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1. The approval herein granted is limited to the operation of rail transfer facilities for the processing of waste oil (including waste oil mixed with hazardous waste in accordance with 25 Pa. Code § 298.10(b)(2)(ii) or (iii) or fuels mixed in accordance with 25 Pa. Code § 298.10(d)(1)), commercial fuel products exempt from regulation as hazardous waste under 40 CFR § 261.2 as incorporated by reference under 25 Pa. Code § 261a.1 as modified at § 261a.2, spent antifreeze, and waste oil/water mixtures prior to beneficial use. The approved processing is limited to the transfer of waste oil, waste oil/water mixtures and spent antifreeze from motor vehicles to rail cars for transport (“rail transloading”). The facilities operating under this general permit may accept shipments of:
  - a. waste oil, spent antifreeze, commercial fuel products, and waste oil/water mixtures that are not hazardous wastes as defined in 40 CFR 261, as incorporated by reference in 25 Pa. Code Chapter 261a.1.
  - b. waste oil and waste oil/water mixtures that qualify as hazardous wastes solely because they exhibit a hazardous waste characteristic under 40 CFR 261, Subpart C, as incorporated by reference in 25 Pa. Code § 261a.1.
  - c. mixtures of waste oil and hazardous waste regulated under 25 Pa. Code § 298.10(b)(2)(ii) or (iii).
  - d. mixtures of waste oil and commercial fuel products exempt from regulation as hazardous waste under 40 CFR § 261.2 as incorporated by reference under 25 Pa. Code § 261a.1 as modified at § 261a.2.
  
2. The permittee is not authorized by this general permit to accept any waste oil or waste oil/water mixture for processing at facilities operating under this general permit unless the amount of recoverable oil in the waste is at least one percent (1.0%) and it is sent to a facility where the oil is reclaimed, reused, recycled, or burned for energy recovery. On a case by case basis, the Department may authorize facilities operating under this general permit to accept waste oil/water mixtures where the amount of recoverable oil in the waste is less than one percent (1.0%), but no less than one tenth of one percent (0.1%). In order for a facility operating under this general permit to accept waste oil or waste oil/water mixtures where the amount of recoverable oil in the waste is between one tenth of one percent (0.1%) and one percent (1.0%), the permittee must submit documentation to the Department, for its approval, that shows the following:
  - a. the name, address, phone number, and name of a contact person for each destination facility which will receive waste oil or waste oil/water mixtures from the general permittee where the amount of recoverable oil in the waste is between one tenth of one percent (0.1%) and one percent (1.0%).
  - b. a detailed description of the process(es) which will be used by the destination facility(ies) to recover oil from waste having an oil content between one tenth of one percent (0.1%) and one percent (1.0%).
  - c. analytical data which demonstrates the technology used at the destination facility(ies) is capable of recovering oil from waste oil or waste oil/water mixtures having an oil content of ~~is~~ one tenth of one percent (0.1%).

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The permittee is not authorized by this general permit to accept spent antifreeze containing greater than five (5) percent ethylene glycol or propylene glycol mixtures for processing at facilities operating under this general permit unless it is sent to a facility where the ethylene glycol or propylene glycol is reclaimed, reused, or recycled.

The permittee is not authorized by this permit to accept commercial fuel products unless it is sent to a facility where the fuel products are reclaimed, reused, or recycled.

3. All activities conducted under the authorization granted in this general permit shall be conducted in accordance with the permittee's application. Except to the extent that the general permit states otherwise, the permittee shall operate its facilities covered by the general permit as described in the approved application.
4. The permittee is not authorized by this general permit to accept any waste oil or waste oil/water mixtures containing PCBs at levels of 50 ppm or greater.
5. The following waste acceptance criteria apply to receipt of shipments of waste oil, waste oil/water mixtures, waste oil/commercial fuel product mixtures, commercial fuel products, and spent antifreeze at facilities operating under this general permit.
  - a. Shipments of waste oil, waste oil/water mixtures, waste oil/commercial fuel product mixtures, commercial fuel products, and spent antifreeze from transporters which are not the permittee, or from transfer stations or other processing facilities which are not operated by the permittee may not be accepted at facilities unless the permittee was covered under this general permit prior to June 2, 2001. Criteria for accepting new shipments of waste oil, waste oil/water mixtures, waste oil/commercial fuel product mixtures, commercial fuel products, and spent antifreeze at facilities permitted prior to June 2, 2001, from generators when transported directly to the facility by transporters which are not the permittee:
    - (1) A representative sample(s) of each incoming shipment containing waste oil, waste oil/commercial fuel product mixtures, commercial fuel products, and waste oil/water mixtures shall be tested for the parameters listed in Table 1, using "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (EPA SW-846) or other equivalent methods or optional methods approved by the Department.

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**Table 1**

<b><u>Parameter</u></b>	<b><u>Allowable Level</u></b>
Total Halogens	1000 ppm maximum
Flash Point	100 degrees F minimum
PCBs	<50 ppm

- (2) A representative sample(s) of each incoming shipment containing spent antifreeze shall be tested for the parameters listed in Table 2, using "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (EPA SW-846) or other equivalent methods or optional methods approved by the Department.

**Table 2**

<b><u>Parameter</u></b>	<b><u>Allowable Level</u></b>
pH	>2.0 to <12.5
Liquid Phases	One liquid phase, unless only two liquid phases are present and the upper layer is identified as waste oil.

- (3) If any shipment of waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture contains more than 1000 ppm total halogens, the presumption that the waste oil or waste oil/water mixture was mixed with hazardous waste must be rebutted. The rebuttal shall consist of a demonstration showing that the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture does not contain halogenated hazardous waste listed under 40 CFR 261, Subpart D as incorporated by reference in 25 Pa. Code § 261a. This demonstration may be made by showing that the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture does not contain significant concentrations of halogenated hazardous constituents. This rebuttal must be made prior to incorporation of the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture with other waste oil in the transportation vehicle. Documentation supporting this demonstration must be retained for five years.

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- (4) If any shipment of waste oil, waste oil/commercial fuel product mixture, or waste oil/water mixture possesses a flash point below 100 degrees F, a demonstration must be made that shows that the low flash point is due to mixing in accordance with 25 PA Code 298.10(b)(2)(ii) or (iii) of hazardous waste regulated under 40 CFR 261.5, as incorporated by reference in 25 Pa. Code § 261a.1 as modified at 25 Pa. Code 261a.5(a) with the waste oil or waste oil/water mixture by the generator. Documentation supporting this demonstration must be retained for five years. Commercial fuel products possessing a flash point below 100 degrees F may not be accepted.
- b. Criteria for accepting new shipments of waste oil, waste oil/water mixtures, waste oil/commercial fuel product mixture, commercial fuel products, and spent antifreeze collected by the permittee:
- (1) The permittee shall obtain or perform a prequalification analysis, provided by the generator or conducted by the permittee, prior to collection of waste oil, waste oil/commercial fuel product mixture, commercial fuel products, and waste oil/water mixtures from a generator. The prequalification analysis for waste oil, waste oil/commercial fuel product mixture, and waste oil/water mixtures shall include the parameters identified in Table 1. PCB determinations may be omitted from the prequalification analysis for waste oil generators whose sole source of waste oil is used vehicular oil (i.e., petroleum-based or synthetic oil which has been used in an internal combustion engine as an engine lubricant, or as a product used for lubricating motor vehicle transmissions, gears, or axles). The prequalification analysis for commercial fuel products shall consist of a copy of the material safety data sheet (MSDS) for the products. The prequalification analysis shall be retained for one year after the permittee ceases accepting waste from the generator or until a new prequalification analysis is available for that generator's waste.
- (2) Each shipment collected from a generator shall be accompanied by a signed certification from the generator stating that the shipment has not been mixed, combined, or blended with materials containing regulated levels of PCBs (50 ppm or greater) or any hazardous waste, other than hazardous waste that is regulated under § 298.10(b)(2)(ii) or (iii). This certification shall be retained for five years.
- (3) A representative sample of each shipment containing waste oil, waste oil/commercial fuel product mixture, commercial fuel products, and waste oil/water mixture shall be tested for the parameters listed in Table 3, at the indicated frequency, using "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (EPA SW-846) or other equivalent methods or optional methods approved by the Department. Testing for flash point need not be performed if the generator of the shipment containing waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture qualifies as a conditionally exempt small quantity generator under 40 CFR 261.5, as incorporated by reference in 25 Pa. Code § 261a.1 as modified at 25 Pa. Code 261a.5(a).

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**Table 3**

<b><u>Parameter</u></b>	<b><u>Allowable Level</u></b>	<b><u>Frequency</u></b>
Total Halogens	1000 ppm maximum	Every Pickup
PCBs	<50 ppm	Every Pickup (Transformer Oil, Oil From Capacitors, or Oil From Lighting Ballasts Only)
Flash Point <sup>†</sup>	100 degrees F minimum	Every 6 Months or 6 <sup>th</sup> Pickup Whichever is Later <sup>‡</sup>

<sup>†</sup> The Department may authorize, in writing, a different determination or screening method, as an alternate to the flash point determination. The alternate method is to be used at every pickup, unless a different frequency is specified by the Department. Testing for flash point need not be performed if the generator of the shipment containing waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture qualifies as a conditionally exempt small quantity generator under 40 CFR 261.5, as incorporated by reference in 25 Pa. Code § 261a.1 as modified at 25 Pa. Code 261a.5(a). Should the results of the alternate method indicate that the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture is outside the acceptable range, the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture shall either be rejected or accepted only after a flash point determination indicates the flash point of the waste oil or waste oil/water mixture is acceptable. Should the flash point be less than 100 degrees F, unless the low flash point is due to mixing in accordance with 25 PA Code 298.10(b)(2)(ii) or (iii) of hazardous waste regulated under 40 CFR 261.5, as incorporated by reference in 25 Pa. Code § 261a.1 as modified at 25 Pa. Code 261a.5(a), future shipments of waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture from the same source shall not be accepted until the generator of the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture is able to identify the source of contamination and develops a plan for preventing reoccurrence which is found to be satisfactory by the permittee.

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‡ The waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture may be accepted prior to determination of its flash point provided a sample of the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture is taken, properly stored, and its flash point determined within 7 days. Should the flash point be less than 100 degrees F, unless the low flash point is due to mixing in accordance with 25 PA Code 298.10(b)(2)(ii) or (iii) of hazardous waste regulated under 40 CFR 261.5, as incorporated by reference in 25 Pa. Code § 261a.1 as modified at 25 Pa. Code 261a.5(a), future shipments of waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture from the same source shall not be accepted until the generator of the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture is able to identify the source of contamination and develops a plan for preventing reoccurrence which is found to be satisfactory by the permittee.

(4) A representative sample of each load containing spent antifreeze shall be tested for the parameters listed in Table 4, at the indicated frequency, using "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (EPA SW-846) or other equivalent methods or optional methods approved by the Department.

**Table 4**

<b><u>Parameter</u></b>	<b><u>Allowable Level</u></b>	<b><u>Frequency</u></b>
pH	>2.0 to <12.5	Every Pickup
Liquid Phases	One liquid phase, unless only two liquid phases are present and the upper phase is identified as waste oil.	Every Pickup

(5) A sample of each shipment collected shall be taken and retained, for purposes of tracing contaminated shipments, until the shipment represented by the sample has been accepted by another processing facility or beneficial use operation.

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- (6) If any shipment of waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture contains more than 1000 ppm total halogens, the presumption that the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture was mixed with hazardous waste must be rebutted. The rebuttal shall consist of a demonstration showing that the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture does not contain halogenated hazardous waste listed under 40 CFR 261, Subpart D as incorporated by reference in 25 Pa. Code § 261a. This demonstration may be made by showing that the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture does not contain significant concentrations of halogenated hazardous constituents. This rebuttal must be made prior to incorporation of the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture with other waste oil in the transportation vehicle. Documentation supporting this demonstration must be retained for five years.
- (7) If any shipment of waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture possesses a flash point below 100 degrees F, a demonstration must be made that shows that the low flash point is due to mixing in accordance with 25 PA Code 298.10(b)(2)(ii) or (iii) of hazardous waste regulated under CFR 261.5, as incorporated by reference in 25 Pa. Code § 261a.1 as modified at 25 Pa. Code 261a.5(a) with the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture by the generator. Documentation supporting this demonstration must be retained for five years.
- c. Criteria for accepting new shipments of waste oil, waste oil/water mixtures, waste oil/commercial fuel product mixture, commercial fuel products, and spent antifreeze from an owner or operator of a transfer or processing facility:
- (1) No further testing is required provided the following are met: (a) certifications and testing requirements contained in a permit issued by the Department for incoming waste at the transfer or processing facility where the shipment originates are substantially the same as those in this general permit and are satisfied for all waste making up the shipment; and (b) the owner/operator of the transfer or processing facility where the shipment originates certifies the shipment falls within the acceptable levels in Tables 1 and 2 of Condition 5a.

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- (2) No further testing is required provided the following are met: (a) the transporter is an owner or operator of a transfer facility operating under General Permit Number WMGR029 or is providing transportation services on a contractual basis to such an owner or operator so long as the owner or operator remains responsible for the waste making up the shipment; (b) certifications and testing requirements contained in Condition 5b of General Permit Number WMGR029 are satisfied and the shipment meets the requirements set forth in Condition 5b of General Permit Number WMGR029 for all waste making up the shipment; and (c) all waste making up the shipment is transported directly from the transfer or processing facility to the rail transfer facility operating under this general permit.
- (3) The criteria and requirements in Condition 5a shall apply if one of the following is met: (a) the transfer or processing facility where the shipment originates is operating under a permit issued by another state or country; (b) the facility where the shipment originates is not required to operate under a permit issued by another state or country; (c) the facility where the shipment originates is an unpermitted processing facility in compliance with the transition requirements in 25 Pa. Code 287; (d) the applicable certifications and testing requirements contained in a permit issued by the Department are not satisfied for all wastes making up the shipment; or (e) the volume of waste received differs from the volume shipped from the transfer or processing facility where the shipment originates.
6. For waste shipments for which Condition 5a applies, each incoming transportation vehicle holding waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixtures shall be analyzed for the parameters listed in Table 1. If transportation vehicles for waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixtures have multiple storage compartments, each individual compartment shall be sampled and tested for flash point, total halogens, and PCBs. Each incoming transportation vehicle holding spent antifreeze shall be analyzed for the parameters listed in Table 2. If transportation vehicles for spent antifreeze have multiple storage compartments, each individual compartment shall be sampled and tested for pH and number of liquid phases. In addition, each incoming container of waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixtures from each generator must be analyzed for the parameters listed in Table 1 and each container of spent antifreeze must be analyzed for the parameters listed in Table 2. All samples shall be collected using the sampling protocol for containerized liquid waste - "COLIWASA"- as described in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846. If results of the analyses exceed the allowable levels of Tables 1 and 2, the incoming waste oil, waste oil/commercial fuel product mixture, commercial fuel products, waste oil/water mixture, or spent antifreeze shall be rejected unless, for halogens, the presumption that the waste was mixed with halogenated hazardous waste listed under 40 CFR 261, Subpart D as incorporated by reference in 25 Pa. Code § 261a was successfully rebutted in accordance with Condition 5.



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For waste for which Condition 5b applies, each container or tank of waste oil, waste oil/commercial fuel product mixture, commercial fuel products, or waste oil/water mixture shall be analyzed for the parameters listed in Table 3 at the frequency listed. Each container or tank of spent antifreeze shall be analyzed for the parameters listed in Table 4. All samples shall be collected using the sampling protocol for containerized liquid waste - "COLIWASA"- as described in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846. If results of the analyses exceed the allowable levels of Condition 5b, the incoming waste oil, waste oil/commercial fuel product mixture, commercial fuel products, waste oil/water mixture, or spent antifreeze shall be rejected unless, for halogens, the presumption that the waste was mixed with halogenated hazardous waste listed under 40 CFR 261, Subpart D as incorporated by reference in 25 Pa. Code § 261a was successfully rebutted in accordance with Condition 5.

7. Any waste oil and waste, waste oil/commercial fuel product mixture, commercial fuel products, oil/water mixture rejected as provided for in Condition 6 because of its halogen content shall be classified as a hazardous waste and shall be managed in accordance with the requirements of 25 Pa. Code Chapters 261a through 270a.
8. A representative sample of each out-going load of waste oil destined for burning for energy recovery shall be analyzed for the parameters listed in Table 5 as determined by using "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"(EPA SW-846) or other equivalent methods or optional methods approved by the Department. Waste oil, which exceeds the allowable levels in Table 5, shall be deemed "off-specification" and shall only be beneficially used as fuel for industrial boilers or industrial furnaces. In lieu of testing for allowable levels in Table 5, the waste oil may be classified as off-specification in accordance with 25 Pa. Code § 266a.40 and 40 CFR § 761.20(e).

**Table 5**

<b><u>Parameters</u></b>	<b><u>Allowable Level</u></b>
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Total Halogens	1000 ppm maximum (residential and commercial use) 4000 ppm maximum (industrial use)
Flash Point	100 degrees F minimum
PCBs	<2 ppm

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9. Facilities operating under this general permit which manage waste oil destined for burning for energy recovery shall comply with the applicable requirements of 25 Pa. Code § 298, Subchapter H (relating to waste oil fuel marketers).
10. Except as otherwise provided by this general permit or applicable regulations, the waste oil, waste oil/commercial fuel product mixture, commercial fuel products, spent antifreeze, and waste oil/water mixtures managed under this general permit shall not be mixed with other types of solid wastes, including hazardous waste, municipal waste, other residual waste, or special handling waste.
11. This general 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.
12. The permittee shall comply with the fugitive emissions standards adopted under 25 Pa. Code §§ 123.1 and 123.2.
13. Nothing in this general 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, provided that said local law, ordinance, or regulation is not preempted by the Pennsylvania Solid Waste Management Act, 35 P.S. § 6018.101 *et seq.*, or the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, 53 P.S. § 4000.101 *et seq.*
14. As a condition of this general permit, the permittee shall obtain from all landowners of his place of business where processing activities will occur, on a form provided by the Department, the authority to conduct the activities authorized by this general permit and consent to allow authorized employees or agents of the Department to enter the permit area. This authorization and consent shall be obtained prior to the occurrence of processing at each location and be submitted to the Department (see address in Condition 19) via certified mail.
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 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 and to inspect all areas and 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 waste, water, 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 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.

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16. Failure of the measures herein approved to perform as intended, or as designed, or in compliance with the applicable laws, rules and regulations and the 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.
17. Any independent contractors or agents retained by the permittee to conduct the activities authorized under this general permit shall be subject to prior compliance history review by the Department as specified by the Pennsylvania Solid Waste Management Act of 1980.
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 or reissue the authorization granted in this general permit if it deems necessary to prevent harm or the threat of harm to public health or the environment.
19. Persons or municipalities that propose to operate under the terms and conditions of this general permit after the date of permit issuance must apply for a determination of applicability 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. At a minimum, the following information must be provided on forms available from the Department's Bureau of Land Recycling and Waste Management:
  - a. The name and street address of applicant;
  - b. A description of the waste oil, waste oil/water mixtures, waste oil/commercial fuel product mixture, commercial fuel products, and spent antifreeze that characterizes its composition and properties;
  - c. A description of method of processing;
  - d. The number and title of the general permit;
  - e. Proof that the waste oil, waste oil/water mixtures, waste oil/commercial fuel product mixture, commercial fuel products, and spent antifreeze and waste management activities will be consistent with the general permit;
  - f. A signed and notarized statement by the applicant who seeks to operate under the terms and conditions of this general permit that states that the person accepts all conditions of this general permit;
  - g. An application fee in the amount specified in the residual waste regulations, payable to the "Commonwealth of Pennsylvania";
  - h. Proof that copies of the application have been submitted to the municipality, county, county planning agency and county health department in which the primary processing activities will be conducted;
  - i. Information that identifies the applicant (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 to the permittee by the Department or federal government under the environmental protection acts; the date of issuance and current status of those permits; and the permittee's compliance history concerning the environmental protection acts;

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- k. Proof that any independent contractors retained by the permittee to perform any activities authorized under this general permit are in compliance with Department regulations as required in Condition 17;
  - l. A map clearly showing the location of any processing facility and permit area to be operated by the applicant under this general permit;
  - m. Proof that the applicant has legal right to enter the land and operate the facilities approved under this general permit;
  - n. 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;
  - o. A statement that the processing facility does not violate the siting restrictions of Condition 25;
  - p. Bonding and insurance in an amount acceptable to the Department with supporting documentation;
  - q. A Preparedness, Prevention, and Contingency (PPC) plan for the facility prepared in accordance with the most recent edition of the Department's "Guidelines for the Development and Implementation of Environmental Emergency Response Plans".
  - r. Additional information the Department believes is necessary to make a decision.
20. Any person that operates under the provisions of this general permit shall immediately notify the Department (see address in Condition 19) via certified mail of any changes in: the company name, address, owners, operators and responsible officials; land ownership and the right to enter and operate on any land occupied by a facility; bonding and insurance status; the system used to process waste oil, waste oil/water mixtures, waste oil/commercial fuel product mixture, commercial fuel products, and spent antifreeze; and the status of any permit issued by the Department or federal government under the environmental protection acts.

At least thirty (30) days prior to a permittee operating a rail transfer facility at a new location, two (2) copies of the following must be supplied to the Department (see address in Condition 19), in writing, for review and approval:

- a. The name, address, phone number, and contact person for the new facility;
- b. A description of the transfer operations, including a detailed site drawing showing placement of tanks and their capacities, containment areas, and other significant features, and a map showing the facility placement;
- c. Proof that copies of the application have been submitted to the municipality, county, county planning agency and county health department for the location in which the primary processing activities will be conducted;
- d. A Preparedness, Prevention, and Contingency (PPC) plan for the facility prepared in accordance with the most recent edition of the Department's "Guidelines for the Development and Implementation of Environmental Emergency Response Plans";
- e. Bonding and insurance in an amount acceptable to the Department with supporting documentation;
- f. Proof that the applicant has legal right to enter the land and operate the facilities approved under this general permit;

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- g. 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;
  - h. Proof that any independent contractors retained by the permittee to perform any activities authorized under this general permit are in compliance with Department regulations as required in Condition 17;
  - i. A statement that the processing facility does not violate the siting restrictions of Condition 25;
21. Equipment used for the processing of waste oil, waste oil/water mixtures, waste oil/commercial fuel product mixture, commercial fuel products, and spent antifreeze shall be maintained in good operating condition. Daily inspections of equipment during waste processing activities shall be conducted to ensure that equipment will operate properly and to examine for evidence of equipment failure.
22. All storage tanks, secondary containment systems, and transfer lines shall be set up and operated in a manner that prevents spills, leaks, or other releases. Transfers to and from railcars may occur only at locations where fluid collection systems for railroad beds have been installed.
23. Storage of waste, waste oil/commercial fuel product mixture, and waste oil/water mixtures by the permittee shall be in a manner that complies with the requirements set forth in 25 Pa. Code Chapters 298 and 299. Spent antifreeze and commercial fuel products shall be stored in a manner that complies with 25 Pa. Code Chapter 299. All tanks and containers containing spent antifreeze shall be labeled spent antifreeze. All tanks and containers containing commercial fuel products that have not been mixed with waste oil shall be labeled waste fuel product. Residues from passive oil/water separation shall be stored and managed in a manner that complies with 25 Pa. Code Chapters 298, 299 or 262a (relating to requirements for generators of hazardous waste), whichever is applicable.
24. For facilities located within the 100 year flood plain, all railcars, tank trucks, and other movable containers containing waste oil, waste oil/water mixtures, waste oil/commercial fuel product mixture, commercial fuel products, and spent antifreeze shall be moved out of the 100 year flood plain in the event any stream or other body of surface water located within the same 100 year flood plain and within one mile of the facility reaches flood stage.
25. A facility operating under this general permit shall not be located:
- a. within 300 yards of a building owned by a school district or parochial school used for instructional purposes, existing prior to the date the Department received an administratively complete application, unless a written waiver is obtained from the current property owner of the school.
  - b. within 300 yards of a park or playground, existing prior to the date the Department received an administratively complete application, unless a written waiver is obtained from the current property owner of the park.
  - c. within 300 feet measured horizontally from an occupied dwelling unless the owner of the dwelling has provided a written waiver consenting to the facility being closer than 300 feet.

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- d. within 50 feet of a residential property line unless the permittee demonstrates that the actual processing of waste is not occurring within that distance or the owners of the occupied dwelling has provided a written waiver consenting to the facility being closer than 50 feet.
  - e. within 100 feet of a perennial or intermittent stream, unless storage and processing will not occur within that distance, or the facility was permitted prior to July 4, 1992, and complied with the notification and application requirements under § 287.111 and § 287.113, as an unpermitted processing facility. This requirement does not apply to rail transloading facilities existing prior to date of issuance of this general permit.
  - f. within 300 feet of a water source.
  - g. within 4 feet of a seasonal high water table.
  - h. in or within 300 feet of an exceptional value wetland.
26. The permittee shall maintain a bond in an amount and with sufficient guarantees acceptable to the Department as provided by 25 Pa. Code 287, Subchapter E (Bonding and Insurance Requirements). The bond shall continue in effect for the operational life of the facility, and for up to 10 years after final closure of the facility, unless released in whole or in part by the Department, in writing.
27. The permittee shall maintain in force and effect a general liability insurance policy in accordance with 25 Pa. Code, Chapter 287, Subchapter E (Bonding and Insurance Requirements) to provide continuous coverage during operation of the facility and until the Department issues a final closure certification.
28. permittee shall immediately notify the Department's Emergency Hotline at (717) 787-4343 and the appropriate DEP regional office in the event of a discharge or spill of waste oil, waste oil/commercial fuel product mixture, commercial fuel products, oil/water mixtures, and spent antifreeze or any residue from processing and shall take appropriate immediate action to protect the health and safety of the public and the environment. Spills of less than 5 gallons of waste oil, waste oil/commercial fuel product mixture, commercial fuel products, and waste oil/water mixtures or 10 gallons of spent antifreeze need not be immediately reported, but should be recorded as specified in Condition 30 Spills containing any oil capable of reaching surface water must be immediately reported and should be recorded as specified in Condition 30.
29. Records of any analytical evaluations conducted on the waste oil, waste oil/water mixtures, waste oil/commercial fuel product mixture, commercial fuel products, and spent antifreeze required by the residual waste regulations and this general permit 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 shall include information on the dates of testing, each parameter tested, the results, the laboratory, sampling procedures, analytical methodologies and the person collecting the sample. This waste analysis information shall be retained by the permittee at the permittee's place of business for a minimum of five years after the analyses were performed.

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30. The permittee shall maintain records that contain: the name, address, and phone number of each source of incoming waste, the date of receipt and quantity of waste oil, waste oil/water mixtures, waste oil/commercial fuel product mixture, commercial fuel products, and spent antifreeze transferred at each location, the results of the visual observations, the estimation of oil content, flash point, PCB concentration and pH as required in Condition 5 for each batch transferred, and the name, address, and phone number of the destination of each outgoing shipment of waste. The permittee shall also maintain records of all spills and releases that contain: location, date, time, identification and quantity of spilled or released material, and a description of how the material was cleaned up. These records shall be retained by the permittee at the permittee's place of business for a minimum of five years from the date the records were generated and shall be available to the Department for inspection.
31. The permittee shall maintain at the permitted facility an updated copy of a Preparedness, Prevention, and Contingency (PPC) plan for the facility prepared in accordance with the most recent edition of the Department's "Guidelines for the Development and Implementation of Environmental Emergency Response Plans". The PPC plan shall be updated every 5 years or more frequently if necessary (e.g., if changes in phone numbers, equipment, or regulatory requirements occur).
32. Upon cessation of operations at the facility, the permittee shall comply with any applicable closure requirements in 25 Pa. Code § 293.262.
33. 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 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.