

SPECIAL CONDITIONS
GENERAL PERMIT NUMBER WMGR132
BENEFICIAL USE OF COAL BED METHANE WATER

Rev. 2/2012

A. Description:

The approval herein granted is limited to the beneficial use of coal bed methane water ("CBM") as coal preparation process water and as an ingredient in flowable structural material for deep mine support structures.

B. Registration Requirements:

A person or municipality that proposes to operate under the terms and conditions of this general permit must register its use with the Department of Environmental Protection at least 30 days prior to commencing beneficial use of coal bed methane water, and provide proof that notification was provided to the municipality and county in which the activities will be conducted. A completed registration form, along with the registration fee in the amount identified on the form must be submitted to the Waste Management Program at the Department's appropriate 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. 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 the coal bed methane water as described in the permit application.
2. The permittee shall comply with the applicable provisions of 25 Pa. Code, Chapter 123 (Standards for Contaminants) issued under the Air Pollution Control Act, 35 P.S. §§ 4001-4005 and shall comply with all applicable provisions of the Fugitive Emissions Sections 123.1, 123.2, and 123.31.
3. 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 Pennsylvania 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.
4. 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

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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 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.

5. 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 Pennsylvania Solid Waste Management Act of 1980.
6. 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.
7. 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.
8. The permittee shall maintain at the permitted facility an updated copy of a Preparedness, Prevention, and Contingency (PPC) Plan for the facility prepared in accordance with the most recent edition of the Department's "Guidelines for the Development and Implementation of Environmental Emergency Response Plans". The PPC Plan shall be updated every 5 years or more frequently as necessary (e.g., if changes in phone numbers, equipment, or regulatory requirements occur).
9. All storage tanks, secondary containment systems, and transfer lines shall be set up and operated in a manner that prevents spills, leaks, and other releases.

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10. Equipment used for the storage and transportation of the waste shall be maintained in good operating condition to prevent the waste from being unintentionally conveyed out of its storage area. Weekly inspections of each storage area and their surrounding environs are to be conducted to confirm stability. The storage and transportation of waste shall be in a manner, which does not create a nuisance or be harmful to the public health, safety, or the environment. Storage and transportation of the residual waste shall comply with the requirements of 25 Pa. Code Chapter 299 (relating to storage and transportation of residual waste).
11. Coal bed methane water that has been beneficially used under the authority of this general permit is not considered a waste as defined in 25 Pa. Code §287.1 when the coal bed methane is beneficially used for its intended purpose as coal preparation process water or an ingredient in flowable structural material for deep mine support structures. The coal bed methane water will be managed as a residual waste until its point of use.
12. The coal bed methane water that is not beneficially used in accordance with this general permit and any other waste generated from the beneficial use activity authorized by this general permit shall be managed properly at a permitted disposal facility unless authorized by the Department, in writing, to do otherwise.
13. The coal bed methane water that is beneficially used under this general permit shall not be mixed with other types of waste materials, including hazardous waste, municipal waste, special handling waste, or other residual waste, unless otherwise approved by the Department in writing.
14. Upon completion of activities authorized by this general permit, the permittee shall remove any remaining waste and any other materials which contain or have been contaminated by the waste 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.

D. Record Keeping:

1. The permittee shall maintain records of the beneficial use of all coal bed methane water as follows:
 - a. For coal bed methane water received by the permittee, the names of the generators and locations where the coal bed methane water is generated, the dates the coal bed methane water is received, and the volumes of coal bed methane water received,

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- b. For coal bed methane water generated by the permittee, the dates, volumes, and locations, including the names of the facilities to which the coal bed methane water is transported for beneficial use.

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, facility managers or operators and responsible officials, land ownership and the right to enter and operate on any land occupied by a facility, the raw source or physical and chemical characteristics of the waste, the manufacturing process which generates the waste, and the change in status of any permit issued to the permittee 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 waste management program in the event of a discharge or any spill of coal bed methane water generated or processed in a quantity capable of reaching surface water, and shall take appropriate action to protect the health and safety of the public and the environment.

F. Permit Renewal:

1. A person or municipality 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 application shall be made using the "Form 20 (Application For a Municipal or Residual Waste General Permit)".
2. 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 under 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.

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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) 826-2511

- 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