SPECIAL CONDITIONS
GENERAL PERMIT WMGM027

A. Authorization:

The approval herein granted is limited to the following solid waste management activities:

1. The approval herein granted is, collectively or selectively, limited to the processing and beneficial use of the following wastes, hereinafter referred as “waste material(s)”:

    a. Processing by grinding, screening, mixing, and biological decomposition for beneficial use as a mulch or a landscaping material of clean, unpainted, uncontaminated, and untreated: tree stumps, limbs, pallets, skids, saw dust, wooden boxes or containers, wood shaving or slab wood from saw mills, standard gypsum wallboard, dimensional wood scraps, and construction wood scraps from new residential home construction activities.

    b. Processing by screening, biological decomposition, and mixing without the addition of additives (i.e., uncontaminated and natural soils, virgin sand, etc.) for beneficial use as a composting material of:

        i. Separated food processing sludge, food processing waste (i.e., mushroom stems, apple peels, etc.) and source separated food wastes (i.e., fruit, vegetables, grains, nuts, agricultural products, and other vegetative waste) from food markets, groceries, food banks, food distribution centers, cafeterias and institutions;

        ii. Spent mushroom substrate;

        iii. Leaf and yard waste (i.e., grass clippings, garden residue, tree trimmings, chipped shrubbery);

        iv. Source segregated paper, cardboard, newspaper;

        v. Processing and rinse wastewaters from food processing operations;

        vi. Excess paper mill sludge accepted for the processing and beneficial use as an alternative fuel, and

        vii. Separated and processed construction waste (i.e., fine particles of gypsum, soil, stone, brick, concrete block, cardboard, dimensional lumber, particle board, drywall, and plywood) authorized and complied with the terms and conditions as specified in the general permit WMGM011.

viii. Ash residue resulting from the combustion of the alternative fuel produced by the permittee and complied with the terms and conditions as specified in this general permit only.

c. Processing by blending only for beneficial use as a manufactured topsoil material of:

i. Screened, biologically decomposed finished compost;

ii. Virgin sand, uncontaminated soil;

iii. Clean and unpainted standard gypsum wallboard;

iv. Cement kiln dust, lime kiln dust;

v. Cooling tower and drinking water treatment sludge;

vi. Spent mushroom substrate;

vii. Waste foundry sand authorized and complied with the terms and condition as specified in the general permit WMGR098;

viii. Glass waste processed to a sand-like consistency that is unsuitable for recycling;

ix. Ash residue resulting from the combustion of the alternative fuel produced by the permittee and complied with the terms and conditions as specified in this general permit only; and

x. Dewatered dredge waste that meets the definition of “clean fill” and related requirements for “management of clean fill” as indicated in the Department’s document entitled “Management of Fill, April 24, 2004”.

d. Processing by grinding, shredding, screening, and blending of the various organic waste for beneficial use of as an alternative fuel material of:

i. Engineered, stained and laminated scrap wood, composite scrap wood, sawdust, wood shaving, slab wood, and wood scraps with applied finishes from industrial operations;

ii. Textile wastes (i.e., scrap carpet, scrap diaper fiber, scrap burlap bags, soiled rags, etc.);

iii. Creosote-treated, and pentachlorophenol-treated wood waste;

iv. Pre-consumer plastic waste, rubber waste, elastomer waste, and latex materials;

v. Paint including latex paint and coating sludge;

vi. Food processing and paper mill sludge;

vii. Source segregated packaging materials, standard and laminated paper, newspaper, and wax coated cardboard;

viii. Properly segregated construction and demolition wastes from residential and commercial structures;

ix. Waste tires and discarded conveyer belts; and

x. Properly segregated post-consumer plastic waste with the plastic recycling codes of 4 through 7.

e. Processing by grinding, crushing, and screening of the uncontaminated, clean rock, stone, gravel, brick, block, concrete, and used asphalt for beneficial use as a construction material.

B. Determination of Applicability Requirements:

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 appropriate Department Regional Office (see attached list). A completed Determination of Applicability (DOA) application, as specified in Condition C (28) of this general permit, along with a DOA application fee in the amount identified on the application Forms must be submitted to appropriate Department Regional Office. Checks shall be made payable to the Commonwealth of Pennsylvania. No activities shall commence unless specially authorized by the Department in writing.

C. Operating Conditions:

1. A mixture of various waste materials, used as an ingredient or a component, in the production of a compost material shall meet the following quality requirements:

   a. Leaf and yard waste shall not have been previously treated with herbicides (i.e., clopyralid) having long residual effects, and

b. Chemical concentrations of the mixture shall comply with the concentration limits as specified in Table 1 below:

Table 1

Mixture Used In The Production of Compost Material

Parameters	Concentration Limits
pH	5.5 – 9 Standard unit
Soluble Salts [1]	≤ 10 dS/m or mmho/cm
Bulk Density [2]	700 – 1,200 pounds per cubic yard
Carbon-Nitrogen Ratio (C/N)	20:1 – 40:1
Moisture Content	50% - 60%
Organic Matter	30% - 70%
Nitrogen (N) [3]	0.5% - 2.5%
Phosphorous (P_2O_5) [3]	0.2% - 2.0%
Potassium (K_2O) [3]	0.3% - 1.5%
Particle Size [3]	May vary but must be reported
Chloride [4]	250 mg/L
Sulfate [4]	500 mg/L

[1] An analysis for soluble salt in mmho/cm (milli reciprocal.ohm.cm) or dS/m is required for the: (a) spent mushroom substrate, and (b) ash that is used as an ingredient or a component in the production of a compost material only.

[2] 26 – 44 pounds per cubic foot (lbs/ft^3).

[3] Dry weight basis.

[4] An analysis for leachate level is required for the ash, used as an ingredient or a component, in the production of a compost material only. Leachability evaluations shall be conducted using the Toxicity Characteristic Leaching Procedure (EPA method 1311) or the Synthetic Precipitation Leaching Procedure (EPA method 1312).

2. The finished mulch may be beneficially used if the chemical concentrations of finished mulch material do not exceed the concentration limits for any parameter specified in Table 2 below. After the chemical analysis of representative samples of the finished mulch material has been conducted at the frequency specified in Condition C (10) of this general permit for a two year period and has met the concentration limits specified in Table 2 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 before commencing a reduced sampling frequency.

Table 2

Finished Mulch Material

Parameters	Total (mg/kg) [a]	Leachable [b] (mg/l)
pH	6.0 – 9.0 Std Unit	-
Arsenic	12	-
Barium	1,000	-
Boron	300	-
Cadmium	2.5	-
Chloride	-	250
Chromium (Total)	-	-
Copper	1,500	-
Lead	112.5	-
Mercury	1	-
Molybdenum	18	-
Nickel	50	-
Nitrate Nitrogen	Monitoring	-
Selenium	25	-
Sulfate	-	500
Zinc	1,000	-
Polychlorinated Biphenyls (PCBs)	1.0	-

[a] = Dry Weight Basis.

[b] = 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 2 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. The cured and finished compost may be beneficially used if the following quality requirements are met:

a. The finished compost shall be free from weed seeds, and

b. The chemical concentrations of finished compost material shall comply with the concentration limits as specified in Table 3 below:

Table 3

Finished Compost Material

Parameters	**Concentration Limits**
pH	6.0 – 8.0 Standard unit
Soluble Salts [1]	≤ 6 dS/m or mmho/cm
Bulk Density [2]	800 – 1,000 lbs/cubic yard
Carbon-Nitrogen Ratio (C/N)	≤ 30:1
Moisture Content	30% - 50%
Organic Matter	50% - 60%
Nitrogen (N) [3]	1.5% - 3.0%
Phosphorous (P_2O_5) [3]	0.5% - 2.0%
Potassium (K_2O) [3]	1.0% - 3.0%
Particle Size [3]	May vary but must be reported
Water Holding Capacity [3]	≥ 100%
Sodium Absorption Ratio (SAR)	≤ 10
Arsenic [3]	12 mg/kg
Cadmium [3]	2.5 mg/kg
Copper [3]	1,500 mg/kg
Lead [3]	112.5 mg/kg
Mercury [3]	1 mg/kg
Molybdenum [3]	18 mg/kg
Nickel [3]	50 mg/kg
Selenium [3]	25 mg/kg
Zinc [3]	1,000 mg/kg
Growth Screening	Must pass seed germination, plant growth assay.

[1] An analysis for soluble salt in mmho/cm (milli reciprocal.ohm.cm) or dS/m is required for the spent mushroom substrate used as an ingredient or a component in the production of a compost material only.

[2] 30 – 37 pounds per cubic foot (lbs/ft^3).

[3] Dry weight basis.

After chemical testing of representative samples of the cured and finished compost material has been conducted at the frequency specified in Condition C (10) of this general permit for a two year period and has met the concentration limits as specified in Table 3 of Condition C (3) of this general permit, 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 before commencing a reduced sampling frequency.

4. The manufactured topsoil may be beneficially used if the chemical concentration for any constituent, in manufactured topsoil material, does not exceed the concentration limit as specified in Table 4 below:

Table 4

Manufactured Topsoil

Parameters	**Total (mg/kg)** [(a)]	**Leachable** [(b)] **(mg/l)**
Antimony	6.75	-
Arsenic	12	-
Barium	1,000	-
Beryllium	2.3	-
Cadmium	2.5	-
Chromium (Total)	-	-
Copper	1,500	-
Iron	66,000	-
Lead	112.5	-
Mercury	1	-
Nickel	50	-
Selenium	25	-
Sulfate	-	500
Thallium	2.2	-
Zinc	1,000	-

(a) = Dry Weight Basis

(b) = Leachability evaluations shall be conducted using the Toxicity Characteristic Leaching Procedure (EPA method 1311) or the Synthetic Precipitation Leaching Procedure (EPA method 1312).

After chemical testing of representative samples of the manufactured topsoil has been conducted at the frequency specified in Condition C (10) of this general permit for a two year period and has met the concentration limits as specified in Table 4 of Condition C (4) of this general permit, 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 before commencing a reduced sampling frequency.

5. The alternative fuel produced may be beneficially used if it has a thermal heat value of equal to or greater than 5,000 BTU/lb. Beneficial use of the alternative fuel at a facility or an industry must be permitted or approved by the appropriate Air Quality Program of Department Regional Office.

6. The crushed concrete and asphalt materials produced may be beneficially used if:

   a. The crushed concrete and asphalt materials conform to the applicable engineering properties as the raw material it is being substituted for.

   b. Should knowledge of the quality of crushed concrete and asphalt materials, visual observations, indicate variability in the quality of the waste, a chemical analysis of the crushed concrete and asphalt materials shall be conducted.

7. This general permit authorizes the use of aerated piles, static piles or windrows to produce the mulch and compost materials 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^{o}C – 60^{o}C (113^{o}F - 140^{o}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 100 feet wide and 35 feet high.

g. The compost piles or windrows, during the processing operation, shall not exceed 16 feet wide by 8 feet high and 300 feet long.

h. At a minimum, the temperature of compost piles or windrows, during the composting operation, shall be maintained in the range of 45^{o}C – 60^{o}C (113^{o}F - 140^{o}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. Leaf and yard waste must be incorporated or mixed into the partially composted windrows within 72 hours of receipt of the leaf and yard waste.

l. 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.

m. 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.

8. a. 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.

b. The separated food processing wastewater, as authorized in Condition A (1)(b) of the general permit, shall be incorporated into a partially composted windrow or a newly created composting windrow directly from the delivery vehicle.

c. The separated food processing sludge, and source separated food wastes, as authorized in Condition A (1)(b) of the general permit, shall be incorporated into a partially composted windrow or a newly created composting windrow within 24-hours after receipt of the waste material.

d. The separated food processing sludge, food processing wastewater, and source separated food wastes, authorized in Condition A (1)(b) of the general

permit, shall not be accepted in case of: (1) a temporary cessation of operation, or (2) during the equipment failure at facility.

9. The beneficial use of finished mulch material or finished compost 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.

10. a. In compliance with the requirements specified in Conditions C (1) through (4) of this general permit, representative samples of the: (i) mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, (ii) finished mulch, (iii) finished compost material, and (iv) manufactured topsoil must be collected and analyzed. To obtain a representative sample of the mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, finished mulch, finished compost material and manufactured topsoil, the sample must be taken from the correct locations and represent the entire amount of mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, finished mulch, finished compost material and manufactured topsoil. More than one sample is usually necessary to accurately represent the mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, finished mulch, finished compost material and manufactured topsoil 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 mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, finished mulch, finished compost material and manufactured topsoil 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 mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, finished mulch, finished compost material and manufactured topsoil that is produced.

Should knowledge of the production of mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, finished mulch, finished compost material and manufactured topsoil, visual observations, or analytical results indicate variability in the quality of the mixture of various waste materials, used as an ingredient or a component, in the

production of a compost material, finished mulch, finished compost material and manufactured topsoil, more frequent testing shall be conducted.

b. The frequency of monitoring for the constituents required in Tables 2, 3 and 4 of Conditions C (2), (3) and (4) shall be as follows:

TABLE 5

Compliance Monitoring

Amount of Finished Mulch, Finished Compost or Manufactured Topsoil Produced (Tons per 365 Day Period)	Frequency of Monitoring
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

11. a. The permittee shall collect representative samples of the mixture of various waste materials, used as an ingredient or a component, in the production of a compost material and analyze each constituent listed in Table 1 of Condition C (1) of this general permit.

b. 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 constituent listed in Table 2 of Condition C (2) of this general permit.

c. The permittee shall collect representative samples of the finished compost material, and analyze for each constituent listed in Table 3 of Condition C (3) of this general permit.

d. The permittee shall collect representative samples of the manufactured topsoil, and analyze for each constituent listed in Table 4 of Condition C (4) of this general permit.

e. Upon request by the Department, the permittee shall also collect and analyze representative samples of the mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, finished mulch, finished compost material, manufactured topsoil, and/or alternative fuel

as required in Conditions C (1) through (5) of this general permit within 48 hours of the request.

The chemical analyses required in this Condition shall be performed by a laboratory accreditated or registered for accreditation under the Pennsylvania Environmental Laboratory Accreditation Act, Act of 2002, No. 25.

12. The mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, finished mulch, finished compost, manufactured topsoil, or alternative fuel material that does not meet the requirements as specified in Conditions C (1) through (5), and crushed concrete and asphalt that are not beneficially used in accordance with this general permit and as described in the approved application shall be managed properly at a permitted disposal facility unless authorized by the Department, in writing, to do otherwise.

13. a. The tipping, staging, curing and processing areas of the waste materials used in the production of: (a) finished mulch, (b) finished compost material, and (c) manufactured topsoil 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).

    b. The working surface of the staging, processing, and storage areas of the waste materials used in the production of: (a) finished mulch, (b) finished compost, (c) manufactured topsoil, and (4) alternative fuel material shall be firm, uniformly graded, dry, free of debris, rock, plant or foreign materials and as follows:

        i. For 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;

        ii. For 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;

        iii. A surface paved with concrete, asphalt, or lime-stabilized material that is no more permeable than 1×10^{-6} cm/sec based on laboratory and field testing; or

        iv. As required by the Department.

14. Chromated Copper Arsenate-treated wood waste, fire retardant and moisture resistant gypsum wallboard, non-compostable residues, biosolids, manure, plastic trash bags, soda bottles, garden tools and toys, plastic waste with the plastic recycling codes of 1 through 3, and waste materials, etc., not identified in Condition A (1) of this general permit, are prohibited under this general permit.

15. a. Wastes, other than waste materials authorized under this general permit in the production of mulch, compost, alternative fuel, manufactured topsoil, and crushed concrete and asphalt materials, as specified in Conditions A (1)(a) through (1)(e) of this general permit, may not be received, mixed, stored or beneficially used with the waste materials authorized under the general permit in the production of mulch, compost, alternative fuel, manufactured topsoil, and crushed concrete and asphalt materials.

    b. 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 or residual waste disposal facility. Incidental or temporary on-site storage of wastes not authorized in this general permit shall comply with the requirements as specified in Pa. Code, Chapter 285.

16. 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.

17. a. Storm water run-on at the facility shall be diverted away from the staging, storage, curing and processing areas of waste materials intended for beneficial use in the production of: (1) mulch, (2) compost, (3) manufactured topsoil, (4) alternative fuels, and (5) crushed concrete and asphalt material. Surface water controls must be constructed, implemented and maintained to eliminate or prevent ponding and excessive wetting and shall be based on a 24-hour precipitation event to be expected once every 25 years.

    b. Storm water runoff and leachate, if generated, from the staging, storage, and processing areas of the waste materials intended for beneficial use in the

production of mulch, compost, manufactured topsoil, alternative fuel, and crushed concrete and asphalt material, shall be directed to on-site storm water holding ponds as specified below:

i. The storm water holding ponds shall be properly designed (i.e., dikes, diversions, drains, etc.), sized, and constructed, based on a 24-hour precipitation event to be expected once every 25 years, as specified in §285.123 (1) through (8) of the Municipal Waste Management Regulations.

ii. The storm water holding ponds shall be installed with a natural or remolded clay liner. At a minimum, the liner shall meet the following performance standards:

    1. At least 2 feet in field thickness.

    2. A minimum of 1×10^{-6} cm/sec of permeability based on the laboratory and field testing.

    3. Equal to or greater than 90% maximum theoretical density when using Marshall or Standard Proctor method of design.

    4. A minimum of 30% fines by weight less than 0.074 mm particle size (# 200 sieve).

    5. A plasticity index of 10.

    6. No coarse fragments greater than 0.75 inch in diameter.

iii. The quality control and construction of the clay liner shall be performed by a Pennsylvania Registered Professional Engineer.

    1. The material used to construct the liner must be approved by the Department prior to installation.

    2. Design calculations of the liner shall be provided, for our review, to demonstrate that the regulatory requirements and performance standards as specified in Conditions C (17)(b)(i) and (ii) are met.

iv. A “Water Quality Monitoring Plan”, as described in §273.152(a)(1) and (b)(1) through (3) shall be submitted for Department review. The plan shall be implemented upon Department approval. At a minimum, the water quality monitoring plan shall contain the following information:

SPECIAL CONDITIONS
GENERAL PERMIT WMGM027

1. Groundwater monitoring well locations shall be positioned such that the area downgradient of storm water holding ponds are monitored.

2. At least one upgradient or background well shall be constructed.

3. The location and construction of all groundwater monitoring wells shall meet the requirements as specified in §273.282 and §273.283, and be approved by the Department.

4. The reporting of analytical results shall meet the requirements as specified in §273.285.

5. Specific detailed information regarding well purging and sample collection techniques shall be provided for our review.

6. A list of constituents shall be developed to supplement the requirements as specified in §273.284(1), (3) and (4). At a minimum, the list of constituents shall contain the following information:

    a. Any organic or inorganic constituents which may be generated by the substances listed in the “Material Analysis and Classification Plan (II) Acceptable Materials” that will be stored and/or processed outdoors and potentially affect groundwater.

    b. A Water Quality Monitoring Plan, as specified in §273.152(b)(2), showing “the Department-approved sampling and analytical methods that are specific to the proposed facility and will accurately measure solid waste, solid waste constituent, leachate or constituent of decomposition in the groundwater”.

    c. The typical leachate formed by mulch-aging and yard waste composting shall be considered and accounted for.

7. As a baseline, the groundwater monitoring wells shall be sampled, for at least four (4) consecutive quarters, for the constituents listed in Form 8 (less Subtitle D add-on list), and any other constituents characteristic of the materials which may potentially generate leachate.

    a. After four (4) consecutive quarters of groundwater monitoring for constituents listed in Form 8 (less Subtitle D add-on list) as required in this Condition, the groundwater wells shall be monitored quarterly for constituents listed in Form 19 (less Subtitle D add-on list), and any other proposed constituents.

b. Should knowledge of the quality of groundwater wells, visual observations, or analytical results indicate variability in the quality of groundwater wells, more frequent testing shall be conducted.

c. During the first year after the issuance of this general permit, and semi-annually thereafter, each storm water holding pond shall be sampled and analyzed for the constituents as required for the groundwater monitoring wells in Condition C (17)(b) above, and any other proposed constituents.

d. A copy of Form 6 (Geological Information) and Form 7 (Hydrogeological Information) shall be completed and provided for our approval.

e. When the groundwater monitoring network has been approved, a copy of Form 18 (Water Quality Monitoring System) and bonding worksheets for the monitoring wells network are required for our review.

f. After the chemical analysis of: (1) groundwater monitoring wells network, and (2) storm water holding ponds has been conducted at the frequency required in this Condition, and there is not an increase in the chemical concentrations in the groundwater monitoring wells network and/or storm water holding ponds, the Department may reduce the required frequency of monitoring, but shall not be less than once per year, if a written request for the reduction of sampling frequency is submitted by the permittee. A written approval from the Department must be obtained prior to commencing of the reduced sampling frequency.

18. The permittee shall not cause or allow a point or non-point source discharge of any industrial wastes, wastewater, a combined storm water runoff and leachate, if generated, or runoff from the staging, processing, and storage areas where solid waste management activities are conducted to the surface waters of the Commonwealth. An NPDES (National Pollutant Discharge Eliminate System) permit may be required if a point or non-point source discharge of any industrial wastes, wastewater, a combined storm water runoff and leachate, if generated, or runoff from the staging, processing, and storage areas where solid waste management activities are conducted to the surface waters of the Commonwealth exists.

19. The permittee shall maintain:

a. Actual laboratory reports to demonstrate that the finished mulch complies with the requirements as specified in Condition C (2) of this general permit.

b. Actual laboratory reports to demonstrate that the mixture of various waste materials, used as an ingredient or a component, in the production of a compost material used in the compost production complies with the requirements as specified in Condition C (1) of this general permit.

c. Actual laboratory reports to demonstrate that the finished compost complies with the requirements as specified in Condition C (3) of this general permit.

d. Actual laboratory reports to demonstrate that the manufactured topsoil complies with the requirements as specified in Condition C (4) of this general permit.

e. Actual laboratory reports to demonstrate that the alternative fuel produced complies with the requirements as specified in Condition C (5) of this general permit.

f. Actual laboratory reports of the groundwater monitoring wells as specified in Condition C (17)(b)(iv) of this general permit.

g. Actual laboratory reports of the quality for each storm water holding pond as required in Condition C (17)(c) of this general permit.

h. Records of waste tires used in the production of alternative fuels at the facility. The records shall include the name and address of location, and date that waste tires are generated; numbers of waste tires that were received.

i. 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.

j. The permittee shall maintain records of all operational parameters (number of turns, time, temperature, oxygen level, dimensions, etc.) achieved on the finished mulch and compost. The records shall include the name and address of the reading location, date and time, value and unit of the reading result.

k. Actual laboratory reports of the analytical evaluations conducted on: (1) mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, (2) finished mulch, (3) finished compost, (4) manufactured topsoil, (5) alternative fuel, (6) groundwater monitoring wells, and (7) storm water holding ponds, or performed upon request by the Department.

The analytical information shall include the following on each sample: the location and 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.

20. 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, 123.2, and 123.31.

21. Unless stated otherwise by the Department, waste materials that are authorized under this general permit 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.

22. Except to the extent the permit states otherwise, the permittee shall manage waste materials authorized under the general permit in the production of (a) finished mulch, (b) finished compost material, (c) alternative fuels, (d) manufactured topsoil, and (e) crushed concrete and asphalt material for beneficial use purposes as described in the permit application.

23. 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.

24. 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 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.

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 waste material(s) authorized under the general permit in the production of (a) finished mulch, (b) finished compost material, (c) alternative fuels, (d) manufactured topsoil, (e) crushed concrete and asphalt material, and any (f) residual wastes or other materials which contain or have been in contact with the waste material authorized under this general permit, 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. Any independent contractors or agents retained by the permittee in the completion of processing of wastes 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.

28. 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 (DOA)" from the appropriate Department Regional Office (See attached list). 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 Regional Office:

    a. Name and street address of applicant.

    b. A description of the waste materials will be used in the production of (a) finished mulch, (b) finished compost material, (c) alternative fuels, (d) manufactured topsoil, and (e) crushed concrete and asphalt materials authorized under this general permit.

    c. A chemical and physical analysis of the: (a) mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, (b) finished mulch, (c) finished compost, (d) manufactured topsoil, and (e) alternative fuel which fully characterizes its composition and properties. The

chemical analysis required in this Condition shall be performed by a laboratory accreditated 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 of: (a) mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, (b) finished mulch, (c) finished compost, (d) manufactured topsoil, and (e) alternative fuel produced and stored at the facility.

e. Name and street address of the facility where:

   i. Waste materials will be accepted, stored, and processed for beneficial use activities authorized under this general permit.

   ii. Finished mulch, finished compost, alternative fuel, manufactured topsoil, and crushed concrete and asphalt will be produced and stored.

f. A description of the method used to inspect the wastes that will be received for use in the production of (1) finished mulch, (2) finished compost, (2) alternative fuel, (4) manufactured topsoil, and (5) crushed concrete and asphalt materials.

g. A description of the method used to manage the waste material that is not acceptable for use in the production of (1) finished mulch, (2) finished compost, (2) alternative fuel, (4) manufactured topsoil, and (5) crushed concrete and asphalt materials and is rejected from the facility.

h. A description of the method of processing that produces the (1) finished mulch, (2) finished compost, (2) alternative fuel, (4) manufactured topsoil, and (5) crushed concrete and asphalt materials.

i. Description of the beneficial use of the (1) finished mulch, (2) finished compost, (2) alternative fuel, (4) manufactured topsoil, and (5) crushed concrete and asphalt materials.

j. Number and title of this general permit.

k. Evidence that: (1) finished mulch, (2) finished compost, (2) alternative fuel, (4) manufactured topsoil, and (5) crushed concrete and asphalt materials, and waste management activities are consistent with the general permit.

l. Signed and notarized statement by the person operating the facility which states that the person accepts all conditions of this general permit.

m. An application fee in the amount required under §271.842 (b) of the Municipal Waste Regulations made payable to the "Commonwealth of Pennsylvania".

n. 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.

o. Proof that the applicant has legal right to enter the land and operate the facilities approved under this permit.

p. An irrevocable written consent from the landowner giving the Department permission to enter upon land where the applicant will be conducting processing activities.

q. 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.

r. 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.

s. 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.

t. Proof that independent contractors retained by the permittee to perform any processing activities authorized under this permit complies with the Department's regulations as required in Condition C (27).

u. Total amount of: (1) waste material received, (2) finished mulch, (3) finished compost, (4) alternative fuel, (5) manufactured topsoil, and (6) crushed concrete and asphalt materials will be produced and stored at the facility.

v. (i) A copy of: (1) the Storm Water Management Control Plan to address on-site run-on, run-off and leachate management at the facility, (2) Form 6 (Geological Information), and (3) Form 7 (Hydrogeological Information) must be submitted to the appropriate Department Regional Office for its approval as specified in Condition C (17) of this general permit.

(ii) Upon the Department approval of Form 7 (Hydrogeological Information), groundwater monitoring wells, if required, may be installed and a copy of

Form 18 (Water Quality Monitoring System) and bonding worksheets shall be submitted to the appropriate Department Regional Office for its approval as specified in Condition C (17) of this general permit.

x. Proof of bonding and insurance for the processing facility of sufficient amounts as determined by calculation worksheets supplied by the Department and completed and submitted by the applicant.

y. 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 staging, processing and storage areas including description of proposed working surface for the staging, processing and storage areas.

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. All utilities installed at the facility (electrical, gas, water, sewer, telephone, etc.).

9. Leachate and storm water runoff controls and prevention for the staging, processing, and storage areas of: (a) waste materials, (b) waste concrete and asphalt will be processed, (c) finished mulch, (d) finished compost, (e) alternative fuel, and (f) crushed concrete and asphalt will be produced and stored.

10. Name and the classification(s) of water use(s), as specified in Chapter 93 (Water Quality Standards), of surface water(s) in the vicinity of facility.

z. Additional information the Department believes is necessary to make a decision.

29. The transportation of: (a) waste material, (b) finished mulch, (c) finished compost, (d) alternative fuel, (e) manufactured topsoil, and (f) crushed concrete and asphalt material 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).

30. The storage of: (a) waste material received, and (b) processed materials shall be as follows:

    a. The on-site storage of food processing wastewater from a food processing operation, for use in the production of compost material, at the facility is not authorized under this general permit. The entire amount or volume of food processing wastewater shall be incorporated into compost windrows directly from the delivery vehicle.

    b. The on-site storage of food processing sludge, and source separated food wastes, for use in the production of compost material, at the facility shall not exceed 24-hours after receipt of the waste material.

    c. Only the amount or volume: (1) food processing residual including food processing wastewater necessary to incorporate into a partially composted windrow, or to create the mixture of various waste materials, used as an ingredient or a component, in the production of a compost material for a new compost windrow, and (2) waste tires necessary to produce the alternative fuel is allowed to be received at the facility.

    d. Unless otherwise required by the Department, the waste materials accepted, for beneficial use in the production of the alternative fuel, shall be stored based on the physical and/or chemical characteristics of each waste material as described in the approved application.

    e. The storage of alternative fuel produced at the facility shall be on the surface that meets the requirements as specified in Condition C (13) of this general permit and as follows:

        i. The storage of alternative fuel produced shall be contained under a permanent roof either in currently existing buildings or in buildings to be constructed if necessary, or

ii. The storage of alternative fuel produced shall be contained inside a "coverall" with a canvas roof, provided the integrity of the canvas roof must be maintained at all the times.

f. The storage of: (1) waste material(s) received, (2) finished mulch, (3) finished compost, (4) alternative fuel, (5) manufactured topsoil, and (6) crushed concrete and asphalt material shall be in a manner which prevents harborage or breeding of vectors (including mosquitoes) or creation of odor, dust, litter and other nuisances which may be harmful to the public health, safety, welfare, and the environment. The storage shall be in a manner that prevents dispersal of: (i) waste material, (ii) finished mulch, (iii) finished compost, (iv) manufactured topsoil, and (v) crushed concrete and asphalt 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).

31. Equipment used for the storage and transportation of the (a) waste material(s) received, (b) finished mulch, (c) finished compost, (d) manufactured topsoil, (e) alternative fuel, and (f) crushed concrete and asphalt material shall be maintained in good operating condition to prevent the (i) waste material(s) received, (ii) finished mulch, (iii) finished compost, (iv) manufactured topsoil, (v) alternative fuel, and (vi) crushed concrete and asphalt material from being unintentionally conveyed out of the storage areas. Daily inspections of each storage areas and their surrounding environs are to be conducted to determine: (i) the risk of fire or explosion, (j) dispersal of waste material(s) by wind, (k) water erosion is prevented, (l) compliance of the terms and conditions of this general permit, and (m) for evidence of failure.

32. The permittee shall immediately notify the appropriate Department's Regional Office, 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 (a) mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, (b) finished mulch, (c) finished compost, (d) manufactured topsoil, (e) alternative fuel, (f) crushed concrete and asphalt material, (g) remolded clay liner, (g) groundwater monitoring well(s), and (h) storm water holding pond(s); the manufacturing process which produces the (1) mixture of various waste materials, used as an ingredient or a component, in the production of a compost material, (2) finished mulch, (3) finished compost, (4) manufactured topsoil, (5) alternative fuel, and (6) crushed concrete and asphalt material; the change in status of bond and insurance, and the status of any permit issued by the Department or any state authority or federal government under the environmental protection acts.

33. Persons operating under the provisions of this general permit shall submit, within 30 days after the anniversary date of this permit, to the appropriate Department's Regional Office, an annual report which contains the information outlined in Conditions A (1)(b)(vi), A (1)(c)(vii), C (17), and C (19), and summarizes the following information:

    a. Weight or volume of the waste materials authorized under the general permit that is used in the production of: (1) finished mulch, (2) finished compost, (3) manufactured topsoil, (4) alternative fuel, and (5) crushed concrete and asphalt material received, stored and produced during the last 12 months ending on the anniversary date of the permit.

    b. Laboratory reports for the "total" and/or "leachate" analyses for the finished mulch for the constituents listed in Tables 2 of Condition C (2) of this general permit. The analysis data submitted in compliance with this requirement must be from samples of the finished mulch collected within the past 12 months.

    c. Laboratory reports of the chemical analyses for the mixture of various waste materials, used as an ingredient or a component, in the production of a compost material for the constituents listed in Table 1 of Condition C (1) of this general permit. The analysis data submitted in compliance with this requirement must be from samples of the mixture of various waste materials, used as an ingredient or a component, in the production of a compost material collected within the past 12 months.

    d. Laboratory reports of the chemical analyses for the finished compost material for all parameters listed in Table 3 of Condition C (3) of this general permit. The analysis data submitted in compliance with this requirement must be from samples of the finished compost material collected within the past 12 months.

    e. Laboratory reports of the chemical analyses for the manufactured topsoil for all parameters listed in Table 4 of Condition C (4) of this general permit. The analysis data submitted in compliance with this requirement must be from samples of the manufactured topsoil collected within the past 12 months.

    f. Laboratory reports of the chemical analyses for the alternative fuel material for the thermal value as specified in Condition C (5) of this general permit. The analysis data submitted in compliance with this requirement must be from samples of the alternative fuels collected within the past 12 months.

34. 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, h, i, j, o, p, q, r, s, t, v, x, and y of Condition 28 of this general permit must be provided to the appropriate Department's Regional Office, for review and approval.

35. 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).

36. The bond filed with the Department under Condition C (35) 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).

37. 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).

38. The production of mulch, compost, alternative fuel, manufactured topsoil, and crushed concrete and asphalt materials shall not be processed and stored 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.

39. Unless specifically approved by the Department in writing, storage of: (a) waste material received, (b) partially processed materials, (c) finished mulch, (d) finished compost, (e) manufactured topsoil, (f) alternative fuel, and (g) crushed concrete and asphalt materials shall be as follows:

    a. The (1) waste material received, (2) partially processed materials, (3) finished mulch, (4) finished compost, (5) manufactured topsoil, (6) alternative fuel, and (7) crushed concrete and asphalt materials shall not be accumulated before being beneficially used unless the operator shows that the (i) waste material received, (ii) partially processed materials, (iii) finished mulch, (iv) finished compost, (v) manufactured topsoil, (vi) alternative fuel, and (vii) crushed concrete and asphalt materials have the potential to be beneficially used and has a feasible means of being beneficially used.

    b. During the calendar year (commencing on January 1): (1) waste material received, (2) partially processed materials, (3) finished mulch, (4) finished compost, (5) manufactured topsoil, (6) alternative fuel, and (7) crushed concrete and asphalt 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.

    c. During the calendar year (commencing on January 1), the (1) waste material(s) received, (2) finished mulch, (3) finished compost, (4) manufactured topsoil, (5) alternative fuel, and (6) crushed concrete and asphalt that is beneficially used or transferred to a different site for beneficial use, equals at least 75% by weight or volume of the (i) waste material(s) received, (ii) finished mulch, (iii) finished compost, (iv) manufactured topsoil, and (v) crushed concrete and asphalt material 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., waste material(s) received, finished mulch, finished compost, manufactured topsoil, and crushed concrete and asphalt, 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).

40. a. For each new source of the: (1) spent mushroom substrate, (2) processed construction waste, and (3) waste foundry sand authorized under the general permit in the production of: (i) finished mulch, (ii) finished compost, and (iii) manufactured topsoil, the permittee shall notify the appropriate Department's Regional Office, in writing, no less than fifteen (15) working days prior to acceptance and beneficial use of the waste material from a new source. The permittee may beneficially use the waste material from a new source in accordance with the conditions of this general permit after the aforementioned fifteen days period unless otherwise instructed by the Department.

b. 1. Except as specified in subsection b.2. of this Condition, for each new waste source of waste material authorized under the general permit in the production of the alternative fuels, the permittee shall notify the appropriate Department Regional Office, in writing, no less than 15 working days prior to acceptance and beneficial use of the waste material from a new source. The permittee may beneficially use the waste material from a new source in accordance with the conditions of this general permit after the aforementioned 15-day period unless otherwise instructed by the Department.

2. Notification is not required as specified in subsection b.1. of this Condition for a one-time load, in quantities less than 17,000 gross vehicle weight per generator, of waste material authorized under the general permit in the production of the alternative fuels.

c. For each new waste type that is proposed for use in the production of the alternative fuel, the permittee shall:

1. Submit a written request to the appropriate Department Regional Office to conduct a limited and short term research and development (R&D) project to determine the feasibility for the beneficial use of new waste type material in the production of the alternative fuel authorized under this general permit. The R&D 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 our review and consideration:

   i. Name of the generator and location where the new waste type is generated.

   ii. Name and address of the industry or facility that desires to beneficially use.

   iii. A description of the proposed use of alternative fuel.

   iv. Weight or volume and frequency of use of the new waste type that will be used, and the alternate fuel produced in the R & D project.

   v. Actual laboratory report shows the new waste type is not hazardous.

   vi. The duration proposed for this R&D project.

viii. Descriptions of the processing method(s) in the production of alternative fuel in this R&D project.

ix. Descriptions of the storage of (1) new waste type material received, and (2) alternative fuel produced in this R&D project.

x. If the R & D 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.

2. Notify the appropriate Department Regional Office of any changes, to the information provided in the request to the Department, during the duration of this R&D project.

3. Upon the completion of the R&D 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 R&D 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 production of alternative fuel authorized in the general permit.

d. The beneficial use of alternative fuel produced, using new waste type material, as authorized in the general permit, shall not be commenced unless the existing general permit has been modified.

41. The permittee and subsequent sellers of: (a) finished mulch, (b) finished compost, (c) manufactured topsoil, and/or (d) crushed rock, stone, gravel, brick, block, concrete, and used asphalt shall notify all persons or municipalities and other entities who purchase (i) finished mulch, (ii) finished compost, (iii) manufactured topsoil, and/or (iv) crushed rock, stone, gravel, brick, block, concrete, and used asphalt from the permittee, which propose to beneficially use the (1) finished mulch, (2) finished compost, (c) manufactured topsoil, and/or (d) crushed rock, stone, gravel, brick, block, concrete, and used asphalt covered under this general permit of the restrictions imposed on the beneficial use of: (a) finished mulch, (b) finished compost, (c) manufactured topsoil, and/or (d) crushed rock, stone, gravel, brick, block, concrete, and used asphalt by the Department of Environmental Protection (Department).

The permittee shall record the name and address of each person who is given or purchases the (a) finished mulch, (b) finished compost, (c) manufactured topsoil, and/or (d) crushed rock, stone, gravel, brick, block, concrete, and used asphalt and shall record its intended use(s).

42. The (a) finished mulch, (b) finished compost, (c) manufactured topsoil, (d) alternative fuel, or (e) crushed rock, stone, gravel, brick, block, concrete, and used asphalt authorized under the terms and conditions of this general permit shall cease to be a waste if the following requirements are met:

    a. The (a) finished mulch, (b) finished compost, (c) manufactured topsoil, (d) alternative fuel, or (e) crushed rock, stone, gravel, brick, block, concrete, and used asphalt complies with the requirements as specified in Conditions C (2), (3), (4), (5), and (6) of this general permit.

    b. The (a) finished mulch, (b) finished compost, (c) manufactured topsoil, (d) alternative fuel, or (e) crushed rock, stone, gravel, brick, block, concrete, and used asphalt is sold, traded, distributed or given away for beneficial use activities authorized in this general permit. This provision applies to the (a) finished mulch, (b) finished compost, (c) manufactured topsoil, (d) alternative fuel, or (e) crushed rock, stone, gravel, brick, block, concrete, and used asphalt that is sold, traded, distributed or given away for beneficial use activities at locations other than the processing facility where the material is produced.

    c. The (a) finished mulch, (b) finished compost, (c) manufactured topsoil, (d) alternative fuel, or (e) crushed rock, stone, gravel, brick, block, concrete, and used asphalt is not abandoned or disposed.