

**SPECIAL CONDITIONS  
GENERAL PERMIT NO. WMGM015**

1. The approval herein granted is limited to the following solid waste management activities:
  - a. Processing and beneficial use of timber waste (i.e., tree stumps, limbs, clean wood, untreated and unpainted wood, and clean pallets), hereinafter referred to as “wood waste”, to produce mulch for landscaping purposes. The approved processing is limited to size reduction (grinding), screening, mixing, and biological decomposition of the wood waste prior to beneficial use as a landscaping material; and
  - b. Processing and beneficial use of leaf and yard waste (i.e., source segregated leaf and yard waste, grass clippings, clean wood chips from site mulch production) to produce compost. The approved processing is limited to the following:
    - i. Screening, mixing without the addition of additives (i.e., uncontaminated soils, virgin sand, uncontaminated potash, manufactured urea or agricultural lime, etc.) and biological decomposition of the yard waste prior to beneficial use as a composting material.
    - ii. Blending of the screened, biological decomposed yard waste with uncontaminated soils, virgin sand, uncontaminated potash, manufactured urea or agricultural lime to produce specialty soil mixes for landscaping purposes.
  
2. The finished mulch may be beneficially used if the chemical analysis of finished mulch material does not exceed the concentration limits for any parameter specified in Table 1 below. After the chemical analysis of representative samples of the finished mulch material has been conducted at the frequency specified in Condition 8 of this general permit for a two year period and has met the concentration limits specified in Table 1 of this Condition, the Department may reduce the required frequency of monitoring if a written request for the reduction of sampling frequency is submitted by the permittee. However, the frequency of monitoring may not be less than once per year. A written approval from the Department must be obtained prior to commencing a reduced sampling frequency.

**Table 1**

<b>Parameters</b>	<b>Total (mg/kg)<sup>(1)</sup></b>	<b>Leachable<sup>(2)</sup> (mg/l)</b>
pH	6.0 – 9.0 Std Unit	-
Arsenic	41	1.25
Barium	5,000	50.0
Boron	7,000	3.15
Cadmium	20	0.125
Chloride	-	250
Chromium (Total)	1,000	2.5
Copper	700	32.5
Lead	200	1.25
Mercury	20	0.05

**SPECIAL CONDITIONS  
GENERAL PERMIT NO. WMGM015**

**Table 1 (Continued)**

<b>Parameters</b>	<b>Total (mg/kg)<sup>(1)</sup></b>	<b>Leachable<sup>(2)</sup> (mg/l)</b>
Molybdenum	75	-
Nickel	200	17.5
Nitrate Nitrogen	Monitoring	10.0
PCBs	5.0	-
Selenium	60	1.0
Sulfate	-	250
Zinc	1,000	125

<sup>(1)</sup> = Dry Weight Basis

<sup>(2)</sup> = Leachability evaluations shall be conducted using the Toxicity Characteristic Leaching Procedure (EPA method 1311) or the Synthetic Precipitation Leaching Procedure (EPA method 1312).

The determination of compliance with Table 1 may be based on the 90 percent upper confidence level for each metal or the 80 percent confidence interval for pH using the Test Methods for Evaluating Solid Waste (EPA SW-946) as guidance for the statistical treatment of data.

3. This general permit authorizes the use of aerated piles, static piles or windrows to produce the mulch material and compost as follows:
  - a. The aerated or static piles of mulch material, and compost piles or windrows shall be constructed parallel to slopes of the site.
  - b. The aerated or static piles of mulch material, during the processing operation, shall not exceed 50 feet wide by 20 feet high.
  - c. At a minimum, the temperature of the aerated or static piles of mulch material, during the processing operation, shall be maintained in the range of 45°C – 60°C (113°F - 140°F) for at least 72 consecutive hours.
  - d. The aerated piles, static piles or compost windrows shall be turned and the turning frequency shall be consistent with currently accepted science-based technology.
  - e. The processed mulch material and compost shall be cured for a minimum of 30 days prior to beneficial use.
  - f. The storage of finished mulch material shall not exceed 50 feet wide and 35 feet high.
  - g. The compost piles or windrows, during the processing operation, shall not exceed 30 feet wide by 15 feet high and 150 feet long.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM015**

- h. At a minimum, the temperature of compost piles or windrows, during the composting operation, shall be maintained in the range of 45°C – 60°C (113°F - 140°F) for at least 15 days.
  - i. The optimal moisture content of compost piles or windrows, during composting operation, shall be maintained in the range of 40% - 65%.
  - j. The oxygen content of compost piles or windrows, during composting operation, shall be maintained at the level of greater than 5%.
  - k. Compost piles or windrows shall be constructed within one week following receipt of compostable material at the facility.
  - l. Leaf and yard waste must be incorporated or mixed into the partially composted windrows or new windrows shall be created, within 72 hours, of receipt of the leaf and yard waste.
  - m. At a minimum, 20 feet of space shall be maintained between the aerated piles, static piles or windrows to allow the unobstructed movement of emergency personnel and equipment.
  - n. No ponding of run-on or run-off is allowed. Any surface water management system depression accumulating run-on or run-off shall be regarded or otherwise corrected within 24 hours of detection.
4. The beneficial use of finished mulch material or finished compost is contingent upon compliance with conditions of this general permit and, if sold, 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.
5. The permittee shall collect representative samples of the finished mulch material, and analyze for the total (mg/kg) and leachable (mg/L) levels for each parameter specified in Table 1 of Condition 2 of this general permit. The chemical analyses required in this Condition shall be performed by a laboratory accredited or registered for accreditation under the Pennsylvania Environmental Laboratory Accreditation Act, Act of 2002, No.25. Upon request by the Department, the permittee shall also collect and analyze representative samples of the finished mulch materials as required in Condition 2 of this general permit within 48 hours of the request.
6. The finished mulch material that does not meet the requirements as specified in Condition 2 of this general permit shall be managed properly at a permitted disposal facility.

**SPECIAL CONDITIONS  
GENERAL PERMIT NO. WMGM015**

7. The tipping, staging, curing and processing areas of mulch and compost material shall be constructed and maintained in a well-drained area with a workable surface and slope of 2% – 4% to prevent ponding and control surface water runoff. The tipping, staging, curing and processing areas shall be delineated by markers meeting the requirements of 25 Pa. Code §281.211 (b).
  
8. a. In compliance with the requirements specified in Condition 2 of this general permit, representative samples of the finished mulch material must be collected and analyzed. To obtain a representative sample of the finished mulch material, the sample must be taken from the correct locations and represent the entire amount of finished mulch material. More than one sample is usually necessary to accurately represent the finished mulch material produced and stored. Core samples at different locations and at various depths shall be collected and then composited to obtain a representative sample of the finished mulch material produced or stored. The key is to obtain a representative sample. In general, the more samples taken, the greater the chance that the sampling results will be representative of the quality of the finished mulch material that is produced.

Should knowledge of the production of finished mulch material, visual observations, or analytical results indicate variability in the quality of the finished mulch material, more frequent testing shall be conducted.

- b. The frequency of monitoring for the constituents required in Table 1 of Condition 2 of this general permit shall be as follows:

**TABLE 2**

<b>Amount of Finished Mulch Material Produced (Tons per 365 Day Period)</b>	<b>Frequency of Monitoring</b>
Greater than 0 but less than 290	Once per year
Equal to or greater than 290 but less than 1,500	Once every 6 months
Equal to or greater than 1,500 but less than 15,000	Once per 90 days
Equal to or greater than 15,000	Once per month

9. The use of vegetable or non-toxic and biodegradable dyes to color the finished mulch material is authorized under this general permit. Other additives may only be utilized if approved in writing by the Department.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM015**

10. Storm water run-on at the facility shall be diverted away from the wood waste, leaf and yard waste, processing, tipping, staging, curing and storage areas of the finished mulch material, and finished compost. Surface water controls must be constructed and maintained to prevent ponding and excessive wetting and shall be based on a 24-hour precipitation event to be expected once every 25 years.

Runoff from the wood waste, leaf and yard waste, processing, tipping, staging, curing, storage areas and leachate from the production of mulch material or compost, if generated, shall be directed to:

- a. A properly sized vegetated filter area for treatment.
- b. A properly sized holding pond for later reuse, or
- c. A holding tank for later disposal.

The permittee shall not cause or allow a point or non-point source discharge of the combined storm water runoff and leachate in this Condition from the facility to the surface water of this Commonwealth. An NPDES (National Pollutant Discharge Eliminate System) permit may be required if a point or non-point source discharge of the combined storm water runoff and leachate to the surface waters of the Commonwealth exists.

11. Construction and demolition waste, concrete, asphalt, painted and treated wood, plastic bags, particle board, food waste, food processing sludge, spent mushroom substrate, manure, dewatered dredge, non-compostable residues, contaminated soils, waste sands, waste potash, waste lime, waste materials not identified in Condition 1 above, etc., are not authorized under this general permit.
12. Rejected and other wastes, other than wood waste and leaf and yard waste specified in Condition 1 of this general permit, that are not authorized under this general permit, shall be separated from the incoming wood waste and leaf and yard waste intended for beneficial use in the production of mulch and compost material.
13. Wastes, other than wood waste and leaf and yard waste specified in Conditions 1 of this general permit, may not be received, mixed, stored or beneficially used with the wood waste, leaf and yard waste authorized under the general permit in the production of mulch or compost material. Unauthorized wastes shall either be rejected and returned with the delivering vehicle or shall be removed weekly from the site and properly disposed of at a permitted municipal waste disposal facility. Any on-site storage shall comply with the requirements as specified in Pa. Code, Chapter 285.
14. 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:

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM015**

- 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.
15. The working surface (i.e., processing and storage areas) of the mulch and compost material should be firm, uniformly graded, dry and as follows:
- a. Soil of moderate permeability: A compacted mixture, at least four feet thick, of select granular material with adequate fine-grained particles to bind it together and reduce permeability.
  - b. Soil of rapid or very rapid permeability: A clay or geosynthetics liner to address permeability and stability as well as to reduce the leaching potential problems.
  - c. A surface paved with concrete or asphalt.
16. a. The permittee shall maintain records to demonstrate that the finished mulch material and finished compost meets the time and temperature required in Conditions 3 of this general permit.
- b. The permittee shall maintain records of rejected, unacceptable and unauthorized wastes that are disposed of from the facility. The records shall include the name and address of disposal location, date of disposal, volume or weight of the waste that is disposed.
- c. The permittee shall maintain records of all analytical evaluations conducted on the finished mulch material or performed upon request by the Department. This analytical information shall include the following on each sample: the dates of sampling and testing, sampling procedures, person collecting the sample, the volume or weight of the sample, each parameter tested, the analytical results, the laboratory used, and analytical methodologies.
- The recordkeeping required in this Condition shall be retained at the facility, for a minimum of 5 years, and made available to the Department upon request.
17. The finished mulch or finished compost material shall not be used as a valley fill material, to fill open pits from coal or non-coal mining or other fills, or to level an area or bring an area to grade.
18. A copy of the County Conservation District approved Erosion and Sedimentation (E & S) Control Plan, for the mulch and compost operations, must be maintained at the facility at all times. The E & S plan must be implemented during all phases of mulch and composting

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM015**

operations at the facility. A copy of the approved E & S plan must be provided to the Department upon request.

19. The wood waste, leaf and yard waste, finished mulch material and finished compost under the authorization granted in this general permit shall be managed in accordance with the permittee's application. Except to the extent the permit states otherwise, the permittee shall utilize the wood waste, leaf and yard waste, finished mulch material and finished compost for beneficial use purposes as described in the permit application.
20. 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 permit.
21. Except for the wastes approved in Condition 1 of this general permit, no hazardous waste, municipal waste, special handling waste, and other residual wastes may not be mixed and/or stored or beneficially used with the wood waste or the leaf and yard waste.
22. This general permit does not authorize and shall not be construed as an approval to discharge any industrial wastes, wastewater, leachate or runoff from the processing, tipping, staging, curing and storage areas where solid waste management activities are conducted to the waters of the Commonwealth.
23. 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 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 1988, 53 P.S. §4000.101 et seq.
24. The permittee of the finished mulch material and finished compost shall inform all persons or municipalities and subsequent seller, which propose to beneficially use the finished mulch and compost material covered under this general permit, of the conditions and limitations imposed on the beneficial use of finished mulch material and finished compost by the Department of Environmental Protection (Department). This notification shall be by providing a copy of Appendix A (Use Restrictions) of this general permit. The conditions in Appendix A also apply to: (1) the permittee, (2) any municipality or person who obtains a Determination of Applicability to conduct activities authorized by this general permit, and (3) all subsequent end-users of the finished mulch material and finished compost.

The permittee shall record the name and address of each person who is given or purchases the finished mulch material or finished compost, or both and shall record its intended use. This information shall be included in the annual report required in Condition 36. It is incumbent upon the permittee to ensure that all users of the finished materials, approved under this general permit are aware of certain conditions of this permit.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM015**

25. Upon cessation of operations or by the expiration date of this general permit or unless extended by the Department in writing, the permittee shall remove any remaining wood waste, leaf and yard waste, finished mulch material, finished compost and any other residual wastes or other materials which contain or have been mixed by the wood waste, leaf and yard waste, finished mulch material, finished compost and shall provide for the processing and disposal of the waste or material in accordance with the Solid Waste Management Act, the environmental protection acts and the regulations promulgated thereunder.
26. 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 are being, will be, or have been conducted. This authorization and consent shall include consent to collect samples of wastes, 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.
27. 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 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.
28. 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 Solid Waste Management Act of 1980.
29. Persons or municipalities which 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:

- a. Name and street address of applicant.



**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM015**

- b. A description of the wood waste and leaf and yard waste used in the production of mulch and compost material.
- c. A chemical and physical analysis of the finished mulch material, which fully characterizes its composition and properties. The chemical analysis required in this Condition shall be performed by a laboratory accredited or registered for accreditation under the Pennsylvania Environmental Laboratory Accreditation Act, Act of 2002, No.25.
- d. An evaluation plan for sampling, testing and monitoring the finished mulch material produced at the facility.
- e. Name and street address of facility where wood waste and leaf and yard waste is processed and the mulch and compost material is produced.
- f. Name and location of each generator of the wood waste and other materials received at the facility.
- g. A description of the method used to inspect wood waste and leaf and yard waste received at the facility for use in the production of mulch and compost material.
- h. A description of the method used to manage wood waste and leaf and yard waste that are not acceptable for beneficial use and rejected from the facility.
- i. A description of the method of processing that produces the mulch and compost material.
- j. Records demonstrating that the time and temperature requirements, for the mulch and compost produced, in Conditions 3 of this general permit are met.
- k. Description of the beneficial use of finished mulch and compost material.
- l. Number and title of the general permit.
- m. Evidence the wood waste, leaf and yard waste, finished mulch material, finished compost and waste management activities are consistent with the general permit.
- n. Signed and notarized statement by the person operating the facility which states that the person accepts all conditions of this general permit.
- o. An application fee in the amount required under §271.842 (b) of the Municipal Waste Regulations made payable to the "Commonwealth of Pennsylvania".

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM015**

- p. Proof that copies of the application have been submitted to each municipality, county, county planning agency and county health department in which processing activities are or will be located.
- q. Proof that the applicant has legal right to enter the land and operate the facilities approved under this permit.
- r. An irrevocable written consent from the landowner giving the Department permission to enter upon land where the applicant will be conducting processing activities.
- s. Information which identifies the applicant (i.e. individual, corporation, partnership, government agency, association, etc.), including the names and addresses of every officer which has a beneficial interest in or otherwise controls the operation of the company.
- t. A list of all previous permits or licenses issued by the Department or Federal government under the environmental protection acts; the dates issued, status and compliance history concerning environmental protection acts.
- u. A copy of the facility's Preparedness, Prevention and Contingency Plan (PPC) which is consistent with the Department's most recent guidelines on the development and implementation of PPC plans.
- v. Proof that independent contractors retained by the permittee to perform any activities authorized under this permit are in compliance with the Department's regulations as required in Condition 28.
- x. Total amount of the wood waste and leaf and yard waste to be processed and the amount of finished mulch and finished compost material to be produced and stored.
- y. A description of the method of turning piles or windrows, turning frequency of the piles or windrows and method used to determine the turning frequency.
- z. A copy of the Storm Water Management Control Plan to address on-site runoff and leachate management at the facility must be submitted to the Department for its approval.
- aa. A description of the method used to maintain the optimal moisture and oxygen level of the windrows and temperatures of the piles or windrows in the production of mulch and compost material.
- bb. Bonding and insurance in an amount acceptable to the Department with supporting documents.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM015**

- cc. A map clearly showing the location of any processing facility to be operated by the applicant under this general permit, including the following:
1. Boundaries and names of present owner(s) of record of land (surface and sub-surface), including easements, right-of-way, and other property interests for the proposed permit area and adjacent properties.
  2. Boundaries of land within the proposed permit area; description of title, deed, or usage restrictions.
  3. Public and private water supplies within ½ mile radius of facility.
  4. Location of access roads (include slopes, grades, dimensions) and gates in relation to public and private roads, wells, and property lines.
  5. Location of the tipping, curing, processing and storage areas including description of proposed working surface for the composting and mulch operations.
  6. Within 300 feet of the facility: right-of-way for high-tension power lines, pipelines, railroads, public and private roads, buildings (school, dwelling, etc.) currently in use.
  7. 100-year flood plain.
  8. Areas for which a bond will be posted (Chapter 271, Sub-Chapter D).
  9. All utilities installed at the facility (electrical, gas, water, sewer, telephone, etc.).
  10. Drawings showing the dimensions of processing piles and windrows used in the production of mulch material and compost.
  11. Leachate and storm water runoff prevention and controls for the processing, tipping, curing and storage areas.
- dd. Additional information the Department believes is necessary to make a decision.
30. The storage of wood waste, leaf and yard waste, finished mulch and finished compost material shall be in a manner which prevents harborage or breeding of vectors (including mosquitoes) or creation of odor, litter, noise and other nuisances which may be harmful to the public health, safety, welfare, and the environment. Storage shall be in a manner that prevents dispersal of wood waste, leaf and yard waste, finished mulch and finished compost material by wind or water erosion or a risk of fire or explosion and shall comply with the requirements of Title 25 Pa Code, Chapter 285 (relating to Storage, Collection and Transportation of Municipal Waste).

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM015**

31. The transportation of wood waste and leaf and yard waste shall be in a manner which does not create a nuisance or be harmful to the public health, safety or the environment and shall comply with the requirements of Title 25 Pa Code, Chapter 285 (relating to Storage, Collection and Transportation of Municipal Waste).
32. Equipment used for the storage and transportation of the wood waste, leaf and yard waste, finished mulch and finished compost material shall be maintained in good operating condition to prevent wood waste, leaf and yard waste, finished mulch and finished compost material from being unintentionally conveyed out of the storage areas. Weekly inspections of each storage area and their surrounding environs are to be conducted to determine compliance of the terms and conditions of this general permit, and for evidence of failure.
33. Unless specifically approved by the Department in writing, wood waste, leaf and yard waste, partially processed materials, finished mulch and finished compost material shall not be stored for more than one (1) year, and at any one time the maximum amount stored may not exceed the total amount of materials as described in the approved application, and as follows:
  - a. The wood waste and leaf and yard waste are not accumulated before being beneficially used unless the permittee shows that the wood waste and leaf and yard waste are potentially reusable and have a feasible means of being beneficially used; and
  - b. During the calendar year (commencing on January 1), the wood waste and leaf and yard waste that are beneficially used or transferred to a different site for beneficial use, equals at least 75% by weight or volume of the wood waste and leaf and yard waste accumulated at the beginning of the period. In calculating the percentage of turnover, the 75% requirement is to be applied to each waste of the same type (i.e., tree stumps, limbs, clean wood, untreated and unpainted wood, pallets, leaf and yard waste) that is beneficially used in the same way (that is, from which the same material is recovered or that is used in the same way).
34. 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.
35. The permittee shall immediately notify the Department, in writing, of any changes in: the name, address, owners, operators and/or responsible officials of the company; changes in facility location; changes in land ownership or the right to operate on the land occupied; the physical or chemical characteristics of the finished mulch material; the manufacturing process which produces the mulch material or compost; the change in status of bonding and insurance of the facility; and the change in status of any permit issued by the Department or any state authority or federal government under the environmental protection acts.

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM015**

36. Persons operating under the provisions of this general permit shall submit, within 30 days after the anniversary date of this permit, 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 and the appropriate Department Regional Office, an annual report which contains the information outlined in Conditions 6, 8, 10, 12, 13, 16, 24, 34, and 36, and summarizes the following information:
- a. Name and address of each generator of the wood waste.
  - b. Weight or volume of the wood waste and leaf and yard waste used in the production of mulch and compost material.
  - c. Weight or volume of the finished mulch material and finished compost produced, stored, sold, traded or given away during the last 12 months ending on the anniversary date of the permit.
  - d. Laboratory reports for the "total" and "leaching" analyses for the finished mulch material for all parameters listed in Table 1 of Condition 2 of this general permit. The analysis data submitted in compliance with this requirement must be from samples of the finished mulch material collected within the past 12 months.
37. Any person operating under the provisions of this general permit must notify the Department, in writing, if the processing facility is relocated or if new location(s) are to be included under this general permit. At least thirty (30) days prior to a permittee operating at a new location, two (2) copies of the information as required in: a, b, c, d, e, f, g, h, i, k, p, q, r, s, t, u, v, x, z, bb and cc of Condition 29 of this general permit must be provided to the Department (see address in Condition 29), for review and approval.
38. The permittee shall maintain a bond in an amount and with sufficient guarantees as provided by 25 Pa. Code, Chapter 271, Subchapter D (relating to Financial Assurances Requirements).
39. The bond filed with the Department under Condition 38 shall continue for the operational life of the facility, until 10 years after final closure of the facility, unless released in whole or in part by the Department, in writing, prior thereto as provided by 25 Pa. Code §271.341 (relating to Release of Bonds).
40. The permittee shall maintain in force and effect a general liability insurance policy, in accordance with 25 Pa. Code, Chapter 271, Subchapter D (relating to Financial Assurances Requirements) to provide continuous coverage during operation of the facility and until the Department issues a final closure certification as provided by 25 Pa. Code §271.342 (relating to Final Closure Certification).

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM015**

41. The finished mulch material and finished compost authorized under the terms and conditions of this general permit shall cease to be a waste if the following requirements are met:
  - a. The finished mulch material or finished compost complies with the requirements as specified in Conditions 2 and 3 of this general permit.
  - b. The finished mulch material or finished compost is sold, traded, distributed or given away for landscaping activities. This provision applies to the finished mulch material or finished compost that is sold, traded, distributed or given away for landscaping activities at locations other than the processing facility where the material is produced.
  - c. The finished mulch material or finished compost is not abandoned or disposed; and
  - d. The beneficial use of finished mulch material or finished compost complies with the terms and conditions specified in Appendix A “User Restrictions” of this general permit.
  
42. The mulch and compost material shall not be processed as follows:
  - a. Within 100 feet or less of a perennial stream.
  - b. Within 33 feet of an intermittent stream.
  - c. Within 300 feet of a water supply source.
  - d. Within 300 feet of an exceptional value wetland.
  - e. Within 100 feet of a wetland other than an exceptional value wetland.
  - f. In a 100-year flood plain or below the 100-year flood plain.
  - g. Within 3.3 feet of a regional groundwater table.
  - h. Within 100 feet of the edge of a sinkhole or area drainage into a sinkhole.
  - i. Within 50 feet of a property line.
  
43. Upon issuance of the general permit, the permittee shall perform the following activities:
  - a. The permittee shall initiate construction of the storm water management control measures described in the Storm Water Management Control Plan that was approved by the Department as part of the permit application. The construction of storm water

**SPECIAL CONDITIONS**  
**GENERAL PERMIT NO. WMGM015**

- control measures shall be supervised by a Pennsylvania registered Professional Engineer.
- b. The permittee shall implement the phase and/or sequence of construction milestones, showing the beginning and completion date, for the construction of storm water control measures required in this Condition.
44. Upon completion of the construction of the storm water control measures required in Condition 43 above, the responsible engineer must complete, sign, date, seal and submit the Form 37 (Certification of Facility Construction Activity) to the Department. The permittee shall continue the implementation of storm water control measures approved by the Department at the facility.

## APPENDIX A

### USE RESTRICTIONS GENERAL PERMIT NO. WMGM015

The following “Use Restrictions” apply to the beneficial use of finished mulch as a landscaping material and/or finished compost. Persons or municipalities receiving, storing and/or using the finished mulch material or finished compost for beneficial use purposes must comply with the following requirements:

#### USE RESTRICTIONS:

1. The finished mulch material or finished compost shall not be placed in direct contact with surface water or groundwater.
2. The finished mulch material or finished compost shall not be used as a valley fill material, to fill open pits from coal or non-coal mining or other fills, or to level an area or bring an area to grade.
3. Hazardous waste, municipal waste, special handling waste, and other residual wastes may not be mixed and/or stored or beneficially used with the finished mulch material or the finished compost.
4. The finished mulch material or finished compost shall be stored in a manner that prevents harborage or breeding of vectors or creation of odor, litter, noise and other nuisances which may be harmful to the public health, safety, welfare, and the environment. Storage shall be in a manner that prevents dispersal of waste, mulch and compost material by wind or water erosion or a risk of fire or explosion and shall comply with the requirements of Title 25 Pa Code, Chapter 285 (relating to Storage, Collection and Transportation of Municipal Waste).
5. Runoff from the finished mulch material or finished compost storage areas shall not cause surface water pollution or groundwater degradation and shall be managed in accordance with The Clean Streams Law and regulations promulgated thereunder.