



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

BUREAU OF WASTE MANAGEMENT
DIVISION OF MUNICIPAL and RESIDUAL WASTE
GENERAL PERMIT WMGR130

Beneficial Use of Alternative Fuel from Residual Waste

Issued: July 24, 2023

Expires: July 24, 2033

GENERAL PERMIT NO. WMGR130
BENEFICIAL USE OF ALTERNATIVE FUEL FROM RESIDUAL WASTE

A. Description:

This general permit authorizes the beneficial use of alternative fuels produced during the processing of residual wastes. The processing of residual waste needs to occur at a processing facility permitted under 25 Pa. Code Chapter 297 and be limited to shredding, mixing, and solidification.

B. Registration Requirements:

A person or municipality that proposes to beneficially use alternative fuels under the terms and conditions of this general permit after the date of permit issuance must obtain a registration from the appropriate Department Regional Office (see attached list) prior to commencing authorized activities under this general permit. A completed application on forms provided by the Department must be submitted electronically to the appropriate Department Regional Office. Additionally, the application fee should be submitted to the appropriate Department Regional Office. Checks shall be made payable to the "Commonwealth of Pennsylvania". No activities shall commence unless approved, in writing, by the Department.

C. Operating Conditions:

1. 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 and is used 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.
2. The permittee shall maintain a list of all waste streams received and ultimately included in each shipment of alternative fuel. The permittee shall demonstrate the beneficial contributions of each waste stream to the alternative fuel.
3. The permittee must ensure the waste materials being beneficially used as alternative fuel are not hazardous wastes as defined in the federal definition of hazardous waste in 40 CFR Part 261 § 261.3, as incorporated by reference at 25 Pa. Code § 261a.1.
4. The permittee shall obtain or perform a prequalification analysis, provided by the generator or conducted by the permittee, prior to accepting a shipment of waste from a generator or facility. The prequalification analysis shall consist of a chemical analysis of the waste for antimony, arsenic, barium, beryllium, cadmium, total chromium, cobalt, copper, lead, manganese, mercury, nickel, phosphorus, selenium, silver, thallium, zinc, sulfur, halides, hexavalent chromium, and cyanide-containing compounds and a demonstration that the waste will contribute meaningful heating value to the alternative fuel or a property beneficial to the intended use of the alternative fuel. The prequalification analysis shall be retained for five years after the permittee ceases accepting waste from the generator or until a new prequalification analysis is available for that generator's waste. The prequalification analysis shall be redone at a

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minimum every five (5) years or the permittee shall cease collecting waste from that generator.

5. The alternative fuel must be stored in accordance with 25 Pa. Code, Chapter 299 until marketed in good faith as a valuable commodity. At a minimum:
 - a. The alternative fuel may not be accumulated speculatively prior to use.
 - b. If the alternative fuel is used in place of a traditional fuel, it must be managed in a manner consistent with the traditional fuel or otherwise be adequately contained to prevent releases to the environment.
6. The alternative fuel must contain contaminants at levels equal to or less than the concentrations in the traditional fuels which the combustion unit is designed to burn. Such comparison is to be based on a direct comparison of the contaminant levels in the alternative fuel to the traditional fuel itself.
7. The alternative fuel authorized under the terms and conditions of this general permit shall cease to be a waste if the following requirements are met:
 - a. The alternative fuel produced does not present a greater threat of harm to human health and the environment than the use of an intentionally manufactured product or produced raw material.
 - b. The alternative fuel is sold, traded, distributed, or given away for beneficial use activities authorized under this general permit. This provision applies to the alternative fuel 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 alternative fuel must be comparable to a traditional fuel that the air contamination sources are designed to burn. The fuel must contain contaminants at levels equal to or lower in concentration than those in the traditional fuels used as fuel in an air contamination source.
 - d. The alternative fuel is not abandoned, disposed, or accumulated speculatively as defined in 25 Pa. Code § 287.1 and must be stored in a manner to prevent releases to the environment.
8. Within 15 days of the air quality approval at each end use site, and based upon the information contained within that approval, the permittee shall define the chemical criteria applicable for beneficial use of the alternative fuel material at that beneficial use site. The alternative fuel may be beneficially used if the permittee demonstrates that the alternative fuel produced complies with the requirements for the specified beneficial use by the combustion unit for which the fuel is designed.
9. Equipment used for the storage of the alternative fuel shall be maintained in good operating condition. Daily inspections of each storage area and surrounding environs shall be conducted to determine:

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- a. the risk of fire or explosion,
 - b. dispersal of waste material by wind,
 - c. water erosion is prevented,
 - d. compliance of the terms and conditions of this general permit, and
 - e. for evidence of failure.
10. Upon cessation of permitted operations at the facility, the permittee shall assure remove all wastes and provide for the processing, recycling, beneficial use, or disposal of wastes in accordance with the SWMA, the environmental protection acts and the regulations promulgated thereunder.
 11. 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 materials as described in the permit application.
 12. 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).
 13. 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.
 14. 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.
 15. Any independent contractors or agents retained by the permittee in the completion of activities authorized under this general permit shall be subject to

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compliance history review by the Department prior to performance of any activities, as specified by the SWMA.

16. 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.
17. 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 modify, suspend, revoke, and reissue the authorization granted in this general permit if it deems necessary to prevent harm or the threat of harm to the public health, and the environment or if they cannot be adequately regulated under the conditions of this general permit.
18. The permittee shall comply with the terms and conditions of this general permit and with the environmental protection acts to the same extent as if the activities were covered by an individual permit. The Department may require an individual permit be obtained if the permittee cannot comply with the conditions of this general permit or is conducting an activity that harms or presents a threat of harm to the health, safety, or welfare of the public or the environment of this Commonwealth.
19. 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.
20. Best Management Practices shall be implemented to divert storm water run-on from the storage area. Storm water runoff shall be managed in accordance with The Clean Streams Law and regulations promulgated thereunder. Prior to beginning operations at the facility, the operator must obtain all necessary storm water management permits.
21. 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 Department issues a final closure certification.
22. Storage of the alternative fuel 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).
23. The alternative fuel 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.
24. 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.

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D. Recordkeeping:

1. The permittee shall maintain records of all analytical evaluations conducted in accordance with this permit, and records shall be made available to the Department upon request. Required records shall be retained for a minimum of 5 years. Records of analytical evaluations must include, at a minimum, the following for each sample: the dates of sampling and testing, sampling procedures utilized, name of the individual who collected the sample, the volume or weight of the sample, each parameter tested, the analytical results, the name of the analytical laboratory used, and the analytical methodologies employed.
2. The permittee shall maintain records of all waste accepted by the facility, and records shall be made available to the Department upon request. Required records shall be retained for a minimum of 5 years. Records of each source of incoming waste must include, at a minimum, the following: the name, address, and phone number of each source of incoming waste; the date of receipt; the quantity of waste received; the results of visual observations; and the name, address, and phone number of the destination of each outgoing shipment of waste. The permittee shall also maintain records of spills or releases 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 material was cleaned up. The permittee shall also maintain records of all reports submitted to the Department or to the U.S. Environmental Protection Agency.

E. Reporting Requirements:

1. Any person that operates under the provisions of this permit shall immediately notify the Department via certified mail of any changes in: the company 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 mixture of various waste materials, the manufacturing process which produces the alternative fuel, the status of insurance, compliance status, and the status of any permit issued by the Department or federal government under the environmental protection acts.
2. Persons operating under the provision of this general permit shall submit to the appropriate Department Regional Office (see attached list), an annual report on the beneficial use activities conducted under this permit by March 1 for the preceding calendar year. This report shall include the information required by Condition D(1) and (2) of this general permit.
3. The permittee shall immediately notify the Department's Emergency Hotline by telephone at 800-541-2050 and the waste management program in the appropriate DEP regional office (see attached list) of any accidental spills and shall take appropriate immediate action to protect the health and safety of the public and the environment.

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F. Renewal:

A generator or supplier that plans to continue the operations authorized under this general permit, after the expiration date indicated on the approval for coverage 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 applications shall be submitted electronically to the appropriate DEP Regional Office (see attached list) and include, at a minimum, the following:

1. General Information Form (Authorization Application for a Residual or Municipal Waste General Permit Application),
2. Form B (Professional Certification),
3. Form 20 (Application for a Municipal or Residual Waste General Permit), and
4. Form 27R (Acceptance of General Permit Conditions).

Additionally, a renewal application fee in the amount identified in Section A (General Information) of the Form 20 must be sent to the appropriate Department Regional Office. A check shall be made payable to the "Commonwealth of Pennsylvania."

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.

**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, 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