

**STANDARD CONDITIONS
GENERAL PERMIT WMGM045**

A. Authorization.

1. This general permit authorizes:
 - a. Mixing or blending, screening and composting of the wastes listed below on an active or abandoned mine site approved by the Department, as part of a mine reclamation permit or project, to produce a composting material for beneficial uses specified in Condition A(1)(b) of this general permit.
 - i. Source separated food processing waste generated in the processing, converting or manufacturing of fruits, vegetables and crops into marketable food items;
 - ii. Source separated pre-and-post consumer food wastes;
 - iii. Yard waste;
 - iii. Source segregated standard and laminated paper, newspaper, and wax coated cardboard;
 - iv. Unpainted and untreated pallets, skids, saw dust, wooden boxes or containers, wood shavings or slab lumber from saw mills;
 - v. Land clearing and grubbing waste; and
 - vi. Agricultural waste limited to manure, crop residues, uncontaminated feed and grains.
 - b. The processed and cured compost material, hereinafter referred to as “finished compost”, is authorized for beneficial uses indicated below.
 - i. As a soil additive;
 - ii. As a mulch material for landscaping purposes;
 - iii. As a filter sock media for use in soil erosion control;
 - iv. As an effective fertilizer to be (1) sold, given away or otherwise distributed for utilization in normal farming operations, or (2) land applied on disturbed lands to facilitate re-vegetation for land reclamation purposes; or
 - v. By blending of the screened and finished compost with (1) virgin sand, (2) uncontaminated soil or (3) stone or rock produced from on-site quarry mining operations, in the production of a manufactured topsoil material that (a) there is market or disposition for the material, and (b) to be

**STANDARD CONDITIONS
GENERAL PERMIT WMGM045**

transferred in good faith as a commodity in trade for use in lieu of an intentionally manufactured product.

2. The approval granted in this general permit is limited to composting facilities where the permitted area shall meet all requirements below:
 - (i) Does not exceed five (5) acres; and
 - (ii) The maximum volume of wastes (i.e., raw material, waste partially processed, finished compost, and manufactured topsoil), at any one time, does not exceed 6,000 cubic yards per acre.
3. The beneficial use of the (a) finished compost material and (b) manufactured topsoil authorized under this general permit, for mine reclamation purposes, shall be either (i) approved by the appropriate Department's District Mining Office as a mine permit amendment or as part of a mine permit application, or (ii) performed under a contract with the Department. Written approvals from the Department's District Mining Office must be received prior to any processing and/or beneficial use activities being conducted under the authorization of this general permit.

B. Determination of Applicability 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 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 (i) General Information Form (Authorization Application for a Residual or Municipal Waste General Permit Application), (ii) Form B (Professional Certification), (iii) Form 20 (Application For A Municipal or Residual Waste General Permit), (iv) Form 27M (Acceptance of General Permit Conditions), (v) DOA application fee in the amount identified in Section A (General Information) of the Form 20, (vi) Bonding Worksheets A through E (document number 2540-FM-BWM0586), and (vii) as a minimum, an operation and sampling plan that contains the information indicated below must 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.

1. A detailed description of the facility's operations to produce the proposed composting material that is seeking the Department's approval for coverage under this general permit.
2. A detailed description of the mixture of various wastes, used as an ingredient or a component, in the production of the proposed compost material at the facility.

**STANDARD CONDITIONS
GENERAL PERMIT WMGM045**

3. An inventory list of each waste material and annual amount that is to be received for use in the production of the proposed composting material at the facility.
4. A description of how the incoming waste will be inspected and determined to be acceptable for use in the production of the proposed composting material.
5. A description of how the incoming waste that is determined to be unacceptable for use is managed.
6. A detailed description of the storage of (a) incoming waste received, and (b) pre-and-post processing composting material at the facility.
7. A detailed description of how storm water (run-on and run-off) at the facility will be managed.
8. A description of how the yard waste treated with herbicides will be detected and averted from being accepted for use in the production of the proposed composting material at the facility.
9. A description and supporting information showing how the construction of compost pad will comply with the requirement specified in Conditions C(4), C(5) and C(6) of this general permit.
10. A description of material utilized to construct the enclosed vessel for use in the production of composting material, if appropriate.
11. A description of the alternative controls plan to manage waste materials during periods when the facility is not in operation.

C. Operating Conditions.

1. Other than the wastes specified in Condition A(1) of this general permit, (a) spent mushroom substrate, and (b) animal mortalities are not authorized under this general permit and may not be received, stored, and/or blended, processed or beneficially used in the production of (i) composting material or (ii) manufactured topsoil authorized under this general permit.
2. The beneficial use of finished compost material is contingent upon compliance with conditions of this general permit and, if sold, the applicable provisions of the Pennsylvania Fertilizer, Soil Conditioner and Plant Growth Substance Law of the Pennsylvania Department of Agriculture. Information related to this law may be obtained from the Department of Agriculture by writing the Bureau of Plant Industry, Division of Agronomic Services, 230 North Cameron Street, Harrisburg, PA 17110-9408.

**STANDARD CONDITIONS
GENERAL PERMIT WMGM045**

3. Other than (a) forced air static pile, (b) enclosed vessel or (c) a new process that is equivalent to forced air static pile or enclosed vessel method, the use of other processing methods in the production of composting material under this general permit is prohibited.
4. Composting pad of concrete, asphalt or remolded asphalt shall be constructed as follows:
 - a. In a well-drained area;
 - b. Firm and uniformly graded with a slope of 2-4 percent to prevent ponding and control surface water; and
 - c. At least four (4) feet above the seasonal high water table.
5. The composting pad shall be inspected for uniformity, damage and imperfection during construction, installation and operation and shall be capable of:
 - a. Maintaining structural integrity under normal operating conditions;
 - b. Collecting all liquids and solids generated by the composting process; and
 - c. Supporting vehicular traffic on the pad.
6. As an alternative, composting pad constructed of earthen materials, meeting the requirements in Condition C(4) of this general permit, may be utilized provided the earthen materials shall not be more permeable than 1×10^{-6} cm/sec, in the upper most six (6) inches as confirmed by on-site testing. The permeability will be determined using the ASTM D5084 method, or other testing method approved by the Department, in writing.
7. The access road to the processing facility shall be constructed, paved or surfaced with gravel, cinder, asphalt or equivalent material and be capable of withstanding the vehicular traffic. The access road shall be compacted and maintained in good condition in order to control dust or minimize the tracking of mud onsite or offsite. A gate or other barrier shall be installed and maintained at potential vehicular access points to prevent unauthorized access to the facility when it is not in operation.
8. Utilization of (a) forced air static pile, (b) enclosed vessel or (c) a new process that is equivalent to forced air static pile or enclosed vessel method shall be used to produce the compost material authorized under this general permit.

**STANDARD CONDITIONS
GENERAL PERMIT WMGM045**

- a. The enclosed vessel used in the production of the compost material shall be constructed in accordance with Chapter 285 (relating to storage, collection and transportation of municipal waste).
 - b. The forced air static pile shall be constructed parallel to slopes of the site.
 - c. The forced air static pile, during the processing operation, shall not exceed 50 feet wide by 20 feet high.
 - d. At a minimum, the temperature of the forced air static pile, during the processing operation, shall be raised and maintained at 55°C (131°F) or higher for three days.
 - e. The processed compost shall be cured for a minimum of 30 days prior to its beneficial use.
 - f. The storage of finished compost material shall not exceed 100 feet wide and 35 feet high.
 - g. The optimal moisture content of the forced air static pile, during the composting operation, shall be maintained in the range of 40% - 65%.
 - h. The oxygen content of the forced air static pile, during composting operation, shall be maintained at the level of greater than 5%.
 - i. Food processing wastes or food waste shall be blended or incorporated into the partially constructed forced air static pile within 24 hours of receipt of the waste.
 - j. The manufactured topsoil, during the processing operation, shall not exceed 16 feet wide by 8 feet high and 300 feet long.
 - k. No ponding of run-on or run-off is allowed. Any un-drained depressions accumulating run-on or run-off shall be re-graded or otherwise corrected within 24 hours of detection.
9. The permittee shall not cause or allow a point or non-point source discharge of any of the following: industrial or residual wastes; wastewater; combined storm water runoff and leachate, if generated; runoff or leachate from the staging, processing, and storage areas where solid waste management activities are conducted; or runoff or leachate from the mine reclamation sites to the surface waters of the Commonwealth, unless permitted by the Department.
10. 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, providing that said local law, ordinance, or regulation is

**STANDARD CONDITIONS
GENERAL PERMIT WMGM045**

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 1988, 53 P.S. §4000.101 et seq.

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 general permit, for any reason, shall be grounds for the revocation or suspension of the permittee's approval to operate under this general permit.
12. Wastes, other than the wastes specified in Condition A of this general permit, may not be received, mixed, stored or beneficially used with the wastes authorized under this general permit. Unauthorized waste shall be: (i) separated from the waste intended for beneficial use, (ii) removed weekly from the processing facility, and (iii) transported to a recycling facility or properly disposed of at a permitted municipal waste disposal facility unless authorized by the Department, in writing, to do otherwise. 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 285 (relating to storage, collection and transportation).
13. Wastes that are processed for beneficial use under the authorization of 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.
14. The processing, storage and transportation of waste materials and any other wastes or residues that are generated by the operation shall be conducted in a manner that will not create a nuisance or be harmful to the public health, safety or the environment of this Commonwealth.
15. The mixture of various wastes and all residues, other wastes or leachate generated by the operation:
 - a. Shall be stored and transported in accordance with 25 Pa. Code Chapter 285 (relating to storage, collection and transportation) and the Waste Transportation Safety Act, 27 Pa. C.S. §§6201 – 6209;
 - b. Shall not be accumulated speculatively as defined in 25 Pa. Code §287.1. (relating to definitions); and
 - c. Shall be managed in accordance with the Solid Waste Management Act, 35 P.S. §§6018.101 - 6018.1003 and the regulations promulgated thereunder.

In addition, the facility shall be in compliance with federal and state statutes, rules and regulations relating to transportation.

**STANDARD CONDITIONS
GENERAL PERMIT WMGM045**

16. 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 credentials and without delay, to have access to and to inspect all areas on which solid waste management activities required of the permittee 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; to perform measurements, surveys, and other tests; 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. This permit condition is referenced in accordance with §§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 under the Solid Waste Management Act.
17. All activities conducted under the authorization granted in this permit shall be conducted in accordance with the permittee's application, except to the extent that there is a conflict with the regulations or governing statutes.
18. The processing and beneficial use 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:
 - a. Modify, suspend, revoke or reissue the authorization granted in this general permit if the permittee cannot comply with the conditions of this general permit or if the authorized activities cannot be adequately regulated under the conditions of this general permit.
 - b. Require an individual permit be obtained if it is deemed necessary to prevent harm or the threat of harm to the public health, and the environment.
19. Any independent contractors or agents retained by the permittee in the completion of processing and beneficial use activity authorized under this permit shall be subject to a compliance history review by the Department prior to performance of activities under this general permit, as specified by the Solid Waste Management Act.
20. A Preparedness, Prevention and Contingency (PPC) plan that is consistent with the most recent edition of the Department's "Guidelines for the Development and Implementation of Environmental Emergency Response Plans" shall be developed and maintained at the facility. The PPC plan shall be updated as needed or at least every five years. The permittee shall immediately implement the applicable provisions of the Department-approved PPC plan for any emergency that affects or threatens public health, safety, welfare, or the environment.

**STANDARD CONDITIONS
GENERAL PERMIT WMGM045**

21. Upon cessation of operations at the facilities operating under the authorization granted in this permit, the operator shall clean and/or remove any municipal waste, storage tanks and structures or other materials that contain or have been contaminated with municipal waste and shall provide for the processing and disposal of the waste or material in accordance with the Solid Waste Management Act, other environmental protection acts and the regulations promulgated thereunder.
22. Best Management Practices (BMPs) shall be implemented to divert storm water run-on away from the storage area of (i) finished compost and (ii) manufactured topsoil produced. Storm water runoff shall be managed in accordance with The Clean Streams Law and regulations promulgated thereunder. Prior to commencing operations at the facility, the permittee must obtain all the necessary storm water management permits.
23. The permittee shall comply with the applicable provisions of 25 Pa. Code, Chapter 123 (Standards for Contaminants) issued under the Air Pollution Control Act, and shall comply with all the applicable provisions of the Fugitive Emissions Sections 123.1, 123.2, and 123.31.
24. The facility shall not be located:
 - a. In the 100-year floodplain of waters of this Commonwealth, unless the Department approves in the permit a method for protecting the facility from a 100-year flood consistent with the Flood Plain Management Act (32 P.S. §§679.101 - 679.601) and the Dam Safety and Encroachment Act (32 P.S. §§693.1 - 693.27).
 - b. In or within 300 feet of an exceptional value wetland.
 - 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. 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.
 - d. Within 50 feet of a property line unless the owner demonstrates one of the following:
 - i. That actual processing of waste is not occurring within 50 feet of a property line.
 - ii. That storage and processing take place in an enclosed facility.

**STANDARD CONDITIONS
GENERAL PERMIT WMGM045**

- iii. That the owner of the adjacent property has provided a written waiver consenting to the facility being closer than 50 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.
 - e. Within 100 feet of a perennial stream unless the storage and processing will not occur within that distance and no adverse hydrologic or water quality impacts will result.
 - f. Within 300 feet of a water source unless the owner has provided a written waiver consenting to the facility being closer than 300 feet.
 - g. In or within 100 feet of a wetland other than an exceptional value wetland.
 - h. Within 100 feet of a sinkhole or area draining into a sinkhole.
 - i. Within 3.3 feet of a perched, seasonal or regional ground water table.
 - j. Within 300 yards measured horizontally from the property line, unless a written waiver is obtained from the current property owner of:
 - i. A building owned by a school district or parochial school and used for instructional purposes.
 - ii. A park.
 - iii. A playground.
 - k. In an area where the facility would adversely affect a habitat of a known endangered or threatened species.
25. The (i) finished compost and (ii) manufactured topsoil produced that comply with the terms and conditions of this general permit shall cease to be a waste when:
- a. The (i) finished compost and (ii) manufactured topsoil produced that are sold, given away, distributed, or used for beneficial use activities authorized in Condition A(1)(b) of this general permit. This provision applies to (i) finished compost and (ii) manufactured topsoil produced that are sold, given away, distributed or used for beneficial use activities at locations other than the processing facility where the (i) finished compost and (ii) manufactured topsoil produced are produced.
 - b. The (i) finished compost and (ii) manufactured topsoil produced do not present a greater harm or threat of harm than the use of products that the (i) finished compost and (ii) manufactured topsoil produced are replacing.

**STANDARD CONDITIONS
GENERAL PERMIT WMGM045**

26. The (i) finished compost and (ii) manufactured topsoil produced that are authorized in Condition A(1)(b) are considered a waste if they are abandoned, disposed or not beneficially used in accordance with the terms and conditions required in this general permit.

D. Recordkeeping.

1. The permittee shall develop a log system documenting:
 - a. Any inspection and finding of the permitted area conducted by the facility's personnel.
 - b. Daily volume and origin of incoming waste received at the facility.
 - c. Daily volume and address of person who was distributed, sold or given away the (i) finished compost and/or (ii) manufactured topsoil material produced at the facility.
2. The records required in this Condition D shall be retained at the facility for a minimum of 5 years and made available to the Department upon request.

E. Reporting.

1. The permittee shall immediately notify the appropriate Department's Regional Office (see attached list), in writing, of any changes in: the name, address, owners, operators and/or responsible officials of the company; changes in processing area location; changes in land ownership or the right to operate on the land occupied; the physical or chemical characteristics of the mixture of wastes produced; the blending process that produces mixture of wastes; and the change in status of any permit issued by the Department or federal government under the environmental protection acts.
2. The permittee shall submit, by March 1st of the following year, to the appropriate Department's Regional Office, an annual report which contains the information outlined in Conditions (D) and summarizes the total volume of (i) finished compost and (ii) manufactured topsoil material produced for beneficial use during the last 12 months.
3. In the event of a spill or release of animal manure or any other materials resulting from the operation, the permittee shall take appropriate immediate action to protect the health and safety of the public and the environment of this Commonwealth. The following spills or releases of animal manure or any residue from the operation must immediately be reported to the Department's Emergency Hotline at (717) 787-4343 and the appropriate DEP Regional Office:

**STANDARD CONDITIONS
GENERAL PERMIT WMGM045**

- a. A discharge where the spilled or released amount of animal manure or any residue from the operation exceeds five gallons, or
 - b. A discharge of animal manure or any residue from the operation, regardless of the volume where the discharge may reach a surface water of the Commonwealth.
4. For each new waste type that is proposed to be composted under the authorization of this general permit, the permittee shall:
- a. Submit a written request to the appropriate Department Regional Office to conduct a limited volume or amount of new waste type and short term trial project of 1 year or less to determine the feasibility for the beneficial use of new waste type material under this general permit. The proposed trial project shall not be commenced, unless a written approval from the Department has been obtained.

At a minimum, the following information shall be provided for the Department's review and consideration:

- i. Name of the generator and location where the new waste type is generated.
- ii. Name and address of the facility or location that the proposed new beneficial use activity, if appropriate, will be tried.
- iii. A description of the proposed new beneficial use activity, if appropriate.
- iv. Weight, amount, or volume and frequency of use of the new waste type that will be used, and the new beneficial use material produced in the trial project.
- v. A determination that shows the new waste is not hazardous.
- vi. The duration proposed for this trial project.
- vii. Descriptions of the processing method(s) in the production of new beneficial use material in this trial project.
- viii. Descriptions of the storage of (i) new waste type material received, and (ii) new beneficial use material produced in this trial project.
- ix. If the trial project will include a test burn at an industry or a facility, the permittee shall contact the Air Quality Program of the appropriate Department Regional Office for an authorization to conduct a test burn.

**STANDARD CONDITIONS
GENERAL PERMIT WMGM045**

- b. Notify the appropriate Department Regional Office of any changes, to the information provided in the request to the Department, during the duration of this trial project.
- c. Upon the completion of the trial project:
 - i. Submit a project report to the appropriate Department Regional Office. The project report shall include all records and analytical results performed for the trial project.
 - ii. Submit a written request to the appropriate Department Regional Office, for a minor modification to the existing general permit for the inclusion of new waste type in the beneficial use activity authorized in the general permit.
- d. The beneficial use of new beneficial use material produced in the trial project, as authorized in the general permit, shall not be commenced unless the existing general permit has been modified by the Department.

F. Permit Renewal Requirement.

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.

**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, 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