

GENERAL PERMIT WMGR146

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BUREAU OF WASTE MANAGEMENT

DIVISION OF MUNICIPAL and RESIDUAL WASTE

Issued: November 21, 2014

Expires: November 21, 2024

GENERAL PERMIT NO. WMGR146
BENEFICIAL USE OF ALTERNATIVE FUEL

A. Description:

This general permit authorizes the beneficial use of a fuel product produced from components of non-hazardous, non-putrescible construction/demolition waste, and residual waste that qualifies as a coproduct where each component of the residual waste contributes to the beneficial use of the fuel product.

B. Determination of Applicability Requirements:

A person or municipality 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) Form HW-C (Compliance History), and (vi) a DOA application fee in the amount identified in Section A (General Information) of the Form 20 must be submitted to the appropriate Department Regional Office. A check shall be made payable to the "Commonwealth of Pennsylvania". No activities shall commence unless approved, in writing, by the Department. Persons proposed to have their fuel product approved shall include a comparison of contaminant levels in the fuel product to contaminant levels in the fuel it is replacing.

C. Operating Conditions:

1. All activities conducted under the authorization granted in this permit shall be conducted in accordance with the permittee's application. Except to the extent the permit states otherwise, the permittee shall utilize the processed material as described in the permit application.
2. The permittee shall comply with the fugitive emissions regulations under Title 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 Sections 123.1 and 123.2.
3. 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, ordinance,

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or regulation, 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.

4. As a condition of this general permit and of the permittee's authority to conduct the activities authorized by this general 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; 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.
5. 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 Pennsylvania Solid Waste Management Act of 1980.
6. Failure of the permittee to comply with the applicable laws, rules, and regulations and terms of this permit, for any reason, shall be grounds for the revocation or suspension of the permittee's approval to conditions of this permit, or of the measures herein approved to perform as intended or operate under this permit.
7. 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 modify, suspend, revoke, and reissue the authorization granted in this general permit if it deems necessary to prevent harm or the threat of harm to the public health, and the environment or if they cannot be adequately regulated under the conditions of this general permit.
8. 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 be obtained if the permittee cannot comply with the conditions

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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 public or the environment of this Commonwealth.

9. This permit does not authorize and shall not be construed as an approval to discharge any waste, wastewater, or runoff from the site of storage to the land or waters of the Commonwealth.
10. Best Management Practices shall be implemented to divert storm water run-on from the storage area. Storm water runoff shall be managed in accordance with The Clean Streams Law and regulations promulgated thereunder. Prior to beginning operations at the facility, the operator must obtain all necessary storm water management permits.
11. The fuel product produced for beneficial use must have a thermal heat value of equal to or greater than 5,000 BTU/lb. Beneficial use of the fuel product at a facility or an industry must be permitted or approved by the appropriate Air Quality Program of the Regional Office.
12. The fuel product produced for beneficial use must not contain less than 95% by volume combustible solids (not more than 5% may be comprised of mineral, rock, dirt, soil, wallboard, gypsum, plaster, masonry, brick, concrete, tile, ceramic, metal, glass).
13. All friable and non-friable asbestos of any kind must be removed from the waste prior to the production of the fuel product for beneficial use.
14. The fuel product must contain contaminants at levels comparable in concentration to or lower than those in the traditional fuels which the combustion unit is designed to burn. Such comparison is to be based on a direct comparison of the contaminant levels in the fuel product to the traditional fuel itself.
15. The collection, storage, and transportation of fuel product 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 Title 25 Pa. Code, Chapter 299 relating to Storage, Collection, and Transportation of Residual Waste).
16. Fuel product shall be stored under a permanent roof, either in currently existing buildings or buildings to be constructed, or contained inside a structure with a canvas roof, provided the integrity of the canvas roof is maintained at all times.

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17. Equipment used for the storage and transportation of the fuel product shall be maintained in good operating condition to prevent the fuel product from being unintentionally conveyed out of the storage areas. Daily inspections of each storage area and their surrounding environs are to be conducted to determine (i) the risk of fire or explosion, (ii) dispersal of fuel product by wind, (iii) water erosion is prevented, (iv) compliance of the terms and conditions of this general permit, and (v) for evidence of failure.

18. The fuel product authorized under the terms and conditions of this general permit shall cease to be a waste when used by a permitted facility if the following requirements are met:
 - a. The fuel product is not accumulated speculatively.
 - b. The fuel product is not abandoned or disposed.
 - c. The fuel product is stored in a way to prevent contact with precipitation and storm water.
 - d. The fuel product is burned in an air pollution control device 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.

D. Recordkeeping:

1. The permittee shall maintain current records of fuel product including: date produced, waste generator, volume/weight in and out, and final user/destination. These records shall be maintained on site at all times and made available to the Department upon request.

2. Records of any analytical evaluations conducted on fuel product pursuant to the residual waste regulations and this permit shall be kept by the permittee at the permittee's place of business and shall be available to the Department for inspection. At a minimum, these records shall include information on the dates of testing, each parameter tested, the results, the laboratory, sampling procedures, analytical methodologies, person collecting the sample, and disposition/disposal of unqualified fuel product. This waste analysis information shall be retained by the permittee at the permittee's place of business for a minimum of 5 years after the analyses were performed.

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E. Reporting Requirements:

1. Any person that operates under the provisions of this permit shall immediately notify the Department via certified mail of any changes in: the company name, address, owners, operators, and/or responsible officials of the company, compliance status, land ownership and the right to enter and operate sites operated by the permittee, and the status of any permit issued by the Department or federal government under the environmental protection acts.
2. The permittee shall immediately notify the Department's Emergency Hotline by at 800-541-2050 and the appropriate DEP regional office waste management program in the event of any accidental spills of the specialty oil or fluid and shall take appropriate immediate action to protect the health and safety of the public and the environment.
3. The permittee shall submit an annual report to the appropriate Department Regional Office. For out of state facilities, the annual report shall be submitted to the Department's Central Office. The report shall contain a summary of all of the information required in Section D above. The report shall be submitted by March 1 of each calendar year the permittee is covered by this permit.

F. 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 include 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 27 (Acceptance of General Permit Conditions), and (v) bonding worksheets, and (vi) a DOA application fee in the amount identified in Section A (General Information) of the Form 20 must be submitted to the appropriate Department Regional Office. A check shall be made payable to the "Commonwealth of Pennsylvania." A copy of the renewal application shall also be sent to the attention of the Department's Bureau of Waste Management, Division of Municipal and Residual Waste, Rachel Carson State Office Building, 400 Market Street, P.O. Box 69170, Harrisburg, PA 17106-9170.

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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.