



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

## GENERAL PERMIT WMGR096

**Issued: June 28, 2022**

**Expires: June 28, 2027**

## **GENERAL PERMIT WMGR096 BENEFICIAL USE OF REGULATED FILL**

### **A. Description:**

This general permit authorizes the beneficial use of regulated fill, as the term is defined in the Department's Management of Fill Policy (MoFP), Document No. 258-2182-773, as a construction material when moved to a receiving site for use in a construction project. Regulated fill may only be moved to a receiving site, as the term is defined in the MoFP, that meets the following criteria:

1. The site is approved for construction.
2. The site is zoned and used exclusively for commercial and industrial uses, or if un-zoned, is exclusively used for commercial and industrial uses.

Regulated fill may not be moved to a receiving site that is zoned for residential uses (including parks, playgrounds, nursing homes, childcare facilities, schools or other residential-style facilities or recreation areas). Regulated fill does not include fill that has been blended, mixed or treated with the purpose of meeting the definition of "regulated fill" and that without being blended, mixed or treated would fail to meet the regulated fill concentration limits, as the term is defined in MoFP.

This permit does not apply to mine land reclamation activities subject to a permit or regulated fill used within the same project area or project right-of-way. Excavation, movement, or reuse of regulated fill within a project area or right-of-way of a project is not an activity that requires a SWMA permit. Regulated fill may not be used outside of a project area or right-of-way of a project unless a permit has been issued to the person using the regulated fill. This general permit does not apply to regulated fill that has been determined to be regulated fill or authorized for beneficial use under this general permit prior to the effective date of this general permit unless the regulated fill is moved to a new receiving site or off the project area or project right-of-way after the effective date of this general permit. This general permit does not apply to regulated fill that has been determined to be regulated fill prior to the implementation of revised regulated fill concentration limits, unless the regulated fill is moved to a new receiving site or off the project area or project right-of-way after the effective date of the revised limits.

### **B. Definitions:**

This general permit functions as a companion document to the MoFP, and in addition to the following defined terms, the terms already defined in the MoFP are incorporated here by reference. The following terms, when used in this permit, have the following meanings:

*Approved for Construction* – A receiving site is demonstrated to be approved for construction when the following criteria have been satisfied:

1. An appropriate representative of the municipality or county where the receiving site is located has issued approval of a preliminary or final subdivision and land development plan for the development of the site, which may include conditions of approval that would require the permittee to obtain other necessary local or state permits or approvals, such as a permit under the National Pollutant Discharge Elimination System or a permit for earth disturbance activities.
2. If the municipality or county where the receiving site is located does not have subdivision and land development regulations in effect, the permittee must obtain other necessary local or state permits or approvals, such as a permit under the National Pollutant Discharge Elimination

System or a permit for earth disturbance activities, and a valid permit or approval issued by the municipality or county demonstrating one of the following:

- a. The applicant is authorized to place regulated fill at the receiving site and conduct subsequent construction activities for development of the site;
- b. The municipality or county has reviewed the proposed regulated fill placement activities and subsequent construction activities for development of the site and issued a zoning consistency letter confirming that the applicant's proposed use of regulated fill and subsequent site development is consistent with the municipality's zoning code; or
- c. The municipality or county has reviewed the proposed regulated fill placement activities and subsequent construction activities for development of the site and issues a letter of support.

*Construction material* – The engineered use of regulated fill as a substitute for a raw material or a commercial product in a construction activity if the regulated fill has the same engineering characteristics as the raw material or commercial product for which it is replacing. The term includes the use of regulated fill as a road-bed material, for pipe bedding and in similar operations. The term does not include valley fills, the use of regulated fill to fill open pits from coal or other fills, or the use of regulated fill solely to level an area or bring the area to grade when a construction activity is not completed promptly after the placement of the regulated fill.

*Earth disturbance activity* – A construction or other human activity which disturbs the surface of the land, including land clearing and grubbing, grading, excavations, embankments, land development, road maintenance activities, oil and gas activities, well drilling, mineral extraction, and the moving, depositing, stockpiling, or storing of soil, rock, or earth materials.

*Promptly (regarding the timeframe by which construction activities must occur on a receiving site where regulated fill is placed)* – Construction that begins within one-year following the completion of regulated fill placement at the receiving site, unless the permittee provides adequate justification to DEP for a longer timeframe, and the longer timeframe is authorized, in writing, by DEP.

### **C. Determination of Applicability Requirements:**

A person or municipality that proposes to beneficially use regulated fill by operating under the terms and conditions of this general permit after the date of permit issuance must apply for and obtain a "Determination of Applicability" ("DOA") from the appropriate Department of Environmental Protection (Department, or DEP) Regional Office (see attached list) prior to commencing authorized activities under this general permit. The Department recommends conducting a pre-application meeting with the appropriate Regional Office prior to submitting an application. Additional forms and information required will be determined at this meeting. No activities shall commence unless approved, in writing, by the Department. At a minimum, a complete application shall include the following:

1. General Information Form (Authorization Application for a Residual or Municipal Waste General Permit Application).
2. Form B (Professional Certification).
3. Form B1 (Application for Certification).
4. Form E-GP (Consent of Landowner).

5. Form HW-C (Compliance History).
6. Form L (Contingency Plan).
7. Form 20RF (Application for a Municipal or Residual Waste General Permit).
8. Form 27R (Acceptance of General Permit Conditions).
9. An application fee in the amount identified in Section B (Fee) of Form 20RF, made payable to the "Commonwealth of Pennsylvania."
10. Names, addresses, and locations of known or potential donor sites of regulated fill and estimates of the weights or volumes of regulated fill at the donor sites.
11. Proof that the beneficial use management activities are consistent with the general permit, and documentation, including laboratory analytical results, and certification by the applicant that the regulated fill meets the conditions of this general permit.
12. A detailed description of the proposed construction activity at the receiving site and the intended use of the site including:
  - a. An explanation of how regulated fill will be beneficially used as construction material;
  - b. The engineering properties required for the construction project and the plan to ensure that, with the placement of regulated fill, these properties are met;
  - c. A schedule for the completion of placement of regulated fill at the site; and
  - d. A demonstration that the site meets the definition of "approved for construction." Permittees authorized under WMGR096 prior to **[Editor's Note: insert date that revisions to WMGR096 are finalized]**, will have one year **[Editor's Note: insert date that is one year from the date that revisions to WMGR096 are finalized]** to satisfy the requirements for demonstrating that their operation has met the definition of being approved for construction. This time frame may be extended if the permittee provides an adequate justification, in writing, for a longer timeframe and DEP authorizes the longer timeframe, in writing.
13. If the size of the receiving site is greater than or equal to one acre, proof that a Pennsylvania Natural Diversity Inventory (PNDI) review at the site has been completed. This review should be in accordance with the Department's "Policy for Pennsylvania Natural Diversity Inventory Coordination During Permit Review and Evaluation" (Jan. 18, 2003), Document No. 400-0200-001, and all known occurrences must be resolved with the jurisdictional agency. If a PNDI review has been completed at the receiving site under another Department program, the report of that review and approval may be submitted to the Department to satisfy this permit application requirement.
14. Proof that copies of the DOA have been submitted, a minimum of 30 days prior to initiating operations, to each municipality, county, county planning agency and county health department in which the receiving site is located.
15. A Waste Transportation Safety Plan that includes, at a minimum, standard operating procedures designed to dis-incentivize overweight trucks and identify designated truck routes, and how such plans will be implemented.

16. For activities authorized under this general permit that are proposed to last for longer than 1-year in duration, proof that traffic impacts for the operation have been adequately assessed. As part of the assessment, the applicant shall consult with the municipality in which the receiving site is located, along with neighboring municipalities (including municipalities along approach route(s) from limited access highways) and the Pennsylvania Department of Transportation (PennDOT), regarding appropriate transportation routes, and provide documentation that shows the consultation occurred. The assessment shall:

- a. Identify all streets and roads which are proposed to be utilized for means of access to and from the site, including the projected volume of traffic that is expected to be generated in relation to the projected daily volume of waste transported to the site;
- b. Describe how anticipated traffic on the streets and roads that are proposed for utilization will not create traffic congestion, hazardous traffic conditions, or excessive traffic volumes; and
- c. Describe how adequate considerations has been given to traffic safety and road capacities for the routes that will be used for vehicles coming to and departing from the site.

For existing permittees who intend to operate beyond **[Editor's Note: insert date 1-year from the date that revisions to WMGR096 are finalized]**, proof that traffic impacts for the operation have been adequately assessed in accordance with this condition, and proof of consultation with the municipality in which the receiving site is located, neighboring municipalities (including municipalities along approach route(s) from limited access highways) and PennDOT, shall be provided to the appropriate Department Regional Office by **[Editor's Note: insert date 6-months from the date that revisions to WMGR096 are finalized]**.

#### D. Operating Conditions:

1. Regulated fill may be beneficially used at the permitted receiving site provided all the following criteria are met:
  - a. Concentrations of regulated substances do not exceed the regulated fill concentration limits (RFCL).
  - b. For construction projects, the structural load specifications for the regulated fill are met. The regulated fill shall satisfy the engineering requirements and the specifications for the construction project. At a minimum, the permittee shall document the final engineering design of the project and the calculations of the maximum load bearing capacity for the regulated fill. Where regulated fill is used under a project contract, the contract must specify the engineering qualities and characteristics of the regulated fill that must be met for completion of the job or project. The purpose of this information is to demonstrate that the construction/development occurring after regulated fill placement is legitimate and is being considered during filling operations so that the final construction activity can safely occur on the site.
  - c. The permittee tracks and documents the placement location for each source of regulated fill placed at the receiving site.
  - d. In construction of a sub-grade, a sub-base or use as a roadway construction material, regulated fill must comply with the requirements of the Pennsylvania Department of Transportation (PennDOT) specifications as outlined in their Publication No. 408

- e. (Specifications). For non-PennDOT uses, regulated fill must comply with applicable standards or requirements for the intended use.
  - f. Upon completion of regulated fill placement at the receiving site, the permittee shall immediately notify the Department of the date that regulated fill placement was completed and provide the Department with a copy of the approved plan or construction permit issued by the applicable state, county or municipal authority that has jurisdiction for the property that shows that the property is approved for construction.
  - g. The permittee begins construction promptly, as the term is defined in this general permit, after the completion of regulated fill placement at the receiving site, unless the permittee provides an adequate justification, in writing, for a longer timeframe and DEP authorizes the longer timeframe, in writing.
2. Regulated fill containing concentrations of regulated substances that exceed the RFCLs may not be moved under the provisions of this general permit and must be managed as a residual waste in accordance with the residual waste regulations, unless a successful background demonstration and equivalent site evaluation is performed in accordance with the MoFP. The background demonstration and equivalent site evaluation must show that 1) any exceedance is due to background at the donor site; 2) no new regulated substance is placed on the receiving site other than a regulated substance already determined to be present; and 3) the concentration(s) of regulated substance(s) in the donor fill has been compared to the concentration(s) of the same regulated substance(s) at the receiving site in accordance with Appendix A of the MoFP.
  3. Regulated fill shall not contain any free liquids based on visual inspection and cannot create a public nuisance (such as an objectionable odor) to users of the receiving site or adjacent properties.
  4. The use of regulated fill must also comply with the fugitive emissions regulations under 25 Pa. Code, Chapter 123 (relating to standards for contaminants) issued under the Air Pollution Control Act, 35 P.S. §4001, and shall comply with all the applicable provisions of 25 Pa. Code §§123.1 and 123.2 (relating to prohibition of certain fugitive emissions and fugitive particulate matter). The use of regulated fill may be regulated under other environmental laws and regulations.
  5. Regulated fill must meet the eligibility criteria as provided in Section B.1 of the MoFP.
  6. The regulated fill shall not be mixed with other types of solid wastes, including hazardous waste, municipal waste, special handling waste, or other residual waste, as the terms are defined in 25 Pa. Code § 287.1, unless otherwise authorized under another permit issued by the Department.
  7. If the placement of the regulated fill will expand beyond the permitted placement area on the same site, the permittee shall apply for a permit modification, in writing, to the appropriate Regional Office by submitting information in accordance with Section C. of this general permit. The application shall include a description of the proposed changes, proof that the proposed expansion area is approved for construction, and the volume necessary to complete this additional construction.
  8. Regulated fill beneficially used in accordance with this general permit shall not be:
    - a. Placed in waters of the Commonwealth.
    - b. Placed in the 100-year floodplain, unless regulated fill is being placed at an Act 2 site (a site as defined in Section 103 of Act 2, 35 P.S. § 6026.103, for which a notice of intent to

- remediate has been submitted to the DEP) provided the placement is in accordance with all other applicable requirements.
- c. Placed within 100 feet of a sinkhole or area draining into a sinkhole.
  - d. Placed within 50 feet of a dwelling, unless the owner has provided a written waiver consenting to the beneficial use being closer than 50 feet.
  - e. Placed within 100 feet of a perennial stream.
  - f. Placed within 300 feet of a water source, unless the owner has provided a written waiver consenting to the beneficial use being closer than 300 feet.
  - g. Placed within 300 feet of an exceptional value wetland, an exceptional value water or a high-quality water.
9. Regulated fill that meets all terms and conditions of this permit and does not exceed the RFCLs shall cease to be waste (“dewasted”) when the regulated fill is placed. If dewasted upon placement and the regulated fill is subsequently excavated and moved beyond the area permitted for regulated fill placement, it must be recertified under the provisions of the Management of Fill Policy and this general permit, and it is subject to applicable requirements for the beneficial use of regulated fill. Regulated fill that is beneficially used under this general permit and then subsequently excavated and moved beyond the area permitted for regulated fill placement or to another receiving site shall require the permittee or new user of the regulated fill to apply for and obtain modified or new coverage under this general permit. A new receiving site must obtain coverage under this general permit in order to receive regulated fill for placement.
10. Upon completion of earth disturbance activities or any stages or phases of activity at the receiving site, the permittee shall meet the site stabilization requirements in 25 Pa. Code § 102.22 (relating to site stabilization).
11. An erosion and sedimentation control plan and stormwater management plan shall be implemented that is consistent with the applicable requirements of The Clean Streams Law and the regulations promulgated thereunder, including 25 Pa. Code, Chapter 102 (relating to erosion and sedimentation control). A copy of the approved stormwater management plan and erosion and sedimentation control plan shall be maintained onsite during construction activities. Applicants must disclose the intended use of regulated fill when submitting an erosion and sedimentation control and stormwater management plans for review, as well as for any approvals or permits sought from municipalities.
12. Prior to beginning operations at the facility, the operator must obtain all necessary storm water management permits.
13. The permittee shall develop and implement a Preparedness, Prevention and Contingency (PPC) Plan that is consistent with current Department guidelines.
14. All activities conducted under the authorization granted in this permit shall be conducted in accordance with the permittee’s application. Except to the extent the permit states otherwise, the permittee shall utilize regulated fill as described in the permit application.
15. 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 (SWMA), 35 P.S. §§ 6018.101—6018.1001; and the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, 53 P.S. §§4000.101, et seq.

16. 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 Control Act, the Act of January 8, 1960, P.L. 2119, 35 P.S. §4005, and shall comply with all the applicable provisions of 25 Pa. Code, §§123.1 and 123.2 (relating to prohibition of certain fugitive emissions; and fugitive particulate matter).
17. As a condition of this general permit and of the permittee's authority to conduct the activities authorized by this general 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 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 waste, soils, water, or gases; take photographs; perform measurements, surveys, and other tests; inspect any monitoring equipment; inspect the methods of operation and inspect and/or copy documents, books, and papers required by the Department to be maintained. This permit condition is referenced in accordance with Sections 6018.608 and 6018.610(7) of the SWMA, 35 P.S. §§ 6018.608 and 6018.610(7). This condition in no way limits any other powers granted under the SWMA.
18. Any independent contractors or agents retained by the permittee in the completion of activities authorized under this general permit shall be subject to compliance history review by the Department prior to performance of any activities, as specified by the SWMA.
19. 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 permit, for any reason, shall be grounds for the revocation or suspension of the permittee's approval to operate under this permit.
20. The activities authorized by this general permit shall not harm or present a threat of harm to the health, safety, or welfare of the people or environment of this Commonwealth. The Department may:
  - a. Modify, suspend, revoke, or reissue the authorization granted in this general permit if the permittee does not comply with the conditions of this general permit or applicable laws and regulations, or if the authorized activities are not 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 the health, safety, or welfare of the public or the environment.
21. The permittee shall comply with the terms and conditions of this general permit and with the environmental protection acts to the same extent as if the activities were covered by an individual permit. The Department may require an individual permit to be obtained if the permittee cannot comply with the conditions of this general permit or is conducting an activity that harms or presents a threat of harm to the health, safety, or welfare of the public or the environment of this Commonwealth.
22. This permit does not authorize and shall not be construed as an approval to discharge any waste, wastewater, or runoff from the site of processing to the land or waters of the Commonwealth.
23. The permittee shall maintain in force and affect a general liability insurance policy in accordance with 25 Pa. Code, Chapter 287, Subchapter E (relating to bonding and insurance requirements) to provide continuous coverage during operation of the facility and until the permittee submits a completed Form 19R (Certification of Facility Construction Activity) to the Department, and the Department reviews and approves the completed Form.



24. Equipment used for the storage of regulated fill shall be maintained in good operating condition. Daily inspections of each storage area and surrounding environs shall be conducted to determine compliance of the terms and conditions of this general permit and for evidence of failure.
25. Storage of regulated fill by the permittee shall be in a manner that complies with the requirements set forth in 25 Pa. Code, Chapter 299 (relating to storage and transportation of residual waste).

#### **E. Sampling and Analysis:**

1. Analytical testing required by this general permit shall be performed by a laboratory accredited under the Pennsylvania Environmental Laboratory Accreditation Act, Act of 2002, 27 Pa. C.S.A. §§ 4101-4113.
2. The permittee shall collect representative samples of the regulated fill and determine compliance with the RFCLs. Samples shall be collected and analyzed in accordance with Appendix A of the Management of Fill Policy.
3. Regulated fill containing a concentration of total PCBs greater than 2 ppm may be subject to regulation under the Toxic Substances Control Act (TSCA), 15 U.S.C. Section 2601 et seq., and 40 C.F.R. Part 761, which is administered and implemented by the Environmental Protection Agency (EPA). EPA's TSCA requirements are independent of any use of regulated fill that is otherwise in accordance with the Department's policy and regulations. An applicant should be aware that its characterization and handling of any soils through the guidance of the Management of Fill policy does not necessarily satisfy a potential EPA TSCA inquiry, and that an applicant may need a separate approval from EPA should EPA require it. For all such material, DEP recommends that you contact the PCB Coordinator for EPA Region 3 by email at [R3\\_PCB\\_Coor@epa.gov](mailto:R3_PCB_Coor@epa.gov) to determine whether PCB-containing regulated fill may be used and to obtain information relating to the associated EPA procedures for collecting and analyzing samples.
4. The permittee shall conduct more frequent testing if variability in the quality of the regulated fill is indicated through visual observation or analytical testing during the production of the regulated fill.
5. If new sources of regulated fill from a new or existing donor site are to be used at an approved beneficial use location, the permittee shall do the following:
  - a. Perform "environmental due diligence" in accordance with the MoFP as the term is defined in the MoFP and collect and analyze a representative sample of the regulated fill in accordance with the MoFP to determine compliance with this general permit.
  - b. Submit a request to the Department by providing the following information:
    - i. The name, address, and location of the regulated fill donor site, as well as an estimated weight or volume of the regulated fill at the donor site.
    - ii. Documentation, including laboratory analytical results, and certification by the permittee that the regulated fill meets the conditions of this general permit and guidance provided in the MoFP.
  - c. The permittee must certify that the information contained in the new source submittal is true and correct by including a statement that precedes a signature stating "I, the undersigned, certify under penalty of law (18 Pa. C.S.A. §4904) that the information provided is true and correct to the best of my knowledge, information and belief."

- d. The permittee may commence beneficial use of the new source of regulated fill after fifteen (15) business days from the date the new source submittal was received, unless otherwise notified by the Department that the submittal is deficient or that additional information is required. If it is determined after the fifteen (15) business day period that the regulated fill was not consistent with the conditions of this general permit, the permittee shall be subject to any and all applicable enforcement actions of the SWMA or the Department's rules and regulations promulgated thereunder. The absence of an action by DEP during or after the fifteen-business day timeframe does not constitute an approval or final action of the Department. New source submittals found to be deficient during Department review must be addressed to the satisfaction of the Department prior to acceptance by the receiving site.

#### **F. Recordkeeping:**

1. Daily records of the weight or volume of regulated fill received, the name, address and telephone number of donor sites where the regulated fill originated, the placement locations of each source of fill, approved construction plans, and estimated weights or volumes of regulated fill at the donor sites shall be retained by the permittee for a minimum of five (5) years, onsite and at the permittee's place of business. These records shall be made available to the Department upon request.
2. The permittee shall maintain records of all physical and analytical evaluations conducted in accordance with Section E of this general permit. Records of physical and analytical evaluations must include, at a minimum, the following for each sample:
  - a. The dates of sampling and testing.
  - b. Sampling procedures utilized.
  - c. The name of the individual who collected the sample.
  - d. The volume or weight of the sample.
  - e. Each parameter tested.
  - f. The analytical results.
  - g. The name of the analytical laboratory used.
  - h. The analytical methodologies employed.
3. The permittee shall also maintain records of all spills or releases of one (1) ton or greater that include, at a minimum, the following: the location, date, time, identification and quantity of spilled or released material, and a description of how the regulated fill or other waste was cleaned up. These records shall be retained by the permittee, for a minimum of five (5) years, onsite and at the permittee's place of business and shall be made available to the Department upon request.

#### **G. Reporting Requirements:**

1. After initial coverage under this general permit has been issued, but prior to commencing activities authorized under this general permit, the permittee shall update the recorded deed notice to convey that regulated fill is being utilized on the site and to state that anyone reviewing the recorded deed notice may contact the Department for more information about the site.. The permittee shall provide

2. this initial updated deed notice as part of the first fourth quarter report submitted to the Department as required by Condition G.4 of this general permit.
3. Upon completion of filling activities at the site, the permittee shall update the recorded deed notice to include the exact location of the regulated fill placed on the receiving site, including longitude and latitude descriptions, and shall continue to include language stating that anyone reviewing the recorded deed notice may contact the Department for more information about the site. The location and coordinates shall be made a part of the deed for all future conveyances or transfers of the subject property. The permittee shall provide this final updated deed notice as part of the next fourth quarter report submitted after filling activities at the site have been completed, as required by Condition G.4 of this general permit.
4. The permittee shall immediately notify the Solid Waste Manager at the appropriate Department Regional Office (see attached list) within 30 days, in writing, of any changes in the following:
  - a. The name, address, owners, operators and/or responsible officials of the company.
  - b. Changes in land ownership or the right to operate on the land occupied.
  - c. The compliance status (e.g., violations) of any permit issued by the Department or federal government under the environmental protection acts.
5. Permittees operating under the provisions of this general permit shall submit a quarterly report, by the 20<sup>th</sup> day of each month following the close of each calendar quarter, to the appropriate Department Regional Office (see attached list) for the previous calendar quarter. Quarterly reports must include the following:
  - a. A summary of the weight and volume of regulated fill received from each donor site during each month of the quarter.
  - b. A summary of total volume of regulated fill received at the facility from the date of permit issuance through the end of the quarter being reported as compared to the volume of regulated fill required to complete the construction project.
  - c. The fourth quarter report will serve as the annual report. In addition to the information identified in subparagraphs a and b of this condition, the annual report shall include the following:
    - i. The placement locations of regulated fill beneficially used in the preceding calendar year;
    - ii. The names, addresses and telephone numbers of the donor sites that supplied regulated fill for beneficial use;
    - iii. The date that the regulated fill was generated;
    - iv. The date that the regulated fill was received;
    - v. The weight in tons, or volume, of the regulated fill received; and
    - vi. For the first fourth quarter report after authorized activities have commenced, and the fourth quarter report after filling activities have concluded, proof of an updated recorded deed notice in accordance with Conditions G.1. and G.2., respectively.

6. By March 1<sup>st</sup> of each year, the permittee shall submit to the appropriate Department Regional Office (see attached list) a topographic survey map of the same scale, contour interval and grid system as the original site plans that show the contours at the beginning and the end of the previous calendar year, the completed areas of the site, and areas partially filled but not active during the previous calendar year; the permittee will ensure that they are not exceeding the boundaries of the permitted placement area(s).
7. The permittee shall notify the Solid Waste Manager at the appropriate Department Regional Office (see attached list), within 72 hours of any evidence that the regulated fill does not meet the RFCLs, physical or engineering property requirements in this general permit or that there is a variability in the quality or chemical characteristics of the regulated fill that has been indicated through visual observation or analytical testing of the regulated fill previously approved under a new source submittal.
8. The permittee shall immediately notify the Department's Emergency Hotline at (717) 787-4343 and the appropriate DEP Regional Office in the event of a discharge or spill of regulated fill or other waste and shall take appropriate immediate action to protect the health and safety of the public and the environment. Spills of less than 1 ton need not be reported.

#### **H. Renewal:**

1. A person or municipality that plans to continue operating under this general permit, after the expiration date approved coverage (indicated on the permittee's permit cover page that is provided to the permittee upon issuance of coverage under this general permit), 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 applications shall be submitted to the appropriate DEP Regional Office (see attached list) and include, at a minimum, the following:
  - a. General Information Form (Authorization Application for a Residual or Municipal Waste General Permit Application).
  - b. Form B (Professional Certification).
  - c. Form 20RF (Application for a Municipal or Residual Waste General Permit), which shall include information to show that the construction project is still on schedule.
  - d. Form 27R (Acceptance of General Permit Conditions).
  - e. DOA application fee in the amount identified in Section B (Fee) of the Form 20. A check shall be made payable to the "Commonwealth of Pennsylvania."
2. A copy of the renewal application shall also be sent to the Department's Bureau of Waste Management, Division of Municipal and Residual Waste, Rachel Carson State Office Building, 400 Market Street, P.O. Box 69170, Harrisburg, PA 17106-9170.
3. 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 application for renewal for permit coverage, provided the permittee is, and has been, operating in compliance with the terms and conditions of the general permit.

**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 3<sup>rd</sup> Street - Suite 101  
Williamsport, PA 17701  
Phone: (570) 327 – 3653

- V. Allegheny, Beaver, Cambria, Fayette, Greene, Somerset, Washington, Westmoreland.

**Southwest Regional Office**

400 Waterfront Drive  
Pittsburgh, PA 15222-4745  
Phone: (412) 442 – 4000

- VI. Armstrong, Butler, Clarion, Crawford, Elk, Erie, Forest, Indiana, Jefferson, Lawrence, McKean, Mercer, Venango, Warren.

**Northwest Regional Office**

230 Chestnut Street  
Meadville, PA 16335-3481  
Phone: 814-332-6848