



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

## BUREAU OF WASTE MANAGEMENT

### DIVISION OF MUNICIPAL and RESIDUAL WASTE

#### GENERAL PERMIT WMGR146

BENEFICIAL USE OF A FUEL PRODUCT DERIVED FROM  
COMPONENTS OF NON-HAZARDOUS, NON-PUTRESCIBLE  
CONSTRUCTION/DEMOLITION WASTE AND RESIDUAL WASTE  
THAT QUALIFIES AS A COPRODUCT

**Issued: November 22, 2024**

**Expires: November 22, 2025**

GENERAL PERMIT NO. WMG146  
BENEFICIAL USE OF FUEL PRODUCT

**A. Description:**

This general permit authorizes the beneficial use of a fuel product produced from components of non-hazardous, non-putrescible construction/demolition waste, and residual waste that qualifies as a coproduct where each component of the residual waste contributes to the beneficial use of the fuel product.

**B. Determination of Applicability Requirements:**

A person or municipality that proposes to beneficially use fuel 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 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 fuel product produced for beneficial use must have a thermal heat value of equal to or greater than 5,000 BTU/lb. Beneficial use of the fuel product at a facility or an industry must be permitted or approved by the appropriate Air Quality Program of the Regional Office.
2. The fuel product produced for beneficial use must not contain less than 95% by volume combustible solids (not more than 5% may be comprised of mineral, rock, dirt, soil, wallboard, gypsum, plaster, masonry, brick, concrete, tile, ceramic, metal, glass).
3. All friable and non-friable asbestos of any kind must be removed from the waste prior to the production of the fuel product for beneficial use.
4. The fuel product must contain contaminants at levels comparable in concentration to or lower than those 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 fuel product to the traditional fuel itself.
5. The activities authorized by this permit shall not cause or allow conditions that are harmful to the environment, public health or safety, including but not limited to, odors, noise, or other public nuisances. The permittee shall not cause or allow the attraction, harborage, or breeding of vectors.

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6. Fuel product shall be stored under a permanent roof, either in currently existing buildings or buildings to be constructed, or contained inside a structure with a canvas roof, provided the integrity of the canvas roof is maintained at all times.
7. Equipment used for the storage and transportation of the fuel product shall be maintained in good operating condition to prevent the fuel product from being unintentionally conveyed out of the storage areas. Daily inspections of each storage area and their surrounding environs are to be conducted to determine (i) the risk of fire or explosion, (ii) dispersal of fuel product by wind, (iii) water erosion is prevented, (iv) compliance of the terms and conditions of this general permit, and (v) for evidence of failure.
8. The fuel product authorized under the terms and conditions of this general permit shall cease to be a waste when used by a permitted facility if the following requirements are met:
  - a. The fuel product is not accumulated speculatively.
  - b. The fuel product is not abandoned or disposed.
  - c. The fuel product is stored in a way to prevent contact with precipitation and storm water.
  - d. The fuel product is burned in an air pollution control device 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.
9. 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.
10. 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).
11. 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.
12. 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

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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.

13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.

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20. 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.

**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 fuel produced, 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 and sent for beneficial use; 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, 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 Conditions D.1. and D.2.
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 permittee 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 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 DEP 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 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