

GENERAL PERMIT WMGM050

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BUREAU OF WASTE MANAGEMENT

DIVISION OF MUNICIPAL and RESIDUAL WASTE

Issued: February 4, 2015

Expires: August 4, 2016

**A. Description:**

This general permit authorizes the processing of non-liquid sewage sludge from municipal wastewater treatment plants and alkaline fly/bed ash to be beneficially used as a fuel at power plants. Processing is limited to mechanical mixing by auger and drying.

**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), (vi) Form E-GP (Contractual Consent of Landowner), (vii) bonding worksheets, and (viii) 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 in the amount of \$500 shall be made payable to the "Commonwealth of Pennsylvania."

The Department recommends conducting a pre-application meeting with the appropriate regional office prior to submitting an application for "Determination of Applicability." Additional forms and information required will be determined at this meeting. 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 the facility as described in the approved application.
2. 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 state or federal law. Nothing in this general permit shall be construed to

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supersede, amend, or authorize a violation of any of the provisions on any valid state or federal law or regulation.

3. Any independent contractors or agents retained by the permittee in the completion of 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.
4. The activities authorized by this permit shall not harm or present a threat of harm to the health, safety, and 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 the harm or threat of harm to the public health, or the environment.
5. 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 revocation or suspension of the permittee's approval to operate under this permit.
6. 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 of the environment.
7. 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 as authorized under Pennsylvania's Solid Waste Management Act, 35 P.S. Section 6018.101 et seq., 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 waste, water, and gases; to take photographs; to perform measurements, surveys, and other tests; to inspect any monitoring equipment; to inspect methods of operation; and to inspect and/or copy documents, books, and papers required by the Department to be maintained or produced. (See Section 608 and 610(7) of the

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Solid Waste Management Act, 35 P.S. Sections 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.

8. 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.
9. Any waste generated from the processing and conversion activities authorized by this general permit shall be managed in accordance with the Solid Waste Management Act and the regulations promulgated thereunder.
10. The permittee shall comply with the Air Pollution Control Act, 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.
11. The facility shall not be located:
  - a. In the 100-year floodplain of waters of this Commonwealth, unless the Department approves in the permit 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 Encroachment Act (32 P.S. §§693.1 – 693.270);
  - b. In or within 300 feet of an exceptional value wetland;
  - c. In or within 100 feet of a wetland other than an exceptional value wetland;
  - d. Within 100 feet of a sinkhole or area draining into a sinkhole;
  - e. Within 900 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 900 feet;
  - f. Within 50 feet of a property line unless the owner has provided a written waiver consenting to the facility being closer than 50 feet;

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- g. Within 100 feet of a perennial stream;
  - h. Within 300 feet of a water source unless the owner has provided a written waiver consenting to the facility being closer than 300 feet;
  - i. Within 3.3 feet of the regional groundwater table;
  - j. Within 900 feet of the following, if existing prior to the date the Department received an administratively complete application, unless a written waiver is obtained from the current property owner of:
    - i. A building owned by a school district or parochial school and used for instructional purposes;
    - ii. A park;
    - iii. A playground.
  - k. In an area where the facility would adversely affect a habitat of a known endangered or threatened species.
12. Best Management Practices shall be implemented to divert storm water run-on from the facility. Storm water run-off 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.
13. A Preparedness, Prevention, and Contingency (PPC) plan that is consistent with the most recent edition of the Department's "Guidelines for the Development and Implementation of Environmental Emergency Response Plans" shall be developed and maintained at the facility. The PPC plan shall be updated as needed or at least every five years. The permittee shall immediately implement the applicable provisions of the Department-approved PPC plan for any emergency that affects or threatens public health, safety, welfare, or the environment.
14. The operator of the facility must develop and maintain a plan for the alternative management of materials during periods when the facility is not producing a fuel

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product. If the facility is out-of-service for a longer period of time than the storage capacity of the site will allow, the solid waste shall be removed from the site.

15. The facility may not process more than 50 tons of waste material per day.
16. The maximum volume of unprocessed waste, waste in process, and final fuel product cannot exceed 75 tons at the facility at any one time.
17. The permittee must implement and maintain a plan and procedure for identifying and rejecting unacceptable loads at the processing facility.
18. This permit does not authorize the acceptance of hazardous waste materials.
19. 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 final closure certification as provided by 25 Pa. Code §271.342 (relating to Final Closure Certification).
20. 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).
21. The bond filed with the Department under Condition 20 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).
22. The bond obtained by the permittee shall be reviewed on an annual basis. The adequacy of the bond amount shall be reviewed and adjusted as necessary to support activities performed at the facility.
23. Wastes, other than the wastes specified in the description of this general permit, may not be received, mixed, processed, stored, or beneficially used with the wastes intended for beneficial use.

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24. Equipment used for the processing and transportation of the unprocessed and processed waste shall be maintained in good operating condition. Weekly inspections of processing areas 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.
25. The collection, storage, and transportation of municipal waste shall comply with the requirements of 25 Pa. Code, Chapter 285 (relating to storage, collection, and transportation of municipal waste) unless otherwise indicated in this permit.
26. The waste receiving and finished product areas must be located within an enclosed structure.
27. Prior to receipt at the facility, sewage sludge must meet one of the processes to significantly reduce pathogens or one of the processes to further reduce pathogens set forth in Chapter 271, Subchapter J, Appendix A unless the Department approves another method based upon demonstration that the method will control pathogens, vectors, and odors.
28. The fuel product may be beneficially used if it has an as fired thermal heat value of 5,000 BTU/lb. The 5,000 BTU/lb. threshold applies to the thermal heat value of the fuel product prior to blending with other fuels, such as coal.
29. Testing shall be performed on the fuel product to ensure the BTU value of the fuel is met. Weekly grab samples shall be composited into a monthly sample and sent to a laboratory for analysis.
30. The fuel product manufactured under the authority of this permit ceases to be a waste when burned as a fuel for energy recovery 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.

The fuel product must meet the BTU requirements of Condition C.28 and the analytical testing requirements in Condition C. 31.

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31. 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.
32. The analytical testing required shall be performed by a laboratory accredited under the Environmental Laboratory Accreditation Act, 27 Pa. C.S.A. §§ 4101-4113.
33. Leachate generated and stored at the facility shall be stored in a tank or container designed in accordance with 25 Pa. Code, Chapter 285 (relating to storage and transportation of municipal waste) prior to being reused on-site, discharged to a Publicly Owned Treatment Works (POTW) or transported off-site for treatment and/or disposal. Leachate reuse on-site is limited to being used as part of the fuel manufacturing process.
34. Upon cessation of operations at the facility operating under the authorization granted in this permit, the operator shall clean or remove any waste and structures or other materials that contain or have been contaminated with waste and shall provide for the processing and disposal of the waste or material in accordance with the Solid Waste Management Act, other environmental protection acts and the regulations promulgated thereunder.

### **D. Record Keeping:**

1. The permittee shall maintain records that contain the following: the generator name, address, phone number, date of receipt, origin and weight of incoming waste, the in-out going transporter name and address, the driver signature, the name, destination address, phone number, and weight of each outgoing shipment of material and waste. These records shall be retained by the permittee at the permittee's place of business for a minimum of 5 years from the date the records were generated and shall be available to the Department for inspection.
2. All analytical data required in this permit shall be maintained and made available to the Department for a minimum of 5 years from the date the data was generated.
3. All records required in this general permit shall be maintained for the life of the facility (and maintained on site for a minimum of five (5) years from the date the records were generated) and shall be made available to the Department upon request.

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4. The permittee shall maintain training records that contain the following: employees who received training, date training occurred, and instructor. Records shall be retained by the permittee at the permittee's place of business for a minimum of 5 years from the date the records were generated and available for review at the Department's request.

### **E. Reporting Requirements:**

1. Any person that operates under the provisions of this permit shall immediately notify the Department of any changes including:
  - a. the company name, address, owners, operators, and responsible officials;
  - b. the location of waste processing and conversion facilities;
  - c. land ownership and the right to enter and operate sites operated by the permittee;
  - d. the physical and chemical characteristics of the manufactured fuel product;
  - e. the generator of the waste;
  - f. the bonding status of the facilities authorized by this permit; and
  - g. the status of any permit issued by the Department or federal government under the environmental protection acts.
2. The permittee must submit the following information to the Department at the conclusion of the pilot project: all test results as a result of the test burn, records of all sludge received, analytical data of the incoming waste and the final fuel product, and BTU value of end product. This information shall be submitted to the Bureau of Waste Management, Bureau of Air Quality, and the appropriate Department Regional Office 60 days after completion of the project but no later than 9 months after issuance of the permit.
3. The permittee shall immediately notify the Department's Emergency Hotline by telephone at 800-541-2050 and the appropriate DEP regional staff in the event of a discharge or spill of waste or manufactured fuel product, and shall take appropriate action to protect the health and safety of the public and the environment.