

**GENERAL PERMIT WMGM037
PROCESSING AND CONVERSION OF
MUNICIPAL WASTE INTO A FUEL PRODUCT**

**DEPARTMENT of ENVIRONMENTAL
PROTECTION
BUREAU of WASTE MANAGEMENT
DIVISION of MUNICIPAL and RESIDUAL WASTE**

Amended March 9, 2012

Expires October 3, 2019

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A. Description:

This general permit authorizes the processing and conversion of municipal waste into a fuel product. The term "processing" under this permit does not include management of waste at a transfer facility, or the use of mechanical compaction as the sole processing method.

B. Registration Requirements:

Persons or municipalities that propose to operate under the terms and conditions of this general permit after the date of permit issuance must register with the appropriate Department Regional Office (see attached list) that has jurisdiction for waste-related activities in the county where the facility will be located. A completed registration application on forms required by the Department, along with the application fee as specified in the municipal waste regulations, must be submitted to the Waste Management Program at the Department's appropriate Regional Office. The application shall demonstrate compliance with the operating conditions of this permit. No activities shall commence unless registration is authorized, in writing, by the Department.

C. Operating Conditions:

1. The facility shall not be located:
 - a. In the 100-year floodplain of waters of this Commonwealth, unless the Department approves in the permit a method of protecting the facility from a 100-year flood consistent with the Flood Plain Management Act (32 P. S. §§ 679.101—679.601) and the Dam Safety and Encroachment Act (32 P. S. §§ 693.1—693.27);
 - b. In or within 300 feet of an exceptional value wetland;
 - c. Within 900 feet measured horizontally from an occupied dwelling unless the owner of the dwelling has provided a written waiver consenting to the facility being closer than 900 feet;
 - d. Within 50 feet of a property line unless the owner has provided a written waiver consenting to the facility being closer than 50 feet;
 - e. Within 100 feet of a perennial stream;
 - f. Within 300 feet of a water source unless the owner has provided a written waiver consenting to the facility being closer than 300 feet;
 - g. Within 900 feet of the following, if existing prior to the date the Department received an administratively complete application, unless a written waiver is obtained from the current property owner of:
 - i. A building owned by a school district or parochial school and used for instructional purposes;
 - ii. A park;
 - iii. A playground.
 - h. In an area where the facility would adversely affect a habitat of a known endangered or threatened species.
2. The waste receiving and processing area must be located within an enclosed building.
3. The waste receiving and processing area shall be operated under negative pressure.

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4. The daily volume of municipal waste received at the facility shall not exceed 750 tons/day, except as previously permitted by the Department in an existing solid waste management permit. The total daily volume may not exceed 750 tons/day or the amount approved in the existing solid waste management permit, whichever is greater.
5. All incoming waste shall be monitored in accordance with the Department's *Guidance Document on Radioactivity Monitoring at Solid Waste Processing and Disposal Facilities*, Document Number 250-3100-001, or in a manner at least as protective of the environment, facility staff and public health and safety.
 - a. Radiation detector elements shall be as close as practical to the waste load and in an appropriate geometry to monitor the waste. The radiation monitoring system shall be set to alarm at a level no higher than 10 microroentgen per hour ($\mu\text{R/hr}$) above the average background at the facility when any of the radiation detector elements are exposed to a cesium-137 gamma radiation field. Radiation detector elements shall be shielded to maintain the average background below 10 $\mu\text{R/hr}$. If capable of energy discrimination, the radiation monitoring system shall be set to detect gamma rays of a 50 kiloelectron volt (keV) of energy and higher.
 - b. An operator shall have portable radiation monitors capable of determining the radiation dose rate and presence of contamination on a vehicle that has caused an alarm. Upon a confirmed exceedance of the alarm level in subsection (c), a radiological survey of the vehicle shall be performed.
 - c. An operator shall notify the Department immediately and isolate the vehicle when radiation dose rates of 20 $\mu\text{Sv/hr}$ (2 mrem/hr) or greater are detected in the cab of a vehicle, 500 $\mu\text{Sv/hr}$ (50 mrem/hr) or greater are detected from any other surface, or contamination is detected on the outside of the vehicle.
 - d. Monitoring equipment shall be calibrated at a frequency specified by the manufacturer, but not less than once a year.
 - e. If radioactive material is detected, the vehicle containing the radioactive material may not leave the facility without written Department approval and, if required, an authorized United States Department of Transportation exemption form.
6. Best Management Practices shall be implemented to divert storm water run-on from the facility. Storm water runoff shall be managed in accordance with The Clean Streams Law and regulations promulgated thereunder. Prior to commencing operations at the facility, the permittee must obtain all necessary storm water management permits.
7. Leachate generated and stored at the facility shall be stored in a tank or container designed in accordance with 25 Pa. Code, Chapter 299 (relating to storage and transportation of residual waste) prior to reuse on-site, discharged to a Publicly Owned Treatment Works (POTW) or transported off-site for treatment and/or disposal. Leachate reuse on-site is limited to being used as part of the fuel manufacturing process.
8. The permittee shall comply with the fugitive emissions regulations under 25 Pa. Code, Chapter 123 (relating to standards for contaminants) issued under the Air Pollution

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9. The storage and transportation of municipal waste shall be in a manner that does not create a nuisance or is harmful to the public health, safety, or the environment, and shall comply with the requirements of 25 Pa. Code, Chapter 285 (relating to storage, collection, and transportation of municipal waste) unless otherwise indicated in this permit.
10. The fuel product manufactured under the authority of this permit is not considered a waste as defined in 25 Pa. Code §271.1 when its use meets the conditions of this permit and it is marketed as a commodity in trade for use as a fuel in an air contamination source approved through an Air Quality authorization issued by the Department pursuant to 25 Pa. Code, Chapter 127 (relating to construction, modification, reactivation, and operation of sources) or approved by air quality for use in a test burn. The manufactured fuel product must yield a net positive quantity of energy. Manufactured fuel may be stored outdoors if the fuel it is replacing is stored in a similar manner, and if such storage does not degrade the quality or the physical/chemical characteristics of the manufactured fuel. When stored outdoors the manufactured fuel product shall be stored in a manner that prevents harm to human health and the environment, and that is in compliance with the storm water management and leachate management provisions of Conditions C.6. and C.7, respectively, of this permit.
11. The amount of municipal waste stored on-site prior to conversion into fuel is limited to a maximum of 5,250 tons.
12. A financial bond, which guarantees the removal and proper management of waste and manufactured fuel product before it is marketed as a commodity in trade, is required. The amount of the bond shall be based upon the total estimated cost to the Commonwealth for removal and proper management of the maximum waste and produced fuel to be stored at the facility at any time. The Department may require additional bonding for any other necessary measures to prevent adverse impacts upon public health, safety, welfare, and the environment.
13. The manufactured fuel product shall not be mixed with other solid wastes, including hazardous waste, municipal waste, special handling waste or residual waste unless approved by the Department. However, the addition of residual waste to the processing and conversion process of municipal waste into a fuel product is authorized provided the residual waste in question has been designated a coproduct in accordance with 25 Pa. Code, §287.8 (relating to coproduct determinations), and the permittee maintains on-site 1) a copy of the coproduct determination, and 2) written approval from the Department's Air Quality program to utilize the coproduct as a fuel product.

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14. Nothing in this 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. §6018.101-6018.1003 et seq.; the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, 53 P.S. §4000.101 – 1904; the Surface Mining Conservation and Reclamation Act, 52 P.S. §1396.1-1406 et seq.; or the Noncoal Surface Mining Conservation and Reclamation Act, 52 P.S. §3301-3326.
15. As a condition of this permit and of the permittee's authority to conduct the activities authorized by this permit, the permittee hereby authorizes and consents to allow authorized employees or agents of the Department, without advance notice or search warrant, upon presentation of appropriate credentials and without delay, to have access to and to inspect all areas on which solid waste management activities required of the permittee are being, will be, or have been conducted. This authorization and consent shall include consent to collect samples of waste, soils, water, or gases; take photographs; to perform measurements, surveys, and other tests; inspect any monitoring equipment; to inspect the methods of operation; and to inspect and/or copy documents, books, and papers required by the Department to be maintained. This permit condition is referenced in accordance with §§608 and 610(7) of the Solid Waste Management Act, 35 P.S. §§6018.608 and 6018.610(7). This condition in no way limits any other powers granted under the Solid Waste Management Act.
16. Failure of the 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 permit, for any reason, shall be grounds for the revocation or suspension of the permittee's approval to operate under this permit.
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17. All 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 to be obtained if it is deemed necessary to prevent harm or the threat of harm to public health or the environment.
18. Any waste generated from the processing and conversion activities authorized by this general permit shall be managed in accordance with the Solid Waste Management Act and the regulations promulgated thereunder.
19. All activities conducted under the authorization granted in this permit shall be conducted in accordance with this permit and the permittee's application, except to the extent that the permit application conflicts with the regulations or governing statutes.

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20. Any independent contractors or agents retained by the permittee in the completion of processing and conversion activities authorized under this permit shall be subject to compliance history review by the Department prior to performance of activities, as specified by the Solid Waste Management Act.
21. A Preparedness, Prevention and Contingency (PPC) plan that is consistent with the most recent edition of the Department's "Guidelines for the Development and Implementation of Environmental Emergency Response Plans" shall be developed and maintained at the facility. The PPC plan shall be updated at least every five years. The permittee shall immediately implement the applicable provisions of the PPC plan for any emergency that affects or threatens public health, safety, welfare, or the environment.
22. Upon cessation of operations at the facility operating under the authorization granted in this permit, the operator shall clean or remove any waste and structures or other materials that contain or have been contaminated with waste and shall provide for the processing and disposal of the waste or material in accordance with the Solid Waste Management Act, other environmental protection acts and the regulations promulgated thereunder.
23. A person or municipality that plans to continue the operations authorized under this general permit, after the expiration date indicated on the permit approval cover page, shall file a complete application for permit renewal at least 180 days before the expiration date of this general permit unless permission has been granted by the Department for submission at a later date. The renewal application shall be made using the "Form 20 (Application for a Municipal or Residual Waste General Permit)". In the event that a timely and complete application for renewal has been submitted and the Department is unable, through no fault of the permittee, to reissue the general permit or approval for coverage before its current coverage expiration date, the terms and conditions of the approved coverage will automatically continue and will remain fully effective and enforceable pending the issuance or denial of the renewal for permit coverage, provided the permittee is and has been operating in compliance with the terms and conditions of the general permit.

D. Recordkeeping

1. Persons operating under this general permit shall record and maintain the following information at the waste processing and conversion facility:
 - a. Daily records that identify the weight or volume and origin of incoming waste.
 - b. Daily records that identify the weight or volume of outgoing waste or manufactured fuel product and the name and address of persons taking the manufactured fuel product from the facility.
2. All records required in this general permit shall be maintained on-site for the life of the facility and shall be made available to the Department upon request.

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E. Reporting:

1. Any person who operates under the provisions of this permit shall immediately notify, in writing, the Solid Waste Manager of the appropriate Regional Office of the Department (address in attached list) of any changes in the following:
 - a. the name, address, owners, operators, and/or responsible officials of the company;
 - b. the location of waste processing and conversion facilities;
 - c. land ownership and the right to enter and operate sites operated by the permittee;
 - d. the physical or chemical characteristics of the manufactured fuel product;
 - e. the generator of the waste;
 - f. the bonding status of the facilities authorized by this permit; and
 - g. the status of any permit issued by the Department or federal government under the environmental protection acts.

2. The permittee shall immediately notify the Department's Emergency Hotline by telephone at 800-541-2050 and the appropriate DEP regional office in the event of a discharge or spill of waste or manufactured fuel product, and shall take appropriate immediate action to protect the health and safety of the public and the environment.

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**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