



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

BUREAU OF WASTE MANAGEMENT

DIVISION OF MUNICIPAL and RESIDUAL WASTE

GENERAL PERMIT WMGR140

**BENEFICIAL USE OF WASTEWATER TREATMENT PLANT SLUDGE
AND FILTER CAKE**

Issued: February 1, 2023

Expires: February 1, 2033

GENERAL PERMIT WMGR140
BENEFICIAL USE OF SLUDGE AND FILTER CAKE

A. Description:

This general permit authorizes the beneficial use of the sludge and filter cake from a Department of Environmental Protection (Department) permitted industrial wastewater treatment facility, treating wastewater from a textile dyeing and finishing plant, for use as a soil additive and soil conditioner. Under this permit, the sludge and filter cake are approved for use as a soil additive or soil conditioner only on the land bonded under a mining permit issued by the Department's Bureau of Mining and Reclamation and must be used and applied in accordance with the site reclamation plan approved for that site by the Department's Mining Program Permit.

B. Determination of Applicability Requirements:

A person or municipality that proposes to beneficially use sludge and filter cake 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 for a DOA 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. The sludge and filter cake may be used as a soil additive or soil conditioner provided none of the limits for any of the parameters listed in Table 1, below, are exceeded in the sludge or filter cake. This determination shall be based on a "leaching" analysis (mg/L) of a representative sample of the sludge and filter cake and must be conducted using the Synthetic Precipitation Leaching Procedure (EPA Method 1312). The leaching analysis required by this section must be performed monthly.

Table 1	
<u>Parameter</u>	<u>Leachable Levels (mg/L)⁽¹⁾</u>
Arsenic	0.25
Cadmium	0.125
Chromium	2.5
Copper	25
Lead	0.375
Mercury	0.05
Molybdenum	4.375
Nickel	2.5
pH (range)	7.0 to 12.5 (pH units)
Selenium	0.5
Zinc	50
<p>⁽¹⁾ The above determinations may be based upon the 90 percent upper confidence level using "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (EPA SW-846) as guidance for statistical treatment of data.</p>	

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2. The sludge and filter cake may be used as a soil additive or soil conditioner provided the following cumulative pollutant loading rates (maximum amount of pollutants that may be in the soil) are not exceeded.

Table 2	
<u>Parameter</u>	<u>Cumulative Loading Rates (lbs/acre)</u>
Arsenic	36
Cadmium	34
Chromium	2672
Copper	1320
Lead	264
Mercury	15
Molybdenum	16
Nickel	370
Selenium	88
Zinc	2464

3. The permittee shall provide a copy of Appendix A to each person or municipality which purchases or obtains sludge or filter cake directly from the permittee for the beneficial use purposes approved under the provisions of this general permit. The names and addresses of each recipient of the sludge or filter cake and the amounts provided by the permittee are to be recorded and submitted in accordance with the annual report required in Condition E.3.
4. Upon cessation of permitted operations at the facility, the permittee shall assure remove 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.
5. 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.
6. 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.
7. 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).
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 local law, ordinance, or regulation, providing that said local law, ordinance, or regulation is not preempted by the Solid

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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.

9. 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.
10. 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.
11. 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.
12. 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.
13. The permittee shall comply with the terms and conditions of this general permit, which includes Appendix A, 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.
14. 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.
15. 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.

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16. 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.
17. Equipment used for the storage, processing or beneficial use of the sludge or filter cake shall be maintained in good operating condition. Daily inspections of 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.
18. Storage of waste at the facility 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) and shall not be accumulated speculatively.
19. The sludge and filter cake 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.
20. 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. 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 generator(s) or process which generates the sludge or filter cake, the location where the sludge or filter cake is applied, the right to enter and operate on land where the sludge and filter cake is stored or applied, compliance status, and the status of any permit issued by the Department or federal government under the environmental protection acts.
2. For each new source of sludge or filter cake, the permittee shall submit the results of analysis conducted on a representative sample of the sludge or filter cake to the Department for all of the parameters listed in Condition C.1. This submission must be no less than fifteen working days prior to any beneficial use of the sludge or filter cake. The permittee may beneficially use the sludge or filter cake, in accordance with the conditions of the permit, after the aforementioned fifteen-day period unless otherwise notified by the Department.

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3. 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. The report shall summarize the information outlined in Conditions E.1, E.2, and C.1, and C.2 and identify the location of all sites where the sludge or filter cake is or has been applied, by the permittee, during the previous calendar year. For sludge or filter cake applied by the permittee, the annual report shall include information on the amount (weight or volume) of sludge or filter cake applied, the general location and number of acres to which the sludge or filter cake is applied, the application rate, and the date(s) the waste was applied to each site. The annual report must also include the results of chemical analysis on samples of the sludge or filter cake which are collected and tested monthly for all the parameters listed in Condition C.1.
4. 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 supplier 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 27R (Acceptance of General Permit Conditions), and

Additionally, a renewal application fee in the amount identified in Section A (General Information) of the Form 20 must be sent to the appropriate Department 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 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
USE RESTRICTIONS
GENERAL PERMIT NUMBER WMGR140

The approval granted under General Permit WMGR140 is limited to the beneficial use of sludge and filter cake from a Department of Environmental Protection (Department) permitted industrial wastewater treatment facility, treating wastewater from a textile dyeing and finishing plant, for use as a soil additive or soil conditioner as part of a mine reclamation plan approved by the Department's Mining Program. The use of the sludge or filter cake as a soil additive or soil conditioner shall also be consistent with the following:

- A1. The sludge or filter cake shall not be stored or applied within the following isolation distances:
 - a. Within 100 feet of a perennial stream, wetland, or area draining into a wetland.
 - b. Within 300 feet of a source of drinking water, unless otherwise approved by the Department in writing.
 - c. Within 300 feet of an occupied dwelling, unless the current owner has provided a signed waiver consenting to the activity.
 - d. Within 100 feet of a sinkhole or area draining into a sinkhole.
 - e. Within 50 feet of a property line, unless the property owner approves in writing the use of the sludge or filter cake closer than 50 feet.
- A2. The sludge or filter cake shall not be stored or placed in direct contact with groundwater or surface water.
- A3. The amount of sludge and/or filter cake that may be stored on an site, at any time, shall be limited to that amount of sludge or filter cake that is intended to be used, and can be practicably applied, on the site for the current growing season.
- A4. The sludge or filter cake shall not be mixed with other types of solid wastes, including hazardous waste, municipal waste, special handling waste, or other residual waste prior to its use.
- A5. The use of this material shall not harm or present a threat of harm to the health, safety, or welfare of the people or environment of this Commonwealth.
- A6. The storage or beneficial use of the sludge or filter cake shall be in a manner that will not create a nuisance or be harmful to public health, safety, or the environment, and shall be in a manner that prevents the dispersal of the sludge or filter cake by wind or water erosion.
- A7. 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.