



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

BUREAU OF WASTE MANAGEMENT

DIVISION OF MUNICIPAL and RESIDUAL WASTE

GENERAL PERMIT WMGM022

**BENEFICIAL USE OF PROCESSED SHOT ROCK, ROOF
BALLAST, AGGREGATE, BRICK, CRUSHED CONCRETE AND
RAP; AND SHREDDED WOOD, LEAF AND YARD WASTE**

Issued: September 18, 2024

Expires: September 18, 2034

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PROCESSING AND BENEFICIAL USE OF AGGREGATE, BRICK, CRUSHED
CONCRETE, RAP, TIMBER, LEAF AND YARD WASTES

A. Description:

This general permit authorizes the processing and beneficial use of waste concrete (i.e., concrete from roadways, curbs, sidewalks, building footers, bridge demolition, concrete masonry units), brick, aggregate previously used as sub-grade or sub-base material in roadway construction, shot rock, roof ballast, and waste asphalt (i.e., reclaimed asphalt pavement (RAP)) to produce a roadway or parking lot construction material, and/or substitute for PennDOT approved aggregate. The approved processing is limited to size reduction (i.e., crushing, grinding, screening) of the brick, shot rock, roof ballast, used aggregate, waste concrete and asphalt, hereinafter referred as “processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP”, prior to beneficial use as follows:

1. As an aggregate, a sub-grade or a sub-base material for roadway construction.
2. As a construction material for compacted roadway shoulder applications covered with a sealer (i.e., a thin bituminous coating intended to limit the reclaimed asphalt pavement materials from washing and leaching).
3. Being blended with other virgin aggregate as a roadway sub-base for roadway construction use.

Additionally, this general permit authorizes the processing and beneficial use of timber waste (i.e., tree stumps, limbs, clean wood, untreated and unpainted lumber, shrubs, clean pallets, clean skids and packing crates), and leaf and yard waste (i.e., source segregated leaf and yard waste, grass clippings) to produce bedding material for livestock. The approved processing is limited to shredding and screening of the wood and yard waste, hereinafter referred to as “shredded wood, leaf and yard waste”, prior to beneficial use as an animal bedding material.

B. Determination of Applicability Requirements:

A person or municipality that proposes to beneficially use processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP; and, shredded wood, leaf and yard waste 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 application on forms provided by the Department must be submitted electronically to the appropriate Department Regional Office. Additionally, the application fee should 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.

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C. Operating Conditions:

1. The processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP, and shredded wood, leaf and yard waste may be beneficially used if the following quality criteria requirements are met:
 - a. Where the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material will be beneficially used as a sub-grade in roadway construction, the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material must comply with the requirements in Section 210 of the Pennsylvania Department of Transportation (PennDOT) specifications as outlined in their Publication No. 408 (Specifications). The processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material shall be beneficially used only in the preparation of a roadbed and/or prior to the final asphalt placement.
 - b. Where the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material will be beneficially used as a sub-base, in the preparation of a roadbed and/or prior to the final asphalt placement, the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material must comply with the requirements in Sections 305, 341 and/or 350 of the Pennsylvania Department of Transportation (PennDOT) specifications as outlined in their Publication No. 408 (Specifications).
 - c. Where the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material will be beneficially used as a construction material for shoulder applications, the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material must be compacted, and covered with a sealer which complies with the requirements of the Pennsylvania Department of Transportation (PennDOT) specifications as outlined in their Publication No. 408 (Specifications).
 - d. Where the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material will be beneficially used under a project contract for the roadway construction activities authorized in Condition C.1(a), above, the contract must specifically address the engineering qualities and characteristics that must be met for completion of the job or project. The contract must specifically indicate that the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material satisfy the engineering requirements and the specifications for the job or project.
 - e. Where the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material will be beneficially used as an ingredient or a component in the production of hot or cold mix asphalt-paving material, the asphalt-paving material must meet the applicable requirements of the American Society for Testing and Materials (ASTM) Standard, or other National, state, or industry standard for which it is being used.

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- f. The processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material must conform to the applicable engineering properties as the raw material it is being substituted for.
 - g. The shredded wood, leaf and yard waste will be beneficially used only as a bedding material for livestock. The leaf and yard waste used in the production of bedding material for livestock shall not have been previously treated with herbicides (i.e., clorpyralid).
2. Should knowledge of the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material or visual observations (i.e., painted, evidence of contamination) indicate variability in the quality of the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material, a chemical analysis of the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material shall be conducted and the chemical concentration limit for any constituent listed in Table 1 below shall not be exceeded:

Table 1

Parameter	Total (mg/kg)	Leachate (mg/L) ⁽¹⁾
pH	5.5 to 9.5 (std. unit)	---
Arsenic	41	1.25
Barium	5000	50.0
Cadmium	20	0.125
Chromium	1000	2.5
Copper	700	32.5
Lead	200	1.25
Mercury	20	0.05
Molybdenum	75.0	---
Zinc	1000	125
Nickel	200	2.5
Selenium	60	1.0
Silver	5.0	2.5
Benzene	0.8	0.005
Ethylbenzene	70	0.7
Xylenes	500	10
Toluene	4.0	1.0

⁽¹⁾ = Leachability evaluations in compliance with the permit requirement shall be conducted on a representative sample of the roadway excavation waste using the Toxicity Characteristic Leaching Procedure (EPA method 1311) or the Synthetic Precipitation Leaching Procedure (EPA method 1312).

- a. The analytical methodologies used to meet the requirements in this section shall be those in the most recent edition of the EPA's "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (EPA SW-846), "Methods for Chemical Analysis of Water and Wastes" (EPA 600/4-79-020),

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“Standard Methods for Examination of Water and Wastewater” (prepared and published jointly by the American Public Health Association, American Waterworks Association, and Water Pollution Control Federation), or a comparable method subsequently approved by the EPA or the Department of Environmental Protection (Department).

- b. The determination of compliance with Table 1 may be based on the 90 percent upper confidence level for each metal or the 80 percent confidence interval for pH using the Test Methods for Evaluating Solid Waste (EPA SW-846) as guidance for the statistical treatment of data.
3. Wastes accepted at the facility shall be managed in the following manner:
- a. Wastes, other than the shot rock, roof ballast, aggregate, brick, crushed concrete and RAP; and shredded wood, leaf and yard waste specified in Section A of this general permit, may not be received, processed, stored or beneficially used with the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP, and shredded wood, leaf and yard waste authorized under the general permit in the production of roadway construction and animal bedding materials.
 - b. Rejected and other wastes, other than the shot rock, roof ballast, aggregate, brick, crushed concrete and RAP; and shredded wood, leaf and yard waste specified in Section A of this general permit, that are not authorized under this general permit, shall be separated from the incoming wastes intended for beneficial use in the production of processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material, and livestock bedding materials. The unauthorized wastes in this Condition shall either be rejected and returned in the delivering vehicle or shall be removed weekly from the site and properly disposed of at a permitted waste disposal facility. The rejected and other wastes, as indicated above, shall only be incidental in nature. Waste transfer activities are not authorized by this general permit.
4. The permittee shall comply with the following regarding distribution to end users:
- a. The shredded wood, leaf and yard waste under the authorization granted in this general permit is prohibited from being sold to wholesale outlets, given away or distributed for beneficial use by the permittee for commercial purposes.
 - b. The permittee may distribute or supply processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material to any person or municipality who desires to purchase the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material for beneficial use,

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hereinafter referred to as “end-user”, without the end-user needing to obtain a “Determination of Applicability” as required in Section B of this general permit if the following requirements are met:

- c. The permittee shall inform the end-users that propose to receive the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material for beneficial use, covered under this general permit, of all the conditions and limitations imposed on the beneficial use of processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material by the Department. This notification shall be by providing a copy of Appendix A (Acceptable Uses and Use Restrictions) of this general permit. The permittee shall record the name and address of each person who is given or received the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material and shall record its intended use. It is incumbent upon the permittee to ensure that the end-user of processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material approved under this general permit is aware of conditions of this permit.
 - d. The end-user shall provide the permittee with a signed statement that states the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material received will be beneficially used, within 2 weeks of the acceptance of the materials, in accordance with the Conditions as specified in Appendix A of this general permit.
5. The construction materials manufactured using processed shot rock, roof ballast, aggregate, crushed brick, concrete and RAP, as a component or ingredient shall not be used as a valley fill material, to fill open pits from coal or non-coal mining or other fills; or to level an area or bring an area to grade where the construction activity will not be completed within 90 days after the placement of processed shot rock, roof ballast, aggregate, brick, crushed concrete or RAP material.
6. Unless otherwise authorized by the Department in writing, the storage of unprocessed and processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material, and shredded wood, leaf and yard waste shall comply with the following:
 - a. The processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material, and shredded wood, leaf and yard waste shall not be accumulated before being beneficially used unless the operator shows that the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material, and shredded wood, leaf and yard waste have the potential to be beneficially used and has a feasible means of being beneficially used;

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- b. The unprocessed and processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material 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. The shredded wood, leaf and yard waste shall not be stored for more than one (1) calendar 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 biennial construction season for processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material, and during the calendar year for shredded wood, leaf and yard waste, the amount of materials that are beneficially used or transferred to a different site for beneficial use, equals at least 75% by weight or volume of the processed shot rock, roof ballast, aggregate, crushed brick, concrete and RAP material, and shredded wood, leaf and yard waste 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., shot rock, roof ballast, used aggregate, brick, crushed concrete and RAP, shredded wood, leaf and leaf and yard waste, 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).
7. The beneficial use of processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP; and, shredded wood, leaf and yard waste shall not be:
- a. Placed in direct contact with surface or ground water;
 - b. Placed within 100 feet of a perennial stream;
 - c. Placed within 300 feet of an exceptional value wetland;
 - d. Placed within 300 feet down gradient of a private or public water source;
 - e. Placed within 100 feet of a sinkhole or area draining into a sinkhole;
 - f. Placed within 1000 feet up gradient of a private or public water source, unless otherwise approved by the Department's appropriate Regional Office;
 - g. Placed during periods of heavy rain or to ground that is saturated;
 - h. Placed within the 100-year floodplain of a water of this Commonwealth.
8. Upon cessation of permitted operations at the facility, the permittee shall assure

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- removal of all wastes and provide for the processing, recycling, beneficial use, or disposal of wastes in accordance with the Solid Waste Management Act, the act July 7, 1980, as amended, P.L. 380, 35 P.S. §§ 6018.101-6018.1001 (SWMA), the environmental protection acts and the regulations promulgated thereunder.
9. The unprocessed and processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material, and shredded wood, leaf and yard waste shall be managed in accordance with the SWMA and the regulations promulgated therein.
 10. The activities authorized by this permit shall not cause or allow conditions that are harmful to the environment, public health or safety, including but not limited to, odors, noise, or other public nuisances. The permittee shall not cause or allow the attraction, harborage, or breeding of vectors.
 11. The permittee shall develop and implement a Preparedness, Prevention and Contingency Plan (PPC) that is consistent with the Department's most recent guidelines.
 12. 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 materials as described in the permit application.
 13. The permittee shall comply with the fugitive emissions regulations under 25 Pa. Code, Chapter 123 (relating to 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 25 Pa. Code §§123.1 and 123.2 (relating to prohibition of certain fugitive emissions and fugitive particulate matter).
 14. 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, providing that said local law, ordinance, or regulation is not preempted by the SWMA; and the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, 53 P.S. §§4000.101, et seq.
 15. 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 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; perform measurements, surveys, and other tests; inspect any monitoring equipment; inspect the methods of operation and inspect and/or copy documents, books, and papers required by the Department to be maintained. This permit condition is referenced in accordance with Sections 6018.608 and 6018.610(7) of the SWMA, 35 P.S. §§ 6018.608 and 6018.610(7). This condition in no way limits any other powers granted under the SWMA.

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16. 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 SWMA.
17. 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 permit, for any reason, shall be grounds for the revocation or suspension of the permittee's approval to operate under this permit.
18. 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.
19. 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 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.
20. 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.
21. 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.
22. The permittee shall maintain in force and affect a general liability insurance policy in accordance with 25 Pa. Code, Chapter 271, Subchapter D (relating to bonding and financial assurances requirements) to provide continuous coverage during operation of the facility and until the Department issues a final closure certification.
23. The bond filed with the Department under Condition 22 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).
24. Equipment used for the processing and storage of shot rock, roof ballast, aggregate, brick, crushed concrete, and RAP; and, shredded wood, leaf and yard waste shall be maintained in good operating condition. Daily inspections of

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each storage area and surrounding environs shall be conducted to determine compliance of the terms and conditions of this general permit and for evidence of failure.

25. Storage and transportation of processed shot rock, roof ballast, aggregate, brick, crushed concrete, and RAP; and, shredded wood, leaf and yard waste by the permittee shall be in a manner that complies with the requirements set forth in 25 Pa. Code, Chapter 285 (relating to storage, collection, and transportation of municipal waste).
26. The processed shot rock, roof ballast, aggregate, brick, crushed concrete, and RAP; and, shredded wood, leaf and yard waste shall not be mixed with other types of solid wastes, including hazardous waste, municipal waste, special handling waste, or other residual waste, as the terms are defined in 25 Pa. Code § 271.1.
27. Analytical testing required by this general permit shall be performed by a laboratory accredited under the Pennsylvania Environmental Laboratory Accreditation Act, Act of 2002, 27 Pa. C.S.A. §§ 4101-4113.

D. Recordkeeping:

1. The permittee shall maintain records of all analytical evaluations conducted in accordance with this permit, and records shall be made available to the Department upon request. Required records shall be retained for a minimum of 5 years. Records of analytical evaluations must include, at a minimum, the following for each sample: the dates of sampling and testing, sampling procedures utilized, name of the individual who collected the sample, the volume or weight of the sample, each parameter tested, the analytical results, the name of the analytical laboratory used, and the analytical methodologies employed.
2. The permittee shall maintain records of all waste accepted by the facility, and records shall be made available to the Department upon request. Required records shall be retained for a minimum of 5 years. Records of each source of incoming waste must include, at a minimum, the following: the name, address, and phone number of each source of incoming waste; the date of receipt; the quantity of waste received; and the results of visual observations. Records for each outgoing shipment of material must include the name, address, and phone number of the destination of each outgoing shipment of waste. The permittee shall also maintain records of spills or releases that include, at a minimum, the following: the location, date, time, identification, and quantity of spilled or released material, and a description of how the material was cleaned up. The permittee shall also maintain records of all reports submitted to the Department or to the U.S. Environmental Protection Agency.
3. The permittee shall maintain records of;

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- a. All rejected unacceptable and unauthorized wastes that are disposed by the permittee. The records shall include the name and address of the disposal location, date of disposal, volume or weight of the waste that is disposed.
- b. The volume or weight of the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material, and shredded wood, leaf and yard waste that are produced.
- c. The volume or weight and location of the unprocessed and processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material, and shredded wood, leaf and yard waste that are stored at the facility.
- d. If appropriate, the permittee shall maintain records to demonstrate that the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material intended for beneficial use meet the concentration limits listed in Table 1 of Condition 2 of this general permit.
- e. 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.

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, and the status of any permit issued by the Department or federal government under the environmental protection acts.
2. Persons operating under the provision of this general permit shall submit to the appropriate Department Regional Office (see attached list), an annual report on the beneficial use activities conducted under this permit by March 1 for the preceding calendar year. This report shall include the information required by Conditions D.1. through D.3, and summarize the following information:
 - a. Weight or volume of the shot rock, roof ballast, aggregate, brick, crushed concrete and RAP, and shredded wood and yard waste used in the production of construction material.
 - b. Weight or volume of the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material, and shredded wood and yard waste produced, stored, sold, traded or given away, where appropriate, during the last 12 months ending on the anniversary date of the permit.
3. The permittee shall immediately notify the Department's Emergency Hotline by telephone at 800-541-2050 and the waste management program in the

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appropriate DEP regional office (see attached list) of any accidental spills and shall take appropriate immediate action to protect the health and safety of the public and the environment.

F. Renewal:

A permittee 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 applications shall be submitted electronically to the appropriate DEP Regional Office (see attached list) and include, at a minimum, the following:

1. General Information Form (Authorization Application for a Residual or Municipal Waste General Permit Application),
2. Form B (Professional Certification),
3. Form 20 (Application for a Municipal or Residual Waste General Permit),
4. Form 27M (Acceptance of General Permit Conditions), and
5. Updated bonding worksheets.

Additionally, a renewal application fee in the amount identified in Section A (General Information) of the Form 20 must be included with the application for renewal.

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, Beaver, Cambria, Fayette, Greene, Somerset, Washington, Westmoreland.

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

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

Northwest Regional Office
230 Chestnut Street
Meadville, PA 16335-3481
Phone: 814-332-6848

APPENDIX A

ACCEPTABLE USES AND RESTRICTIONS

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The following “Acceptable Uses and Restrictions” apply to persons or municipalities that receive and/or use the processed shot rock, roof ballast, aggregate, brick, crushed concrete and reclaimed asphalt pavement (RAP) material as a roadway construction material, hereinafter referred to as “end-user”, without the end-user needing to obtain a determination of applicability from the Department to operate under the term and conditions of this general permit.

A. ACCEPTABLE USES:

1. The processed shot rock, roof ballast, aggregate; brick, crushed concrete and RAP material received may be beneficially used if the following quality requirements are met:
 - a. Where the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material will be beneficially used as a sub-grade in roadway construction, the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material must comply with the requirements in Section 210 of the Pennsylvania Department of Transportation (PennDOT) specifications as outlined in their Publication No. 408 (Specifications). The processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material will be beneficially used only in the preparation of a roadbed and/or prior to the final asphalt placement.
 - b. Where the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material will be beneficially used as a sub-base, in the preparation of a roadbed and/or prior to the final asphalt placement, the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material must comply with the requirements in Sections 305, 341 and/or 350 of the Pennsylvania Department of Transportation (PennDOT) specifications as outlined in their Publication No. 408 (Specifications).
 - c. Where the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material will be beneficially used as a construction material for shoulder applications, the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material must be compacted, and covered with a sealer which complies with the requirements of the Pennsylvania Department of Transportation (PennDOT) specifications as outlined in their Publication No. 408 (Specifications).
 - d. Where the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material will be beneficially used under a project contract, the contract must specifically address the engineering qualities and characteristics that must be met for completion of the job or project. The contract must specifically indicate that the processed shot rock, roof ballast, aggregate; brick, crushed concrete and RAP

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material satisfy the engineering requirements and the specifications for the job or project.

- e. Where the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material will be beneficially used as an ingredient or a component in the production of hot or cold mix asphalt-paving material, the asphalt-paving material must meet the applicable requirements of the American Society for Testing and Materials (ASTM) Standard, or other National, state, or industry standard for which it is being used.
 - f. The processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material must conform to the applicable engineering properties as the raw material it is being substituted for.
2. Unless otherwise authorized by the Department, in writing, the end-user shall not store processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material at any location along a roadway construction project, as part of an "in-progress" project for more than two (2) weeks after its receipt.

B. USE RESTRICTIONS:

1. The processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material shall not be placed in direct contact with surface water or ground water.
2. The processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material shall not be placed in a wetland or within 300 feet of a private or public water source.
3. The construction material manufactured using processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material as a component or ingredient shall not be used as a valley fill material, to fill open pits from coal or non-coal mining or other fills; or to level an area or bring an area to grade where the construction activity will not be completed within 90 days after the placement of processed shot rock, roof ballast, aggregate, brick, crushed concrete or RAP material.
4. Hazardous waste, municipal waste, municipal special handling waste, and other residual waste may not be mixed, stored and/or beneficially used with the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material.
5. Transportation, transferring or conveying of the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material received to another person or municipality is prohibited.

APPENDIX A

ACCEPTABLE USES AND RESTRICTIONS

GENERAL PERMIT WMGM022

6. Upon cessation of construction activities, the excess of processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material shall be removed any other materials or other residual or municipal waste which contain or have been mixed with the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material shall be provided for the processing and disposal of the waste or material in accordance with the Solid Waste Management Act, the environmental protection acts and the regulations promulgated thereunder.
7. The beneficial use of the processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material received shall be in a manner which shall not create a nuisance or be harmful to the public health, safety or the environment.
8. Runoff from the received processed shot rock, roof ballast, aggregate, brick, crushed concrete and RAP material storage areas shall not cause surface water pollution or groundwater degradation and shall be managed in accordance with The Clean Streams Law and regulations promulgated thereunder.