

SPECIAL CONDITIONS
GENERAL PERMIT WMGR124

A. Description.

This general permit authorizes the processing and beneficial use of waste materials, recovered from a lime/bark landfill area, as follows:

1. Segregation of bark and wood waste from the paper making process, hereinafter referred to as “segregated bark and wood waste”, prior to sale or delivered to a permitted processing facility for further processing (i.e., crushing, grinding, shredding) needed for beneficial use as an ingredient or a component in the production of mulch material for landscaping purposes.
2. Stockpile of soil material segregated from the lime/bark landfill area for beneficial use as a topsoil or common borrow material for on-site landfill or impoundment closure activities.
3. Sorting of scrap metals (i.e., cables and wires used in the paper mill’s wood yard operation) from the lime/bark landfill area prior to sale or delivery to a permitted processing facility for recycling purposes.

B. Determination of Applicability (DOA) 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 apply for and obtain a DOA from the appropriate Department Regional Office (see attached list) prior to commencing authorized activities under this general permit. A completed Form 20 (Application For A Municipal or Residual Waste General Permit), along with 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. Checks shall be made payable to the “Commonwealth of Pennsylvania”.

C. Operating Conditions.

1. The segregated bark and wood waste may be sold or delivered to a permitted processing facility for direct use or further processing (i.e., crushing, grinding, shredding, etc.), in the production of a mulch for beneficial use as a landscaping material, if the concentration of any constituent in the segregated bark and wood waste does not exceed the chemical limitations specified in Table 1 below.

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Table 1

Segregated Bark and Wood Waste

Parameter	Total Level (mg/kg)	Leachate Level (mg/L)*
pH (standard unit)	> 5.5 or < 13.0	---
Arsenic	29	-
Barium	1,000	-
Boron	300	-
Cadmium	2.5	-
Chloride	Monitoring	250
Chromium (Total)	50	-
Copper	1,500	-
Lead	112.5	-
Mercury	1	-
Molybdenum	18	-
Nickel	50	-
Nitrate Nitrogen	Monitoring	-
Selenium	25	-
Sulfate	Monitoring	500
Zinc	1000	-

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

- Segregated soil material may be beneficially used as a vegetative material for on-site landfill area if the chemical concentration for any constituent, in the segregated soil material, does not exceed the concentration limit as specified in Table 2 below:

Table 2

Segregated Soil Material

Parameters	Total (mg/kg)^(a)	Leachable^(b) (mg/l)
pH	6.0 – 9.0 (Std. Unit)	
Antimony	6.75	-
Arsenic	29	-
Barium	1,000	-
Beryllium	2.3	-
Cadmium	2.5	-

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Table 2 (Continued)

Segregated Soil Material

Parameters	Total (mg/kg) ^(a)	Leachable ^(b) (mg/l)
Chromium (Total)	50	-
Copper	1,500	-
Iron	66,000	-
Lead	112.5	-
Mercury	1	-
Nickel	50	-
Selenium	25	-
Sulfate	-	500
Thallium	2.2	-
Zinc	1,000	-

(a) = Dry Weight Basis

(b) = Leachability evaluations shall be conducted using the Toxicity Characteristic Leaching Procedure (EPA method 1311) or the Synthetic Precipitation Leaching Procedure (EPA method 1312).

3. Waste materials under the authorization granted in this permit shall be managed in accordance with the permittee's application.
4. The segregated bark and wood waste that is beneficially used under this general permit shall not be mixed with other types of waste materials, including hazardous waste, municipal waste, special handling waste, or other residual waste, unless otherwise approved by the Department in writing.
5. The storage, transportation or use of the segregated bark and wood 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. The storage and transportation of segregated bark and wood waste shall comply with the requirements of 25 Pa Code Chapter 299 (relating to storage, collection and transportation of residual waste).
6. The permittee shall provide all persons or municipalities which propose to beneficial use the segregated bark and wood waste authorized under this general permit a copy of Appendix "A" (Use Restrictions) of this permit. The conditions in Appendix "A" shall apply to any permittee including anyone who obtains a Determination of Applicability to conduct activities authorized by this permit. The permittee shall record the name, address and the proposed beneficial uses.

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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.
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 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 permit, for any reason, shall be grounds for the revocation or suspension of the permittee's approval to operate under this permit.
11. Any independent contractors or agents retained by the permittee in the completion of activities authorized under this 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 segregated bark and wood 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.

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13. Unless authorized by the Department in writing, storage of the segregated (i) bark and wood waste, (ii) soil and (iii) scrap metal at a permitted processing facility is not allowed except as part of the operation authorized under the Solid Waste Disposal and/or Processing Facility Permit.
14. The segregated (i) bark and wood waste, (ii) soil, (iii) scrap metal 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 seq. and the regulations promulgated therein.
15. 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.
16. At a minimum, weekly inspections of collection and storage 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.
17. 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 facility to the waters of the Commonwealth.
18. A person or municipality 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 application shall be made using the "Form 20 (Application For a Municipal or Residual Waste General Permit)".

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.

19. Wastes not authorized under this general permit shall be removed weekly from the lime/bark landfill area and properly disposed of at a permitted residual waste

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disposal facility. Incidental or temporary on-site storage of wastes not authorized in this general permit shall comply with the requirements as specified in 25 Pa. Code Chapter 299 (relating to storage and transportation).

D. Sampling, Analysis and Frequency of Monitoring.

1. Prior to the first beneficial use of the segregated (i) bark and wood waste, (ii) soil material, and (iii) for every 4,000 cubic yards (CY) utilized thereafter, representative samples of the segregated (a) bark and wood waste, and (b) soil material, shall be collected and analyzed, for each parameter listed in Tables 1 and/or 2 of Conditions 1 and/or 2 above.
2. Representative samples of the segregated (i) bark and wood waste, and (ii) soil material must be collected and analyzed as required in Condition D(1) to determine compliance with the chemical requirements as specified in Conditions C(1) and C(2) of this general permit. More than one sample is usually necessary to accurately represent the (i) bark and wood waste, and (ii) soil material segregated. Core samples at different locations and at various depths shall be collected and then composited to obtain a representative sample of the segregated (i) bark and wood waste, and (ii) soil material. The key is to obtain a representative sample. In general, the more samples taken, the greater the chance that the sampling results will be representative of the quality of the segregated (i) bark and wood waste, and (ii) soil material.
 - a. When sampling of the segregated (i) bark and wood waste, or (ii) soil material that is stored in a pile or a bin, core samples at different locations and at various depths shall be collected and then composited to obtain a representative sample of the segregated (i) bark and wood waste, and (ii) soil material.
 - b. When sampling of the segregated (i) bark and wood waste, or (ii) soil material in a batch process, samples from the discharge point of the segregated (i) bark and wood waste, and (ii) soil material generation and prior to storage shall be collected and then composited to obtain a representative sample of the segregated (i) bark and wood waste, and (ii) soil material.
3. The analyses required in Conditions C(1), C(2) and D(1) of this general permit shall be performed by a laboratory accredited or registered for accreditation under the act of June 29, 2002 (P.L. 596, No. 90)(27 Pa.C.S.A. § § 4101-4113), known as the Environmental Laboratory Accrediation Act.
4. The analytical methodologies used to meet the requirements in this general permit shall be those in the most recent edition of the EPA's "Test Methods for Evaluating

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Solid Waste, Physical/Chemical Methods” (EPA SW-846), “Methods for Chemical Analysis of Water and Wastes” (EPA 600/4-79-020), “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).

5. After the chemical analysis of representative samples of the segregated (i) bark and wood waste, and (ii) soil material has been conducted as required in Conditions C(1) and C(2) at the frequency as specified in Condition D(1) of this general permit for a two-year period and has met the requirements and concentration limits as specified in these Conditions of the general permit, the Department may reduce the required frequency of monitoring if a written request for the reduction of sampling frequency is submitted by the permittee. However, the frequency of monitoring may not be less than twice per year. A written approval from the Department must be obtained before commencing a reduced sampling frequency.
6. Should knowledge of the segregation process, visual observations, or analytical results indicate variability in the quality of segregated (i) bark and wood waste, or (ii) soil material, more frequent testing shall be conducted.
7. Upon request by the Department, the permittee shall collect for analysis representative samples of the segregated (i) bark and wood waste, and/or (ii) soil material, as required in Conditions C(1) and C(2) of this general permit, within 48 hours of the request.
8. The determination of compliance with Tables 1 and 2 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-946) as guidance for the statistical treatment of data.

E. Recordkeeping.

1. The permittee shall develop and maintain records of volume or weight of the segregated (i) bark and wood waste, (ii) soil, and (iii) scrap metal for beneficial use activities authorized in this general permit.
2. The permittee shall maintain records of volume or weight and location of use of the segregated (i) bark and wood waste, (ii) soil, and (iii) scrap metal for beneficial use purposes.

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3. The permittee shall maintain records of volume or weight of the unacceptable or rejected materials, remaining from sorting the segregated (i) bark and wood waste, (ii) soil, and (iii) scrap metal that are disposed of from the facility. The records shall include the name and address of disposal location, date of disposal, volume or weight of the waste that is disposed.
4. Any records pertaining to or any analytical evaluations conducted on the segregated (i) bark and wood waste, and (ii) soil material pursuant to the residual waste regulations 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 are to include information on the dates of testing, each parameter tested, the results, the laboratory used, sampling procedures, analytical methodologies, the volume or weight of the sample and person collecting the sample.
5. All records required in this general permit shall be maintained on-site for a minimum of five years and shall be made available to the Department upon request.

F. Reporting Requirements.

1. Any person that operates under the provisions of this permit shall immediately notify, in writing, within 15 days the Solid Waste Manager of the appropriate regional office of the Department (See attached list) of any changes in: the company name, address, owners, operators and responsible officials; changes in the land ownership and the right to enter and operate on any land where the segregated bark and wood waste is generated or stockpiled; the physical or chemical characteristics of the segregated bark and wood waste; and the status of any permit issued by the Department or federal government under the environmental protection acts.
2. The permittee shall submit an annual report that summarizes the information outlined in Conditions C(1) and C(2), and identifies the location of all sites or permitted processing facilities where the segregated (i) bark and wood waste, (ii) soil, and (iii) scrap metal was utilized for beneficial use purposes during the past 12 months ending thirty (30) days prior to the permit anniversary date. The annual report shall summarize the following information:
 - a. Weight or volume of the segregated bark and wood waste authorized under the general permit that is used in the production of finished mulch during the last 12 months ending on the anniversary date of the permit.

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- b. Weight or volume of the unacceptable or rejected segregated bark and wood waste that were disposed of from the facility during the last 12 months ending on the anniversary date of the permit.
- c. Laboratory reports for the “total” and/or “leachate” analyses for the segregated bark and wood waste for the constituents listed in Table 1 of Condition C(1) of this general permit. The analysis data submitted in compliance with this requirement must be from samples of the segregated bark and wood waste collected within the past 12 months.
- d. Laboratory reports of the chemical analyses for the segregated soil for the constituents listed in Table 2 of Condition C(2) of this general permit. The analysis data submitted in compliance with this requirement must be from samples of the manufactured topsoil collected within the past 12 months.

APPENDIX "A"

USE RESTRICTIONS GENERAL PERMIT WMGR124

The following restrictions apply to the segregated bark and wood waste, by-products resulted from the paper making process, recovered from a lime/bark landfill area.

Persons processing, storing and/or using the segregated bark and wood waste for beneficial use purposes must comply with the following requirements:

1. Further processing, prior to beneficial use, of the segregated bark and wood waste must be authorized under a permit issued by the Department.
2. The segregated bark and wood waste or materials manufactured using segregated bark and wood waste as a component or ingredient shall not be used as a valley fill material, to fill open pits from coal or other fills.
3. The segregated bark and wood waste or materials manufactured using segregated bark and wood waste as a component or ingredient shall not be placed in direct contact with surface water or groundwater or within 100 feet of a perennial stream, 300 feet of an exceptional value wetland or 300 feet of a private or public water source.
4. Hazardous waste, municipal waste, special handling waste, and other residual waste may not be mixed, stored and/or beneficially used with the segregated bark and wood waste.
5. Unless authorized by the Department in writing, the segregated bark and wood waste shall not be stored for more than one (1) year, and:
 - a. The segregated bark and wood waste is not accumulated before being beneficially used unless the operator shows that the segregated bark and wood waste is potentially use beneficially and has a feasible means of being beneficially used; and
 - b. During the calendar year (commencing on January 1), the amount of segregated bark and wood waste that is beneficially used or transferred to a different site for beneficial use, equals at least 75% by weight or volume of the segregated bark and wood 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., wood chips, bark) that is beneficially used in the same way (that is, from which the same material is segregated or that is used in the same way).
6. The storage, transportation or use of the segregated bark and wood waste shall be in a manner, which will not create a nuisance or be harmful to the public health,

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safety or the environment of this Commonwealth. The storage and transportation of segregated bark and wood waste shall comply with the requirements of 25 Pa Code Chapter 299 (relating to storage, collection and transportation of residual waste).

7. Runoff from the processed waste storage area(s) shall not cause surface water pollution or groundwater degradation and shall be managed in accordance with The Clean Streams Law and regulations promulgated thereunder.
8. 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 stored segregated bark and wood waste and manage the segregated bark and wood waste in accordance with the Solid Waste Management Act, the environmental protection acts and the regulations promulgated thereunder.

**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 18701-1915
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, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington, Westmoreland.

Southwest Regional Office

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

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

Northwest Regional Office

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