

**SPECIAL CONDITIONS
GENERAL PERMIT WMGM025**

A. Authorization:

This general permit authorizes the grinding, shredding, crushing, screening and/or beneficial use of construction waste materials as follows:

1. Activity authorized at the permanent facility:
 - a. Processing (i.e., sorting, screening, crushing, grinding, and shredding) of unpainted and untreated natural wood waste for beneficial use as: (i) a mulch material for landscaping purposes, (ii) soil erosion control, (iii) temporary walkway material, at new residential or commercial building construction sites owned or contracted by the permittee, and/or (iv) distributed to wholesale outlets.
 - b. Sorting and screening only prior to delivery to a permitted processing facility for further crushing, grinding, and shredding needed before distribution for beneficial use of gypsum board, stone, brick, concrete block, cardboard, particle board, drywall, and scrap metal.
 - c. Sorting and screening only prior to distribution for beneficial use, without further processing, of gypsum board, stone, brick, concrete block, cardboard, particle board, drywall, scrap metal, and plastic waste (i.e., 5-gallon buckets and lids; HDPE geothermal pipe; HDPE storm pipe; HDPE, LDPE and PP plastic film such as shrink wraps; PVC pipe; vinyl siding, and planter pots).
 - d. Sorting and screening only prior to distribution for beneficial use, without further processing, of waste asphalt shingles (i.e., imperfections, tabs, trimming scraps, damaged shingles, etc.), generated at new residential and commercial building construction sites.
2. Activity authorized at new residential and commercial building construction sites:
 - a. On-site shredding, grinding and screening of unpainted and untreated natural wood waste, generated at new residential and commercial building construction sites, to produce a material for beneficial use as: (i) a mulch material for landscaping purposes, (ii) soil erosion control, (iii) temporary walkway material at new residential or commercial building construction sites owned or contracted by the permittee, and/or (iv) distributed to wholesale outlets.
 - b. On-site shredding, grinding and screening, by a mobile processing unit, and beneficial use of clean standard gypsum wallboard generated at new residential and commercial building construction sites, hereinafter referred to as “gypsum waste”, for a one-time land application to the soil as: (i) a soil amendment at new residential or commercial building construction sites owned or contracted by the permittee, and/or (ii) distributed to wholesale outlets.
 - c. On-site grinding, crushing, and screening, by a mobile processing unit, and beneficial use of uncontaminated brick, block and concrete, generated at new residential and

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commercial building construction sites, to produce a sub-base material for driveway, sidewalk or roadway construction at new residential or commercial building construction sites owned or contracted by the permittee, and/or distributed to wholesale outlets.

3. The crushing, grinding, and shredding of waste materials as specified in Conditions A. (1)(b), and (1)(c) above is not authorized under 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 apply for and obtain a "Determination of Applicability" from the appropriate Department Regional Office (see attached list) prior to commencing authorized activities under this general permit. A completed Form 20 (Application For A Municipal or Residual Waste General Permit), along with a DOA application fee in the amount identified in Section A (General Information) of the Form 20 must be submitted to the appropriate Department Regional Office. Checks shall be made payable to the "Commonwealth of Pennsylvania".

C. Specific Requirements:

1. The crushed brick, block and/or concrete may be beneficially used as a sub-base material for driveway, sidewalk or roadway construction at new residential and commercial construction sites owned or contracted by the permittee if the following quality criteria requirements are met:
 - a. Where the crushed brick, block and/or concrete will be beneficially used as a sub-grade in roadway construction, in the preparation of a roadbed and/or prior to the final asphalt placement, the crushed brick, block and/or concrete must comply with the requirements in Section 210 of the Pennsylvania Department of Transportation (PennDOT) specifications as outlined in their Publication No. 408 (Specifications).
 - b. Where the crushed brick, block and/or concrete will be beneficially used as an aggregate or blended with other aggregate as a roadway construction material, the crushed brick, block and/or concrete must comply with the requirements in Sections 702 and/or 703 of the Pennsylvania Department of Transportation (PennDOT) specifications as outlined in their Publication No. 408 (Specifications).
 - c. The beneficial use of crushed brick, block and/or concrete must conform to the applicable engineering properties as the raw material it is being substituted for.
2. The ground gypsum may be beneficially used, for a one-time, on-site land application to the soil, at new residential and commercial construction sites owned or contracted by the permittee if the following requirements are met:
 - a. Equal to or greater than 98% of the ground gypsum (dry weight basis) passes a screen with a 1-inch opening;

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outlets if equal to or greater than 98% of the shredded wood waste (dry weight basis) passes a screen with a 2-inch opening.

2. The use of vegetable or non-toxic and biodegradable dyes to color the processed wood waste is authorized under this general permit. Other additives may only be utilized if approved in writing by the Department.
3. The processing and beneficial use of engineered, stained and laminated wood waste, fire retardant and moisture resistant gypsum wallboard, and demolition wastes are not authorized under this general permit.
4. 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 intended for beneficial use in the production of mulch, soil amendment or sub-base materials. Unauthorized waste shall be: (i) separated from the waste intended for beneficial use, (ii) removed weekly from the new residential and commercial construction site, (iii) removed weekly from the processing facility, and (iv) transported to a recycling facility or properly disposed of at a permitted municipal waste disposal facility.
5. Except as part of the new residential and commercial construction operation, the storage of unprocessed and processed waste at the new residential and commercial construction site is prohibited.
6. Except to the extent the permit states otherwise, the permittee shall manage and utilize the processed waste for beneficial use purposes as described in the permit application.
7. The unprocessed and processed waste shall not be mixed with other types of residual waste, municipal waste, hazardous waste or special handling waste.
8. 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 construction site to the waters of the Commonwealth.
9. 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.
10. 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.
11. 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 credential and without delay, to have access and

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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. (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.

12. 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.
13. 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 as specified by the Solid Waste Management Act of 1980.
14. The processed waste authorized by this permit shall not harm or present a threat of harm to the health, safety or welfare of the people or environment of this Commonwealth.
15. The processed waste shall be managed in accordance with the Solid Waste Management Act, the act July 7, 1980, as amended, P.L. 380, 35 P.S. §§ 6018.101 et seq. and the regulations promulgated therein.
16. 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:
 - 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 health, safety or welfare of the public or environment of this Commonwealth.
17. Equipment used for the processing and transportation of the unprocessed and processed wastes shall be maintained in good operating condition. Weekly inspections of processing areas 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.
18. The processed waste shall not be used as a valley fill material, to fill open pits from coal or other fills or to level an area or bring an area to grade.

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19. The processing and transportation of unprocessed and processed waste shall comply with the requirements of 25 Pa Code Chapter 285 (relating to storage, collection and transportation of municipal waste) and shall be in a manner, which will not create a nuisance or be harmful to the public health, safety or the environment of this Commonwealth.
20. Upon completion of beneficial use activities or by the expiration date of this permit, unless extended by the Department, the permittee shall remove any remaining unprocessed and processed waste and manage the processed waste in accordance with the Solid Waste Management Act, the environmental protection acts and the regulations promulgated thereunder.
21. The permittee and subsequent seller of the processed wood waste, ground gypsum and crushed brick, block and/or concrete shall inform all persons or municipalities, which propose to beneficially use the processed wood waste, ground gypsum and crushed brick, block and/or concrete covered under this general permit, of the conditions and limitations imposed on the beneficial use of processed wood waste, ground gypsum and crushed brick, block and/or concrete 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 registration to conduct activities authorized by this general permit, and (3) all subsequent end-users of the processed wood waste, ground gypsum and crushed brick, block and/or concrete material.

The permittee shall record the name and address of each person who is given or purchases the processed wood waste, ground gypsum and crushed brick, block and/or concrete and shall record its intended use. This information shall be included in the annual report required in Condition F (2) of this general permit. It is incumbent upon the permittee to ensure that all users of the finished mulch, ground gypsum and crushed brick, block and/or concrete approved under this general permit are aware of the use restrictions required in Appendix A of this permit.

22. The processed waste shall not be applied:
 - a. In direct contact with surface water or groundwater.
 - b. When the ground is saturated, snow covered, frozen or during periods of rain.
23. The waste materials authorized in Condition A of this general permit shall not be processed and stored as follows:
 - a. Within 100 feet 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.

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- e. Within 100 feet of a wetland other than an exceptional value wetland.
 - f. In a 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.
24. Unless otherwise authorized by the Department in writing, storage of wood waste, partially processed or finished mulch, and crushed brick, block and concrete materials shall comply with the following:
- a. The wood waste, partially processed or finished mulch, and crushed brick, block and concrete shall not be accumulated before being beneficially used unless the operator shows that the wood waste, partially processed or finished mulch, and crushed brick, block and concrete materials have the potential to be beneficially used and has a feasible means of being beneficially used.
 - b. Crushed brick, block and concrete materials shall not be stored for more than two (2) consecutive construction seasons (commencing on April 1), and at any one time the maximum amount stored may not exceed the total amount of materials as described in the approved application.
 - c. During the calendar year (commencing on January 1), wood waste, partially processed or finished mulch 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.
 - d. During the calendar year for wood waste material, or during the biennial construction season for crushed brick, block and concrete materials, the amount of materials 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, or crushed brick, block and concrete materials 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., wood waste, finished mulch, crushed brick, block and concrete, etc.) 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).

E. Recordkeeping.

- 1. Any records pertaining to or any evaluations conducted on the processed waste pursuant to the municipal waste regulations shall be kept by the permittee at the permittee's place of business, for a minimum of 5 years after the evaluations were performed, and shall be available to the Department for inspection.

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F. Reporting.

1. Any person that operates under the provisions of this permit shall immediately notify the Department Regional Office (see attached list), in writing, of any changes in: the company name, address, owners, operators and responsible officials; and the status of any permit issued by the Department or federal government under the environmental protection acts.
2. The permittee shall submit to the appropriate Department Regional Office (see attached list) an annual report that summarizes the information outlined in Conditions C (1), C (2), D(1), D (2) and identifies the location of all sites where the processed waste was utilized for beneficial use purposes during the past 12 months ending thirty (30) days prior to the permit anniversary date. The annual report is due on the anniversary date that the permit became applicable to a permittee.

APPENDIX A

USE RESTRICTIONS GENERAL PERMIT NO. WMGM025

The following “Use Restrictions” apply to the beneficial use of processed wood waste, ground gypsum, crushed brick, block and/or concrete, plastic waste, and waste asphalt shingles. Persons or municipalities receiving, storing and/or using the processed wood waste, ground gypsum and crushed brick, block and/or concrete for beneficial use purposes must comply with the following requirements:

USE RESTRICTIONS:

1. The processed wood waste, ground gypsum and crushed brick, block and/or concrete, plastic waste, and waste asphalt shingles shall not be placed in direct contact with surface water or groundwater.
2. The processed wood waste, ground gypsum and crushed brick, block and/or concrete, plastic waste, and waste asphalt shingles 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 processed wood waste, ground gypsum and crushed brick, block and/or concrete, plastic waste, and waste asphalt shingles.
4. The processed wood waste, ground gypsum and crushed brick, block and/or concrete, plastic waste, and waste asphalt shingles 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 the processed wood waste, ground gypsum and crushed brick, block and/or concrete 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 processed wood waste, ground gypsum and crushed brick, block and/or concrete, plastic waste, and waste asphalt shingles 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.

**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