

GENERAL PERMIT NUMBER WMGR126

PROCESSING OF SILVER BEARING FILMS AND SLUDGES PRIOR TO SILVER RECLAMATION AND PLASTIC RECYCLING

A. Description:

1. This general permit authorizes the processing of silver bearing films and sludges (“waste”) prior to further silver reclamation and plastic recycling.
2. The approved processing is limited to granulation, film washing using sodium hydroxide or enzymes and surfactants, flocculation, filtration, and calcining.

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) 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”. No activities shall commence unless approved, in writing, by the Department.

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 that the permit states otherwise, the permittee shall operate its facilities covered by the general permit as described in the approved application.
2. Waste shall not be processed under this permit unless the silver content is at least 0.05 mg/kg. Sludge shall not be processed under this permit unless its pH is between 2.5 and 12.5. Should an individual sample of a waste fall outside these limits, the waste may be resampled and the waste analysis determination may be based on the 90 percent upper confidence level for each constituent using *Test Methods for Evaluating Solid Waste* (EPA SW-846) as guidance for the statistical treatment of data.
3. Prior to receiving any waste from a new source at the permitted area, the permittee shall obtain a profile of the waste from the generator. At a minimum, this profile shall include a description of the waste, the location of the site of generation, and the quantity to be shipped.

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4. Prior to off-loading any shipment of waste, the permittee shall visually inspect each load and prepare a representative sample. Samples shall be analyzed for the appropriate parameters in Condition C2 to demonstrate the waste is acceptable for processing. Should the load appear inconsistent with the description in the waste profile, be a significantly different quantity, or fall outside the limits in Condition C2, the load shall be rejected. The permittee shall ensure rejected loads are either returned to their site of origin or transported to a facility approved to manage the waste.
5. The waste managed under this general permit shall not be hazardous waste.
6. The waste managed under this general permit shall not be mixed with other types of solid wastes, including hazardous waste, municipal waste, other residual waste, or special handling waste.
7. This permit does not authorize and shall not be construed as an approval to discharge any waste, wastewater, or runoff from the site of processing to the land or waters of the Commonwealth.
8. The permittee shall comply with the fugitive emissions standards adopted under 25 Pa. Code §§ 123.1 and 123.2.
9. 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, or regulation, provided that said local law, ordinance, or regulation is not preempted by the Pennsylvania Solid Waste Management Act, 35 P.S. § 6018.101 et seq., or the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, 53 P.S. § 4000.101 et seq.
10. As a condition of this permit, the permittee shall obtain from all landowners of his place of business where processing activities will occur, on a recordable form provided by the Department, the authority to conduct the activities authorized by this permit and consent to allow authorized employees or agents of the Department to enter the permit area. This authorization and consent shall be obtained prior to the occurrence of processing at each location and be submitted to the appropriate Department Regional Office via certified mail.

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11. As a condition of this permit and of the permittee's authority to conduct the activities authorized by this permit, the permittee hereby 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 and to inspect all areas and 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 waste, 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 documents, books, and papers required by the Department to be maintained or produced. (See Sec. 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 to the Department under the Solid Waste Management Act.
12. Failure of the 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 permit, for any reason, shall be grounds for the revocation or suspension of the permittee's approval to operate under this permit.
13. Any independent contractors or agents retained by the permittee to conduct the activities authorized under this permit shall be subject to prior compliance history review by the Department as specified by the Pennsylvania Solid Waste Management Act of 1980.
14. 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 or revoke the authorization granted in this permit if it deems necessary to prevent harm or the threat of harm to public health or the environment.
15. Equipment used for the processing of waste shall be maintained in good operating condition. Daily inspections of equipment during waste processing activities shall be conducted to ensure that equipment will operate properly and to examine for evidence of equipment failure.
16. During periods of extended equipment failure or shutdown, waste may be stored for no more than 90 days from the time the equipment failure or shutdown occurred.
17. All storage tanks, processing equipment, and transfer lines shall be set up and operated in a manner that prevents spills, leaks, or other releases.

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18. Storage of waste by the permittee shall be in tanks in a manner that complies with the requirements set forth in 25 Pa. Code Chapter 299. No storage of raw waste shall occur outdoors. Residues from processing shall be stored and managed in tanks in a manner that complies with 25 Pa. Code Chapter 299 or 40 CFR Part 262, as incorporated by reference at 25 Pa. Code 262a.10, whichever is applicable.
19. Residues from processing shall not be stored onsite for more than 90 days from the date of generation.
20. A facility operating under this general permit shall not be located:
 - a. within 300 yards of a building owned by a school district or parochial school used for instructional purposes, existing prior to the date the Department received an administratively complete application, unless a written waiver is obtained from the current property owner of the school.
 - b. within 300 yards of a park or playground, existing prior to the date the Department received an administratively complete application, unless a written waiver is obtained from the current property owner of the park.
 - c. in a 100 year flood plain of water 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).
 - d. within 300 feet measured horizontally from an occupied dwelling unless the owner of the dwelling has provided a written waiver consenting to the facility being closer than 300 feet.
 - e. within 50 feet of a property line unless the permittee demonstrates that the actual processing of waste is not occurring within that distance or the owners of the occupied dwelling has provided a written waiver consenting to the facility being closer than 50 feet.
 - f. within 100 feet of a perennial or intermittent stream, unless storage and processing will not occur within that distance.
 - g. within 300 feet of a water source.
 - h. within 4 feet of a seasonal high water table.
 - i. in or within 300 feet of an exceptional value wetland.
21. The permittee shall immediately notify the Department's Emergency Hotline at (717) 787-4343 and the appropriate DEP regional office in the event of a discharge or spill of waste or any residue from processing and shall take appropriate immediate action to protect the health and safety of the public and the environment. Spills of less than 10 gallons of liquid waste or other process residue or 1000 pounds of solid phase waste or solid process residue need not be immediately reported, but should be recorded as specified in Condition D2.

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22. The permittee shall maintain at the permitted facility an updated copy of a Preparedness, Prevention, and Contingency (PPC) plan for the facility prepared in accordance with the most recent edition of the Department's "Guidelines for the Development and Implementation of Environmental Emergency Response Plans". The PPC plan shall be updated every 5 years or more frequently if necessary (e.g., if changes in phone numbers, equipment, or regulatory requirements occur).
23. The permittee shall maintain a bond in an amount and with sufficient guarantees acceptable to the Department as provided by 25 Pa. Code 287, Subchapter E (Bonding and Insurance Requirements). The bond shall continue in effect for the operational life of the facility, and for up to 10 years after final closure of the facility, unless released in whole or in part by the Department, in writing.
24. The permittee shall maintain in force and effect a general liability insurance policy in accordance with 25 Pa. Code, Chapter 287, Subchapter E (Bonding and Insurance Requirements) to provide continuous coverage during operation of the facility and until the Department issues a final closure certification.
25. Upon cessation of operations at the facility, the permittee shall comply with any applicable closure requirements in 25 Pa. Code § 297.272.
26. 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.

D. Record Keeping.

1. Records of any analytical evaluations conducted on the processed waste 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 and person collecting the sample.

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2. The permittee shall maintain records that contain: the name, address, and phone number of each source of incoming waste, the date of receipt and quantity of waste received, the results of the visual observations, and the process residue type and quantity and the name, address, and phone number of the destination of each outgoing shipment of waste. The permittee shall also maintain records of all spills and releases that contain: location, date, time, identification and quantity of spilled or released material, and a description of how the material was cleaned up.
3. These records shall be retained by the permittee at the permittee's place of business for a minimum of five years from the date the records were generated and shall be available to the Department for inspection.

E. Reporting Requirements.

1. Any person that operates under the provisions of this permit shall immediately notify the appropriate Department Regional Office via certified mail of any changes in: the company name, address, owners, operators and responsible officials; bonding and insurance status; land ownership and the right to enter and operate on any land occupied by a facility; the system used to process waste; and the status of any permit issued by the Department or federal government under the environmental protection acts.

At least sixty (60) days prior to a permittee operating a processing facility at a new location, two (2) copies of the following must be supplied to the appropriate Department Regional Office, in writing:

- a. Name, address, phone number, and contact person for the new facility;
- b. A description of the processing operations, including a detailed site drawing showing placement of tanks and their capacities, containment areas, and other significant features, and a map showing the facility placement;
- c. Proof that copies of the notification have been submitted to the municipality, county, county planning agency and county health department in which the processing activities will be conducted;
- d. A Preparedness, Prevention, and Contingency (PPC) plan for the facility prepared in accordance with the most recent edition of the Department's "Guidelines for the Development and Implementation of Environmental Emergency Response Plans";
- e. Proof that the applicant has legal right to enter the land and operate the facilities approved under this permit;
- f. An irrevocable written consent from the landowner giving the Department permission to enter upon the land where the applicant will be conducting waste management activities;
- g. Proof that any independent contractors retained by the permittee to perform any activities authorized under this permit are in compliance with Department regulations as required in Condition C13;

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- h. A statement that the processing facility does not violate the siting restrictions of Condition C20;
 - i. Bonding and insurance in an amount acceptable to the Department with supporting documentation.
- 2. The permittee shall submit an annual report to the appropriate Department Regional Office by the anniversary date on which the permittee was covered under this permit. This report shall contain a summary of all the information required in Conditions C4, D1 and D2. Records, reports or other information submitted to the Department under this permit shall be available to the public or treated as confidential as prescribed by 25 Pa. Code 287.5.

F. Renewal.

- 1. A person or municipality that plans to continue the beneficial use of residual waste 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 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) bonding Worksheets, and (vi) a check made payable to the "Commonwealth of Pennsylvania" for the renewal application fee in the amount identified in Section A (General Information) of the Form 20. The application for renewal must be submitted to the same Department office where the permittee's original application for this general permit or determination of applicability was submitted.
- 2. 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.

**DEP Regional Offices
(and Counties Served)**

Southeast Regional Office

Bucks, Chester, Delaware, Montgomery, Philadelphia

2 East Main Street
Norristown, PA 19401
Phone: 484-250-5960
Fax: 484-250-5961

Northeast Regional Office

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

2 Public Square
Wilkes-Barre, PA 18711-0790
Phone: 570-826-2516
Fax: 570-826-5448

Southcentral Regional Office

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

909 Elmerton Avenue
Harrisburg, PA 17110-8200
Phone: 717-705-4706
Fax: 717-705-4930

Northcentral Regional Office

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

208 West 3rd Street, Suite 101
Williamsport, PA 17701
Phone: 570-327-3653
Fax: 570-327-3420

Southwest Regional Office

Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington, Westmoreland

400 Waterfront Drive
Pittsburgh, PA 15222-4745
Phone: 412-442-4000
Fax: 412-442-4194

Northwest Regional Office

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

230 Chestnut Street
Meadville, PA 16335-3481
Phone: 814-332-6848
Fax: 814-332-61171