

GENERAL PERMIT NO. WMGR140
BENEFICIAL USE OF WASTEWATER TREATMENT PLANT SLUDGE AND FILTER CAKE

A. Description:

The approval herein granted is limited to the beneficial use of the sludge and filter cake from a Department permitted industrial wastewater treatment facility, treating wastewater from a textile dyeing and finishing plant, for use as a soil additive and soil conditioner. Under this permit, the sludge and filter cake are approved for use as a soil additive or soil conditioner only on the land bonded under a mining permit issued by the Department's Bureau of Mining and Reclamation, and must be used and applied in accordance with the site reclamation plan approved for that site by the Department's Mining Program Permit.

B. Determination of Applicability Requirements:

A person or municipality that proposed 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) prior to commencing authorized activities under this general permit. A completed (i) General Information Form (Authorization Application for a Residual or Municipal Waste General Permit Application), (ii) Form B (Professional Certification), (iii) Form 20 (Application for a Municipal or Residual Waste General Permit), (iv) Form 27R (Acceptance of General Permit Conditions), (v) Form HW-C (Compliance History), and (vi) a DOA application fee in the amount identified in Section A (General Information) of the Form 20 must be submitted to the appropriate Department Regional Office. A check 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 processed material as described in the permit application.
2. The permittee shall comply with the fugitive emissions regulations under Title 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 Sections 123.1 and 123.2.
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

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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 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. Equipment used by the permittee for the storage, processing and beneficial use of the sludge or filter cake shall be maintained in good operating condition. Daily inspections of the equipment used to handle and store the sludge and filter cake are to be made to ensure the equipment operates properly, and then examined for evidence of failure.
7. Failure of the permittee to comply with the applicable laws, rules, and regulations and terms of this permit, for any reason, shall be ground for the revocation or suspension of the permittee's approval to conditions of this permit, or of the measures herein approved to perform as intended or operate under this permit.
8. 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.
9. All waste stored at the facility shall be managed in accordance with Chapter 299 of the residual waste regulations. Materials stored at the facility shall be stored in a manner that prevents harborage or breeding of vectors or creation of odor, litter and other nuisances that may be harmful to public health, safety, welfare, or the environment and shall not be accumulated speculatively.
10. The permittee shall comply with the terms and conditions, which includes Appendix A, 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

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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.

11. The sludge and filter cake may be used as a soil additive or soil conditioner provided none of the limits for the parameters listed in Table 1 below are exceeded in the sludge or filter cake. This determination shall be based on a “leaching” analysis (mg/L) of a representative sample of the sludge and filter cake, and must be conducted using the Toxicity Characteristic Leaching Procedure (EPA Method 1311) or the Synthetic Precipitation Leaching Procedure (EPA Method 1312).

Table 1	
Parameter	Leachable Levels (mg/L)⁽¹⁾
Arsenic	0.25
Cadmium	0.125
Chromium	2.5
Copper	25
Lead	0.375
Mercury	0.05
Molybdenum	4.375
Nickel	2.5
pH (range)	7.0 to 12.5 (pH units)
Selenium	0.5
Zinc	50

- (1) The above determinations may be based upon the 90 percent upper confidence level using “*Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*” (EPA SW-846) as guidance for statistical treatment of data.

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12. The sludge and filter cake may be used as a soil additive or soil condition provided the following cumulative pollutant loading rates (maximum amount of pollutants that may be in the soil) are not exceeded.

Table 2	
Parameter	Cumulative Loading Rates (lbs/acre)
Arsenic	36
Cadmium	34
Chromium	2672
Copper	1320
Lead	264
Mercury	15
Molybdenum	16
Nickel	370
Selenium	88
Zinc	2464

13. The analyses required by Conditions C.11 and C.12 shall be performed by a laboratory accredited under the Environmental Laboratory Accreditation Act, 27 Pa. C.S.A. §§ 4101-4113.
14. The permittee shall provide a copy of Appendix A to each person or municipality which purchases or obtains sludge or filter cake directly from the permittee for the beneficial use purposes approved under the provisions of this general permit. The names and addresses of each recipient of the sludge or filter cake and the amounts provided by the permittee are to be recorded and submitted in the annual report required in Condition E.3.
15. The permittee shall provide a copy of Appendix A to each person or municipality which purchases or obtains sludge or filter cake directly from the permittee for the beneficial use purposes approved under the provisions of this general permit. The names, and addresses of each recipient of the sludge or filter cake and the amounts provided by the permittee are to be recorded and submitted in the annual report required in Condition E.3.

D. Record Keeping:

Records of all analytical evaluations conducted on the sludge or filter cake pursuant to the residual waste regulations shall be retained by the permittee at the permittee's place of business and shall be available to the Department for inspection. At a minimum, these records are to include information on: the dates of testing, each parameter tested, the results, the laboratory, sampling procedures, analytical methodologies, and person collecting the sample. This waste analysis information shall be retrained by the permittee for a minimum of 5 years after the analyses were performed.

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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, the generator(s) or process which generates the sludge or filter cake, the physical or chemical characteristics of the sludge or filter cake, the location where the sludge or filter cake is applied, the right to enter and operate on land where the sludge and filter cake is stored or applied, and the status of any permit issued by the Department or federal government under the environmental protection acts.
2. For each new source of sludge or filter cake, the permittee shall submit the results of analysis conducted on a representative sample of the sludge or filter cake to the Department for all of the parameters listed in Condition C.11. This submission must be no less than fifteen working days prior to any beneficial use of the sludge or filter cake. The permittee may beneficially use the sludge or filter cake, in accordance with the conditions of the permit, after the aforementioned fifteen day period unless otherwise notified by the Department.
3. The permittee shall submit to the appropriate regional office of the Department's Bureau of Waste Management an annual report that summarizes the information outlined in Conditions E.1, E.2, and C.11, and C.12 and identifies the location of all sites where the sludge or filter cake is applied, by the permittee, during the past 12 months. For sludge or filter cake applied by the permittee, the annual report shall include information on the amount (weight or volume) of sludge or filter cake applied, the general location and number of acres to which the sludge or filter cake is applied, the application rate, and the date(s) the waste was applied to each site. The annual report, due on the anniversary date of this permits' issuance, must also include the results of chemical analysis on samples of the sludge or filter cake which are collected and tested monthly for all the parameters listed in Condition C.11.
4. 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 any accidental spills of the sludge or filter cake in excess of 1000 pounds and shall take appropriate immediate action to protect the health and safety of the public and the environment.

F. Renewal:

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

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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.