions), (v) DOA application fee in the amount identified in Section A (General Information) of the Form 20, (vi) Bonding Worksheets A through E (document no. 2540-FM-BWM0586), and (vii) as a minimum, a detailed project description contains the information indicated below must be submitted to the appropriate Department Regional Office. Checks shall be made payable to the "Commonwealth of Pennsylvania". No activities shall commence unless approved, in writing, by the Department.

1. A description of the facility's operation and activity in the management of solid waste materials. This description should include but not limited to: (i) criteria requirements for incoming waste(s) to be accepted at the facility, (ii) procedures implemented at the facility to ensure the criteria requirements are met prior to incoming wastes are accepted, (iii) measures implemented in the management of incoming wastes that did not meet the required criteria, and (iv) storage of waste materials (before, during, and after processing).
2. An inventory list of waste materials that will be received and processed for beneficial use at the facility.
3. Daily or annually volume or amount of incoming waste that is proposed to be received at the facility.
4. Length of time beginning with the acceptance of incoming waste until it is sold, donated, distributed to wholesale outlets, or transferred off-site for reuse or further processing.
5. A description of the storage area for each type of waste material received at the facility.
6. A description of whether any waste material is stored indoors, outdoors, under roof or other structure designed to prevent storm water from being in contact with the waste material.
7. A description of measures implemented to prevent waste materials stored at the facility from being intermingled with storm water run-on at the facility.
8. A description of the dimensions of each storage area.

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9. A description of the market for each type of waste material.
10. A description of whether a market currently available for each waste type.
11. A description of how the waste will be managed if its existing market is no longer available.

C. Operating Conditions:

1. The crushed brick, block and/or concrete may be beneficially used as a roadway construction material if the following quality criteria requirements are met:
 - a. Where the crushed brick, block and/or concrete will be beneficially used as a sub-grade in roadway construction, in the preparation of a roadbed and/or prior to the final asphalt placement, the crushed brick, block or concrete must comply with the requirements in Section 210 of the Pennsylvania Department of Transportation (PennDOT) specifications as outlined in its Publication No. 408 (Specifications).
 - b. Where the crushed brick, block and/or concrete will be beneficially used as an aggregate or blended with other aggregate as a roadway construction material, the crushed brick, block and/or concrete must comply with the requirements in Sections 702 and/or 703 of the PennDOT specifications as outlined in its Publication No. 408 (Specifications).
 - c. The beneficial use of crushed brick, block and/or concrete must conform to the applicable engineering properties as the raw material it is being substituted for.
2. The ground gypsum may be beneficially used, for a one-time on-site land application to the soil, at new residential and commercial construction sites owned or contracted by the permittee if all following requirements are met:
 - a. Equal to or greater than 98% of the ground gypsum (dry weight basis) passes a screen with a 1-inch opening.
 - b. The ground gypsum that is beneficially used shall be tilled or incorporated into 4 – 12 inches of soil within 24 hours of its land application.
 - c. The one-time application rate of ground gypsum must not exceed the application rates specified in Table 1 below.

Table 1

Application Rates for Ground Gypsum Waste

Region	Application Rate
Piedmont, Mountain, and Ridge and Valley	250 lbs/1000 ft ²
Coastal Plain	50 lbs/1000 ft ²

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- d. The minimum area of land (Step 1) needed for land application of ground gypsum must not exceed the existing land (Step 2) available as determined by using Worksheet 1 below.

Worksheet 1

Size of Land Needed To Land Apply Ground Gypsum Waste

Step 1 - Area of land needed to apply processed gypsum:

$$\text{Formula: } \frac{\text{Size of the house (ft}^2\text{)} \times 0.70 \text{ (lb/ft}^2\text{)}}{\text{Recommended Application Rate (lb/ft}^2\text{) in Table 1}} \times 1000$$

$$\text{Your Numbers: } \frac{\text{_____ (ft}^2\text{)} \times 0.70 \text{ (lb/ft}^2\text{)}}{\text{_____ (lb/ft}^2\text{)}} \times 1000 = \text{_____ (ft}^2\text{)}$$

Step 2 – Existing land available:

$$\text{Formula: } \text{Size of the lot (ft}^2\text{)} - \text{Size of impervious area (ft}^2\text{) (Driveway, etc.)}$$

$$\text{Your Numbers: } \text{_____ (ft}^2\text{)} - \text{_____ (ft}^2\text{)} = \text{_____ (ft}^2\text{)}$$

3. Biological decomposition, with or without the use of water, of the wood waste is not authorized under this general permit.
4. The processing and beneficial use of fire retardant and moisture resistant gypsum wallboard and demolition wastes are not authorized under this general permit.
5. Wastes, other than the wastes specified in Section A of this general permit, may not be received, mixed, stored or beneficially used with the wastes authorized under this general permit. Unauthorized waste shall be: (i) separated from the waste intended for beneficial use, (ii) removed weekly from the processing facility, and (iii) transported to a recycling facility or properly disposed of at a permitted municipal waste disposal facility.
6. All activities conducted under the authorization granted in this general permit shall be performed in accordance with the permittee's application, except to the extent that there is a conflict with the regulations or governing statutes.
7. The unprocessed and processed waste shall not be mixed with other types of residual waste, municipal waste, hazardous waste or special handling waste.

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8. The permittee shall not cause or allow a point or non-point source discharge of any of the following: residual wastes including industrial waste and wastewater from the staging, processing, and storage areas where activities are conducted; combined storm water runoff and leachate, if generated; runoff or leachate from the staging, processing, and storage areas where solid waste management activities are conducted, unless permitted by the Department.
9. The permittee shall comply with 35 P.S. §§ 4001 – 4016, and the regulations promulgated under the Act, including Chapter 123, Standards for Contaminants, Fugitive Emissions at 25 Pa. Code § § 123.1 and 123.2 and Odor Emissions at 25 Pa. Code § 123.31.
10. Nothing in this general permit shall be construed to supersede, amend, or authorize a violation of any of the provisions of any valid state or federal law or regulation.
11. 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 credential and without delay, to have access to and inspect all areas or permittee-controlled adjacent areas where solid waste management activities are being or will be conducted. This authorization and consent shall include consent to collect samples of wastes, waters, 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 or produced. (See §§ 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 to the Department under the Solid Waste Management Act.
12. 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 general permit.
13. 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 as specified by the Solid Waste Management Act of 1980.
14. The processed waste 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.
15. The processed waste shall be managed in accordance with the Solid Waste Management Act, the act July 7, 1980, as amended, P.L. 380, 35 P.S. §§ 6018.101 et seq. and the regulations promulgated therein.

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16. 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 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.
17. At a minimum, weekly inspections of all storage areas are to be conducted to determine compliance with the terms and conditions of this general permit, and for evidence of failure.
18. The processing, transportation and storage prior to beneficial use of unprocessed and processed waste shall comply with the requirements of 25 Pa Code Chapter 285 (relating to storage, collection and transportation of municipal waste) and shall be in a manner which will not create a nuisance or be harmful to the public health, safety or the environment of this Commonwealth.
19. Upon completion of beneficial use activities or by the expiration date of this permit, unless extended by the Department, the permittee shall remove any remaining unprocessed and processed waste and manage the waste in accordance with the Solid Waste Management Act, the environmental protection acts and the regulations promulgated thereunder.
20. Waste materials authorized under this general permit shall not be stored or placed in direct contact with surface water or groundwater of the Commonwealth, except as approved otherwise by the Department.
21. The waste materials authorized in Section A of this general permit shall not be processed and stored as follows:
 - a. Within 100 feet of a perennial stream.
 - b. Within 33 feet of an intermittent stream.
 - c. Within 300 feet of a water supply source.
 - d. Within 300 feet of an exceptional value wetland.
 - e. Within 100 feet of a wetland other than an exceptional value wetland.
 - f. In a 100-year flood plain.
 - g. Within 3.3 feet of a regional groundwater table.
 - h. Within 100 feet of the edge of a sinkhole or area drainage into a sinkhole.
 - i. Within 300 yards of the following:

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1. A building owned by a school district or parochial school and used for instructional purposes;
2. A park;
3. A playground.

The current property owner of a school building, park or playground may waive the 300-yard prohibition by signing a written waiver. Upon receipt of the waiver, the Department will waive the 300-yard prohibition and will not use the prohibition as the basis for the denial of a new permit.

22. Unless otherwise authorized by the Department in writing, on-site storage of incoming and processed wastes that were authorized in Section A of this general permit shall comply with the following:
 - a. The wastes authorized in Section A of this general permit shall not be accumulated before being beneficially used unless the operator shows that the wastes have the potential to be beneficially used and has a feasible means of being beneficially used.
 - b. Crushed brick, block and concrete materials shall not be stored for more than two (2) consecutive construction seasons (commencing on April 1), and at any one time the maximum amount stored may not exceed the total amount of materials as described in the approved application.
 - c. During the calendar year (commencing on January 1), wood waste, waste gypsum wallboard, and waste asphalt shingles shall not be stored for more than one (1) year, and at any one time the maximum amount stored may not exceed the total amount of materials as described in the approved application.
 - d. During the calendar year for wood waste and waste gypsum materials, or during the biennial construction season for crushed brick, block and concrete materials, the amount of materials that are beneficially used or transferred to a different site for beneficial use, must equal at least 75% by weight or volume of the wood waste, or crushed brick, block and concrete materials accumulated at the beginning of the period. In calculating the percentage of turnover, the 75% requirement is to be applied to each waste of the same type (i.e., wood waste, finished mulch, crushed brick, block and concrete, etc.) 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).
23. Best Management Practices (BMPs) shall be implemented to divert storm water run-on away from the storage area of waste material. Storm water runoff shall be managed in accordance with The Clean Streams Law and regulations promulgated thereunder. Prior to commencing operations at the facility, the permittee must obtain all the necessary storm water management permits.

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24. The processing facility cannot be located in an area where the facility would adversely affect a habitat of a known endangered or threatened species.
25. A financial bond is required by the Department if the maximum volume of waste materials received, processed and stored on-site exceeds 500 cubic-yards at any one time. The financial bond amount shall be estimated to guarantee the removal and proper management of pre- and post-processed waste-derived materials at the facility. The amount of the bond shall be based upon the total estimated cost to the Commonwealth for decontamination, transportation, removal and disposal of the wastes found at the facility. The Department may require additional bonding for any other necessary measures to prevent adverse impacts upon public health, safety, welfare, and the environment.
26. The gypsum wallboard received, ground gypsum and backing paper shall be stored in a structure with a permanent roof or be covered with a waterproof tarp to prevent storm water from being contacted with the unprocessed or processed gypsum wallboard materials. The integrity of the tarp must be maintained at all times.
27. The alternative fuel material produced under the authority of this general permit is not considered a waste as defined in 25 Pa. Code § 271.1 when it meets the conditions of this permit and is marketed as a commodity in trade for use as a fuel in an air contamination source approved through an air quality authorization issued by the department pursuant to 25 Pa. Code Chapter 127 (relating to construction, modification, reactivation, and operation of sources) or approved by Air Quality for use in a test burn, or approved by the appropriate regulatory authority where the alternative fuel will be burned outside of the Commonwealth of Pennsylvania. The alternative fuel material must possess the heat content (BTU/pound) required by the combustion device in which it will be utilized as fuel. Alternative fuel material may be stored outdoors if the fuel it is replacing is stored in a similar manner, and if such storage does not degrade the quality or the physical/chemical characteristics of the alternative fuel material. When stored outdoors, the alternative fuel material shall be stored in a manner that prevents harm to human health and the environment, and that is in compliance with the storm water management and leachate management provisions of Conditions C.8 and C.23 of this general permit.

D. Recordkeeping.

1. The permittee shall maintain documents for the processing and beneficial use activity during the last 12 months that shows:
 - a. Name, address and phone number of each person or municipality that received the processed waste material(s) for beneficial use activity authorized under this general permit.
 - b. Volume in cubic yards or the weight in dry tons for each waste material.

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- c. Location and size of each new residential and construction site where the ground gypsum was land applied for beneficially used as required in Worksheet 1 of Condition C.2 of this general permit.
 - d. The application rate of ground gypsum of each new residential and construction site where the ground gypsum was land applied for beneficially used as required in Table 1 of Condition C.2 of this general permit.
2. The records required in Section D of this general permit shall be retained at the facility for a minimum of five (5) years and made available to the Department upon request.

E. Reporting.

1. Any person that operates under the provisions of this permit shall immediately notify the Department Regional Office (see attached list), in writing, of any changes in the company name, address, owners, operators and responsible officials, and the status of any permit issued by the Department or federal government under the environmental protection acts.
2. The permittee shall submit to the appropriate Department Regional Office (see attached list) an annual report for the previous 12 months ending thirty (30) days prior to the permit anniversary date. The annual report is due on the anniversary date that the permit became applicable to a permittee that shall summarize the information outlined in paragraph D.1 of this general permit.
3. The permittee shall immediately notify the Department's Emergency Hotline by telephone at 800-541-2050 and the appropriate DEP regional office waste management program in the event of any spill of the waste material in a quantity capable of reaching surface water, and shall take appropriate immediate action to protect the health and safety of the public and the environment.

F. Permit Renewal.

A person or municipality that plans to continue the operations authorized under this general permit, after the expiration date indicated on the approval for coverage page, shall file a complete application for permit renewal at least 180 days before the expiration date of this general permit unless permission has been granted by the Department for submission at a later date. The renewal application shall be made using the "Form 20 (Application For a Municipal or Residual Waste General Permit)".

In the event that a timely and complete application for renewal has been submitted and the Department is unable, through no fault of the permittee, to reissue the general permit or approval for coverage before its current coverage expiration date, the terms and conditions of the approved coverage will automatically continue and will remain fully effective and enforceable pending the issuance or denial of the renewal for permit coverage, provided the permittee is, and has been, operating in compliance with the terms and conditions of the general permit.

**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 - 2516

- 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 3rd 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