

**SPECIAL CONDITIONS**  
**GENERAL PERMIT WMGM010**

1. The approval herein granted is limited to the beneficial use of restaurant oil and animal fat, hereinafter referred to as “recycled vegetable oil/animal fat”, as a dust suppressant.
2. The recycled vegetable oil/animal fat may be beneficially used, if the following quality criteria requirements are met:
  - a. The mixture of water with recycled vegetable oil/animal fat does not exceed 50:50 ratio of water to recycled vegetable oil/animal fat;
  - b. The temperature of the mixture of water with recycled vegetable oil/animal fat, during the beneficial use as a dust suppressant, shall be maintained at a minimum of 140°F (60°C) to a maximum of 250°F (121°C); and
  - c. The concentration of any constituent in the recycled vegetable oil/animal fat, does not exceed the chemical limitations specified in Table 1 below:

**Table 1**

<b>Parameter</b>	<b>Total Limit (mg/L)</b>
pH	5.5 – 9.5 Standard Unit
Chlorinated Pesticides <sup>a</sup>	0.05 <sup>a, b</sup>
Polychlorinated Biphenyls (PCBs) Screen	0.05 <sup>b</sup>
Oil and Grease (Petroleum-Based)	1.0% Dry Weight
Moisture	4.0% <sup>c</sup>
Free Fatty Acids	25.0%
Impurities	2.0%

<sup>a</sup> Chlorinated pesticides include Aldrin,  $\gamma$ -BHC,  $\beta$ -BHC, Chlordane, Dieldrin, Endrin, Heptachlor, 2,4 – DDD, 4,4 – DDE, 4,4 – DDT, 4,4 – DDD, 2,4 – DDT, Lindane, Methoxychlor, Hexachlorobenzene, Toxaphene, Heptachlor Epoxide, and Mirex.

<sup>b</sup> The limit applies to the concentration of individual constituents and the total of the sum of the constituents.

<sup>c</sup> Moisture content in the recycled vegetable oil/animal fat prior to being combined with water.

3. Beneficial use of recycled vegetable oil/animal fat without first being mixed with water as specified in Condition 2 of this general permit is prohibited.
4. All activities conducted under the authorization of 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 as described in the approved application.

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5. At a minimum, once a month, a representative sample of the recycled vegetable oil/animal fat shall be analyzed for the constituents specified in Table 1 of Condition 2 above. Records of the analyses shall be kept in accordance with Condition 17 of this general permit.
6. The recycled vegetable oil/animal fat shall not be hazardous waste, and shall not be mixed with any residual waste, special handling waste or other municipal waste prior to beneficial use.
7. This permit does not authorize and shall not be construed as an approval to discharge any wastes, wastewater, or runoff to the waters of the Commonwealth. Any treatment of water or wastewater shall be managed at a treatment facility that is operated and in compliance with the Clean Streams Law and the regulations promulgated thereunder.
8. 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.
9. 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 Pennsylvania 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.
10. As a condition of this general 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 regarding the recycled vegetable oil/animal fat. (See §§ 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.
11. Failure of the design, equipment, and/or methods 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 permit.
12. 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

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by the Department prior to performance as specified by the Pennsylvania Solid Waste Management Act of 1980.

13. 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 the public health, or the environment.
14. Persons or municipalities that propose to operate under the terms and conditions of this general permit after the date of permit issuance must obtain a "Determination of Applicability" from the Department's Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste, P.O. Box 8472, Harrisburg, PA 17105-8472. No activities shall commence unless specifically authorized by the Department in writing.

At a minimum, the following information must be provided on forms available from the Department's Bureau of Land Recycling and Waste Management (See address above):

- a. Name and street address of applicant;
- b. Description of the processing, beneficial use and chemical analysis of the waste vegetable/animal oil;
- c. Number and title of general permit;
- d. Proof the waste management activities are consistent with the general permit;
- e. Signed and notarized statement by the person who seeks authorization to operate under the terms and conditions of this permit that states that the person accepts all conditions of this general permit;
- f. An application fee in the amount as specified in the municipal waste regulations, payable to the "Commonwealth of Pennsylvania";
- g. Proof that copies of the application have been submitted to each municipality, county, county planning agency and county health department, if one exists, in which beneficial use activities are or will be located;
- h. Proof that the applicant has legal right to enter the land and perform the activities approved under this permit;

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- i. An irrevocable written consent from the landowner giving the Department permission to enter upon land where the applicant will be conducting solid waste management activities;
  - j. 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;
  - k. A list of all previous permits or licenses issued by the Department or federal government under the environmental protection acts; the date issued, status and compliance history concerning environmental protection acts;
  - l. Proof that any independent contractors retained by the permittee to perform any activities authorized under this general permit are in compliance with the Department regulations as required in Condition 11;
15. Any person that operates under the provisions of this permit shall immediately notify the Department's Bureau of Land Recycling and Waste Management (See address in Condition 13), in writing, of any changes in: the company name, address, owners, operators and responsible officials; the location of the facility; land ownership and the right to enter and operate on any land occupied required by this general permit; the physical or chemical characteristics of the recycled vegetable oil/animal fat; and the status of any permit issued by the Department or federal government under the environmental protection acts.
16. The beneficial use of recycled vegetable oil/animal fat shall be in a manner that will not create a nuisance or be harmful to public health, safety, or the environment. The beneficial use of recycled vegetable oil/animal fat shall be operated in a manner that prevents spills, leaks, or other releases.
17. The permittee shall immediately notify the Department's Emergency Hotline at (717) 787-4343 and the appropriate DEP regional field office in the event of a discharge or spill of the recycled vegetable oil/animal fat 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 recycled vegetable oil/animal fat need not to be immediately reported, but should be recorded: location, date, time, identification and quantity of the spilled recycled vegetable oil/animal fat, and a description of how the recycled vegetable oil/animal fat was cleaned up. Spills containing any waste vegetable/animal oil capable of reaching surface water must be immediately reported and should be recorded: location, date, time, stream name, identification and quantity of the discharged recycled vegetable oil/animal fat, and a description of how the recycled vegetable oil/animal fat was cleaned up.
18. Any records pertaining to or any analytical evaluations conducted on the waste vegetable/animal oil pursuant to the municipal 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, sampling procedures, analytical

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methodologies and 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 5 years after the analyses were performed.

19. 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.
20. The permittee shall submit to the Department's Bureau of Land Recycling and Waste Management (See address in Condition 13) and the appropriate Department Regional Office, an annual report that summarizes the information outlined in Conditions 14 and 17 for the preceding 12 months ending thirty (30) days prior to the permit anniversary date. The annual report is due on the anniversary date that the permit becomes applicable to a permittee.
21. The waste vegetable/animal oil meeting the requirements in Condition 2 and destined for reuse will not be considered to be a waste when used as a substitute for a commercial dust suppressant product unless one of the following occurs:
  - a/. The recycled vegetable oil/animal fat is spilled, discharged, or otherwise disposed; or
  - b/. The recycled vegetable oil/animal fat is not used as a substitute for a commercial dust suppressant product as set forth in the application.
22. The recycled vegetable oil/animal fat shall not be applied, as a dust suppressant, at an application rate greater than one quart per square yard which is equivalent to 1,210 gallons per acre.
23. The recycled vegetable oil/animal fat shall not be applied, as a dust suppressant, on wet roads, during rain or when rain is imminent.
24. The recycled vegetable oil/animal fat shall not be applied, as a dust suppressant, within 50 feet of stream, creek, lake or other surface water of the Commonwealth.
25. The recycled vegetable oil/animal fat shall not be applied, as a dust suppressant, within 300 feet of an exceptional value wetland as defined in §105.17 (relating to wetlands).
26. The recycled vegetable oil/animal fat shall not be applied, as a dust suppressant, on slopes that exceed 15%, unless otherwise approved in writing by the Department.
27. The application rate of recycled vegetable oil/animal fat shall be controlled and maintained to prevent ponding and excessive wetting.