



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

**BUREAU OF WASTE MANAGEMENT**

**DIVISION OF MUNICIPAL and RESIDUAL WASTE**

**GENERAL PERMIT WMGR088**

**BENEFICIAL USE OF DRINKING WATER TREATMENT PLANT  
SLUDGE FOR USE AS A SOIL ADDITIVE ON AGRICULTURAL  
LANDS**

**Issued: February 4, 2024**

**Amended: June 12, 2025**

**Expires: February 4, 2034**

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BENEFICIAL USE OF DRINKING WATER TREATMENT SLUDGE

**A. Description:**

This general permit authorizes the beneficial use of drinking water treatment sludge generated by a water supply treatment facility, hereinafter referred to as “water treatment sludge” or “waste”, for application on agricultural lands as a soil additive. The term “agricultural lands” refers to lands that have a recent history of continuous agricultural use. Specifically, lands where waste application is to take place must be an active farm currently engaged in growing crops. The permit area must be zoned for agricultural use if the local municipality has zoning regulations in place. Agricultural lands do not include lands that have been stripped of topsoil.

**B. Determination of Applicability Requirements:**

A person or municipality that proposes to beneficially use drinking water treatment plant sludge as a soil additive on agricultural lands 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.

**C. Operating Conditions:**

1. Drinking water treatment sludge of shall not be beneficially used or stored:
  - a. Within 100 feet of a perennial stream;
  - b. Within 300 feet of a water source, unless otherwise approved by the Department, in writing;
  - c. Within 100 feet of a sinkhole or area draining into a sinkhole;
  - d. Within 100 feet of an exceptional wetland;
  - e. Within 300 feet measured horizontally from an occupied dwelling, unless the owner thereof has provided a written waiver consenting to the activities closer than 300 feet. The waiver shall be knowingly made and separate from a lease or deed unless the lease or deed contains an explicit waiver from the owner.
2. Water treatment sludge shall not be stored in direct contact with or applied directly into ground water or surface water.
3. Water treatment sludge shall not be applied to the land during periods of rain or to ground that is saturated, covered with snow, or frozen.
4. Water treatment sludge shall not be applied to slopes greater than 25%.

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5. The waste application site shall have minimum depth from surface to seasonal high water table of no less than eleven (11) inches.
6. When water treatment sludge is beneficially used on pasture lands or forage crops for animal consumption, the land shall not be grazed upon nor shall crops be harvested within 30 days following application of water treatment sludge.
7. If the permittee beneficially uses water treatment plant sludge on land that is owned by someone other than the permittee, the permittee shall provide notice to the landowner prior to each application event. This notice shall include the following information:
  - a. The name and principal office address of the permittee.
  - b. Identification of the soil additive as being water treatment plant sludge.
  - c. The proper nutritional care of grazing animals to prevent illness or injury, including the administration of a copper supplement to prevent molybdenosis.
8. The water treatment sludge may be beneficially used for application upon agricultural lands as a soil additive if none of the following limits are exceeded. A representative sample of each water treatment sludge shall be collected and analyzed for the constituents in the table below prior to land application and at a frequency not to exceed one (1) year. If the treatment method that generates the water treatment sludge changes or if the physical or chemical properties of the water treatment sludge change, sampling and analysis must be performed again to ensure the water treatment sludge continues to not exceed the following limits. For each metal in the table below, the analysis shall be based upon the "total" and conducted utilizing the *"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"* (EPA SW-846), or other methods approved by the Department.

<u>Constituent</u>	<u>Limit*</u>
pH (range)	5.5 – 8.5
Arsenic	41 mg/kg dry weight
Cadmium	25 mg/kg dry weight
Chromium	1200 mg/kg dry weight
Copper	1500 mg/kg dry weight
Lead	300 mg/kg dry weight
Mercury	17 mg/kg dry weight
Molybdenum	75 mg/kg dry weight

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Nickel	420 mg/kg dry weight
Selenium	36 mg/kg dry weight
Sodium	3500 mg/kg dry weight
Zinc	2800 mg/kg dry weight
PCBs	3 mg/kg dry weight

\* These determinations may be based upon the 90 percent upper confidence level using "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (EPA SW-86) as guidance for statistical treatment of data. If the waste exceeds any of these limits, the permittee shall re-analyze the waste for the chemical parameter(s) in question. If re-analysis shows that the waste still exceeds the limit(s), the permittee shall notify the appropriate Department Regional Office.

9. Waste may be surface applied if the waste contains seven (7) percent or fewer solids. If the waste contains greater than seven (7) percent solids, it may only be surface applied if the act of incorporating the waste into the soil would detrimentally affect crops that have already been planted, or in the case of waste applied to sloped areas, would cause soil displacement.
10. Under no circumstances shall the maximum application rate of water treatment sludge exceed fifteen (15) dry tons per acre per year. Individual applications shall not exceed 25,000 gallons per acre per week. The waste shall be applied to the soil in such a manner as to prevent run-off and ponding.
11. Water treatment sludge may be stored for a maximum of 180 days on the farm where land application is to take place. The total amount of waste that may be stored shall not exceed the 15 dry tons per acre per year loading rate multiplied by the number of acres on which waste is to be applied. If storing water treatment sludge in a pile, under no circumstances may free liquids be present in the waste, as determined by Method 9095 (Paint Filer Liquids Test) "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" (EPA SW-846).
12. A farm conservation plan in accordance with 25 Pa. Code, Chapter 102 (relating to erosion control) shall be implemented at the farm at which water treatment plant sludge will be land applied.
13. When land applying water treatment sludge, display the permit number of this general permit on the sides of each application vehicle that is used in the land application of water treatment sludge, in alphanumeric characters at least three (3) inches high in a color contrasting to the background.
14. The permittee shall provide a copy of this permit to each user of water treatment sludge approved under this permit. It is incumbent upon the permittee to see that all users of water treatment sludge approved under this permit comply with all conditions of this permit.

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15. The permittee shall provide a one-time notification for any new sources to the county planning commission, county conservation district, and municipality in which application to agricultural lands as a soil additive is proposed, by delivering or causing to be delivered a copy of this permit, a copy of the chemical analysis of the sludge, and identifying the location(s) onto which water treatment sludge application is intended.
16. A person or municipality that land applies drinking water treatment sludge shall take reasonable measures to ensure that non-organic objects are removed from the waste prior to land application. The Department reserves the right, upon inspection, to impose more specific regulatory requirements on a case by case basis as may be required to minimize the non-organics in the waste being land applied under this general permit.
17. Upon cessation of permitted operations at the facility, the permittee shall assure removal of all wastes and provide for the processing, recycling, beneficial use, or disposal of wastes in accordance with the SWMA, the environmental protection acts and the regulations promulgated thereunder.
18. 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 activities authorized by this permit shall not cause or allow the attraction, harborage, or breeding of vectors and shall prevent dispersal of the water treatment sludge by wind or water erosion.
19. 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.
20. 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).
21. 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 Solid Waste Management Act (SWMA), 35 P.S. §§ 6018.101—6018.1001; and the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, 53 P.S. §§4000.101, et seq.
22. 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.

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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.

23. 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.
24. 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.
25. 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.
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 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.
27. This permit does not authorize and shall not be construed as an approval to discharge any waste, wastewater, or runoff from the storage or land application sites to the land or waters of the Commonwealth.
28. Best Management Practices shall be implemented to divert storm water run-on from the water treatment sludge 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.
29. The permittee shall maintain in force and affect a general liability insurance policy in accordance with 25 Pa. Code, Chapter 287, Subchapter E (relating to bonding and insurance requirements) to provide continuous coverage during operation of the facility and until the Department issues a final closure certification.
30. Equipment used for the storage and application of the water treatment sludge shall be maintained in good operating condition. Daily inspections of equipment

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and each storage area and surrounding environs during water treatment sludge storage and application activities shall be conducted to determine compliance of the terms and conditions of this general permit and for evidence of failure.

31. Storage of water treatment sludge by the permittee shall be in a manner that complies with the requirements set forth in 25 Pa. Code, Chapter 299 (relating to storage and transportation of residual waste).
32. The water treatment sludge 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 § 287.1.
33. 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 sent for beneficial use, 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 site where waste is sent for beneficial use must include, at a minimum, the following: the name, address, and phone number of each generator of water treatment plant sludge received; name and location of the site where the water treatment sludge was land applied; the date(s) and volume of water treatment sludge applied to the site; the results of visual observations; the number of acres to which the water treatment sludge was applied; the water treatment sludge application rate in dry tons per acre. 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.

**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, the location of land application sites, land ownership and the right to enter and

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operate on any land where the water treatment sludge application is to take place, the physical or chemical characteristics of the water treatment sludge, the generator(s) of the water treatment sludge, the process that generates the water treatment sludge, 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. and D.2.
3. Any person or municipality who is permitted to operate under the provisions of this general permit may utilize a new application site or expand an existing site by providing notification to the Department. The notification shall be submitted electronically to the appropriate Department Regional Office (see attached list) and shall include the following:

For an existing site:

- a. Description of method of beneficial use;
- b. Proof the water treatment sludge and waste management activities are consistent with the general permit;
- c. 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;
- d. Proof the applicant has legal right to enter the land and perform the activities approved under this permit; and
- e. A map clearly showing the land applications site and all setback distances as required under Condition C.1.

When land ownership by the permittee has changed, 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 and information that identifies the applicant, including the names and addresses of every officer that has a beneficial interest in or otherwise controls the operation of the company must also be submitted. The notification shall be submitted at least fifteen (15) days prior to starting expanded operation.

For a new location, the following information is also required:

- f. Name and address of applicant;
- g. Name and location of the generator of water treatment sludge; and
- h. Number and title of general permit.



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The notification for a new location shall be submitted at least fifteen (15) days prior to starting the new operations at a new waste application site.

4. For each new source of water treatment sludge, the permittee shall submit an analysis of a representative sample of the waste to the Department for all of the parameters listed in Condition C.6. no less than fifteen (15) working days prior to waste acceptance and application. The permittee may apply the water treatment sludge in accordance with the conditions of this permit after the aforementioned fifteen-day period unless otherwise instructed by the Department.
5. The permittee shall immediately notify the Department's Emergency Hotline by telephone at 800-541-2050 and the waste management program in the 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 generator or beneficial user 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 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), and
4. Form 27R (Acceptance of General Permit Conditions).

Additionally, a renewal application fee in the amount identified in Section A (General Information) of the Form 20 must be sent to the appropriate DEP Regional Office. A check shall be made payable to the "Commonwealth of Pennsylvania."

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 3<sup>rd</sup> 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