

**SPECIAL CONDITIONS**  
**GENERAL PERMIT WMGM023**

1. The approval herein granted is limited to the processing and beneficial use of clean standard gypsum wallboard generated by the permittee, hereinafter referred to as “gypsum waste”, to produce a soil amendment for a one-time land application at new residential home construction sites as follows:
  - a. The processing and beneficial use of moisture resistant and fire retardant gypsum wastes are not authorized under this general permit.
  - b. The approved processing under this general permit is limited to size reduction (grinding) and screening of clean gypsum waste, by a mobile processing unit, at new home construction sites owned or contracted by the permittee.
  - c. The ground gypsum waste may be beneficially used, for a one-time land application to the soil, at new residential home construction sites owned or contracted by the permittee, if the following quality criteria requirements are met:
    1. Equal or greater than 98% of the ground gypsum waste (dry weight basis) passes a screen with a 1” opening;
    2. The minimum area of land (Step 1) needed for land application of ground gypsum waste 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 ground gypsum waste:

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

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

**Step 2** – Existing land available:

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

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

**SPECIAL CONDITIONS**  
**GENERAL PERMIT WMGM023**

3. The ground gypsum waste that is beneficially used shall be tilled or incorporated into 4 – 12 inches of soil within 24 hours of the land application.
4. The one-time application rate of ground gypsum waste must not exceed the application rates specified in Table 1 below:

**Table 1**

**Application Rates for Ground Gypsum Waste**

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

2. a. Wastes, other than the gypsum waste specified in Condition 1 of this general permit, are not authorized under this general permit and shall be separated from the gypsum waste intended for beneficial use in the production of soil amendment material. Unauthorized wastes shall be removed from the site and transported to a recycling facility or properly disposed of at a permitted municipal waste disposal facility.
- b. Wastes, other than the gypsum waste specified in Condition 1 of this general permit, may not be received, mixed, stored or beneficially used with the gypsum waste authorized under the general permit in the production of soil amendment material.
3. Except as part of the new home construction operation, on-site storage of the ground gypsum waste is not authorized under this general permit.
4. The ground gypsum waste under the authorization granted in this permit shall be managed in accordance with the permittee's application. Except to the extent the permit states otherwise, the permittee shall utilize the ground gypsum waste for beneficial use purposes as described in the permit application.
5. The gypsum waste shall not be mixed with other types of residual waste or municipal waste, including hazardous waste or special handling waste.
6. This general permit does not authorize and shall not be construed as an approval to discharge any industrial wastes, wastewater, leachate or runoff from the construction site to the waters of the Commonwealth.
7. The permittee shall comply with the fugitive emissions regulations under 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 §§123.1 and 123.2.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT WMGM023**

8. Nothing in this permit shall be construed to supersede, amend, or authorize a violation of any of the provisions of any valid and applicable law, ordinance, or regulations, 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 1989, 53 P.S. §4000.101 et seq.
9. 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 and to 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 Sections 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.
10. 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.
11. 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 Pennsylvania Solid Waste Management Act of 1980.
12. The ground gypsum 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. The Department may modify, suspend, revoke or reissue the authorization granted in this permit if it deems necessary to prevent harm or the threat of harm to the public health, or the environment.
13. Persons or municipalities that propose to operate under the terms and conditions of this general permit after the date of permit issuance must submit a "Registration" request to the Department's Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste, P.O. Box 8472, Harrisburg, PA 17105-8472. No processed waste shall be used unless specially authorized by the Department in writing.

At a minimum, the following information must be provided on forms available from the Department's Bureau of Land Recycling and Waste Management (See address above):

**SPECIAL CONDITIONS**  
**GENERAL PERMIT WMGM023**

- a. Name and street address of registrant;
  - b. A description of waste generation process;
  - c. Description of method of beneficial use;
  - d. Number and title of general permit;
  - e. Proof the ground gypsum waste and solid waste management activities are consistent with the general permit;
  - f. Signed and notarized statement by the person who seeks authorization to operate under the terms and conditions of this permit that states that the person accepts all conditions of this general permit;
  - g. An application fee in the amount as specified in the residual waste regulations, payable to the “Commonwealth of Pennsylvania”;
  - h. Proof that written notice of the registration has been submitted to each municipality, county, county planning agency and county health department, if one exists, in which beneficial use activities are or will be located;
  - i. Information that identifies the registrant (i.e., individual corporation, partnership, government agency, association, etc.), including the names and addresses of every officer that has a beneficial interest in or otherwise controls the operation of the company;
  - j. A list of all previous permits or licenses issued by the Department or federal government under the environmental protection acts; the date issued, status and compliance history concerning environmental protection acts;
  - k. Proof that any independent contractors retained by the permittee to perform any activities authorized under this permit are in compliance with the Department regulations as required in Condition 11.
14. Any person that operates under the provisions of this permit shall immediately notify the Department’s Bureau of Land Recycling and Waste Management (See address in Condition 13), 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.
15. The ground gypsum 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 sep. and the regulations promulgated therein.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT WMGM023**

16. Any records pertaining to or any evaluations conducted on the ground gypsum waste pursuant to the municipal waste regulations shall be kept by the permittee at the permittee's place of business, for a minimum of 5 years after the evaluations were performed, and shall be available to the Department for inspection.
17. 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.
18. The permittee shall submit to the Department's Bureau of Land Recycling and Waste Management (See address in Condition 13) and the appropriate Department Regional Office, an annual report that summarizes the information outlined in Condition 1, and identifies the location of all sites where the ground gypsum waste was utilized for beneficial use purposes during the past 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.
19. Equipment used for the processing and transportation of the ground gypsum 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.
20. The ground gypsum waste shall not be used as a valley fill material, to fill open pits from coal or other fills or to level an area or bring an area to grade.
21. The processing and transportation of the gypsum waste 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.
22. The transportation of ground gypsum waste shall comply with the requirements of 25 Pa Code Chapter 285 (relating to storage, collection and transportation of municipal waste).
23. 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 ground gypsum waste and manage the ground gypsum waste in accordance with the Solid Waste Management Act, the environmental protection acts and the regulations promulgated thereunder.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT WMGM023**

24. The ground gypsum waste shall not be applied:
- a. In direct contact with surface water or groundwater.
  - b. When the ground is saturated, snow covered, frozen or during periods of rain.