

GENERAL PERMIT WMGR023
PROCESSING OF WASTE OIL FOR BENEFICIAL USE BY THE
GENERATOR

Rev. 11/2015

A. Description:

The approval herein granted is limited to the processing of waste oil (excluding used oil) and unused oil contaminated with water in mobile units or at a stationary facility for the purpose of reconditioning the oil which shall be reused by the generator of the waste oil or unused, contaminated oil. The approved processing is limited to filtration, centrifugation, ultrafiltration, and vacuum distillation.

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), and (v) 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 that the permit states otherwise, the permittee shall operate the facility as described in the approved application.
2. The processed oil shall be examined for contamination by solid particles (“cleanliness”) using the current version of ISO 4406 from the International Organization for Standardization. The cleanliness of the processed oil, as expressed in terms of ISO Solid Contamination Code, shall be in a range acceptable to the customer for the particular use of the oil or 19/16, whichever is lower. Should the ISO Solid Contamination Code fall outside the range acceptable to the customer or above 19/16, the oil shall be processed again to the extent necessary to meet these requirements or be conveyed to a facility permitted to manage this waste.

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3. The permittee shall perform a prequalification analysis prior to processing waste oil from a generator for the first time. The prequalification analysis shall include total halogens, flash point (for oils other than synthetic coolants) and PCBs (for transformer oils or from generators who service transformers). The prequalification analysis shall be retained for one year after the permittee ceases processing waste from the generator or until a new prequalification analysis is available for that generator's waste.
4. Prior to processing waste oil and unused, contaminated oils, the permittee shall visually inspect each container of waste for unusual characteristics, including the number of liquid phases, color, physical state, estimate the oil, water, and solids content using a centrifuge, and determine total halogens. Total halogens need not be determined on waste oil removed directly by the permittee from hydraulic equipment or transformers. For transformer oils or any oil from generators who service transformers, the permittee shall determine PCB concentration prior to processing the oil. The waste oil and unused, contaminated oils shall not be processed, and the permittee shall inform its customer that the waste has been rejected, if one of the following exists: 1) there is more than one liquid phase present, unless only two liquid phases are present which are identified as water and oil; 2) the flashpoint is less than 140°F; 3) the water level exceeds 10 percent; 4) the solids content exceeds 30 percent; 5) the PCBs exceed 50 ppm; or 6) the total halogens exceed 1000 ppm.*
 - * If any waste oil contains more than 1000 ppm total halogens, the presumption that the waste oil was mixed with hazardous waste must be rebutted. The rebuttal shall consist of a demonstration showing that the waste oil does not contain halogenated hazardous waste listed under 40 CFR 261, Subchapter D as incorporated by reference in 25 Pa. Code § 261a. This demonstration may be made by showing that the waste oil does not contain significant concentrations of halogenated hazardous constituents. This rebuttal must be made prior to on-site processing or incorporation of the waste oil with other waste oil in the transportation vehicle. Documentation supporting this demonstration must be retained for five years.
5. The chemical analyses required in this general permit shall be performed by a laboratory that is in compliance with the Pennsylvania Environmental Laboratory Accreditation Act, Act of 2002, No. 90, 27 Pa C.S. §4101 et. seq.
6. The waste oil and unused, contaminated oil shall not be mixed with other types of solid wastes, including hazardous waste, municipal waste, or special handling waste.

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7. 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.
8. The permittee shall comply with the fugitive emissions standards adopted under 25 Pa. Code Sections 123.1 and 123.2.
9. 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, provided that said local law, ordinance, or regulation is not preempted by the Pennsylvania Solid Waste Management Act, 35 P.S. §6018.101 et seq., or the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, 53 P.S. §4000.101 et seq.
10. As a condition of this permit, if the permittee operates non-mobile processing equipment, he shall obtain from all landowners of his place of business where processing activities will occur, on a form provided by the Department, the authority to conduct the activities authorized by this permit and consent to allow authorized employees or agents of the Department to enter the permit area. This authorization and consent shall be obtained prior to the occurrence of processing at this location and be submitted to the Department (see attached list for appropriate address).
11. As a condition of this permit and of the permittee's authority to conduct the activities authorized by this permit, the permittee hereby 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 and to inspect all areas or permittee controlled adjacent areas where solid waste management activities are being or will be conducted. This authorization and consent shall include consent to collect samples of waste, water, or gases; to take photographs; to perform measurements, surveys, and other tests; to 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 or produced. (See Sec. 608 and 610(7) of the Solid Waste Management Act, 35 P.S. Section 6018.608 and 6018.610(7).) This condition in no way limits any other powers granted to the Department under the Solid Waste Management Act, as amended.
12. Failure of the 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

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this permit, for any reason, shall be grounds for the revocation or suspension of the permittee's approval to operate under this permit.

13. Any independent contractors or agents retained by the permittee in the completion of activities authorized under this permit shall be subject to prior compliance history review by the Department as specified by the Pennsylvania Solid Waste Management Act of 1980, as amended.
14. The activities authorized by this 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 or reissue the authorization granted in this permit if it deems necessary to prevent harm or the threat of harm to the public health, or the environment.
15. Equipment used for the processing of waste oil and unused, contaminated oils shall be maintained in good operating condition. Daily inspections of equipment during waste processing activities shall be conducted to ensure that equipment will operate properly and to examine for evidence of equipment failure.
16. The processing of waste oil and unused, contaminated oils shall be in a manner that will not create a nuisance or be harmful to public health, safety, or the environment.
17. The processing unit shall be set up and operated in a manner that prevents spills, leaks, or other releases.
18. If waste oil or unused, contaminated oil is stored in a storage tank(s) at the facility, the storage tanks shall not be located:
 - a. in a 100 year flood plain of water of this Commonwealth.
 - b. within 300 feet measured horizontally from an occupied dwelling unless the owner of the dwelling has provided a written waiver consenting to the facility being closer than 300 feet.
 - c. within 50 feet of a property line unless the permittee demonstrates that the actual processing of waste is not occurring within that distance or the owners of the occupied dwelling has provided a written waiver consenting to the facility being closer than 50 feet.
 - d. within 100 feet of a perennial or intermittent stream, unless storage and processing will not occur within that distance.

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- e. within 300 feet of a water source
 - f. within 4 feet of a seasonal high water table.
 - g. within 300 yards of a park, playground, or building owned by a school district or parochial school used for instructional purposes.
 - h. within 300 feet of an exceptional value wetland.
19. If waste oil or unused, contaminated oil is stored in a storage tank(s) for more than 14 days at the facility prior to being fully processed, the permittee shall maintain a bond in an amount and with sufficient guarantees acceptable to the Department as provided by 25 Pa. Code 287, Subchapter E (Bonding and Insurance Requirements). The bond shall continue in effect for the operational life of the facility, and for up to 10 years after final closure of the facility, unless released in whole or in part by the Department, in writing.
20. 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 if the permittee is not in compliance 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 people or the environment.
21. Processed oil meeting the requirements of Condition C.2 of this general permit and destined for reuse as a substitute for a commercial virgin oil product cease to be waste unless one of the following occurs: 1) the processed oil is spilled, discharged, or otherwise disposed; 2) the processed oil is not used as a substitute for a commercial virgin oil product; 3) the processed oil is not used by the generator of the waste oil or unused, contaminated oil; 4) the processed oil is accumulated speculatively.

D. Record Keeping:

1. The permittee shall maintain records that contain: the name, address, and phone number of each of its customers, the date of processing and quantity of waste oil and unused, contaminated oils processed at each location, and the results of the visual observations, the estimation of oil, water, and solids content, and flashpoint, PCB concentration and cleanliness determinations as required in Conditions C.2, C.3 and C.4 for each batch processed. The permittee shall also maintain records of all spills and releases that contain: location, date, time, identification and quantity of spilled or

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released material, and a description of how the material was cleaned up. These records shall be retained by the permittee at the permittee's place of business for a minimum of 5 years from the date the records were generated.

E. Reporting Requirements:

1. Any person that operates under the provisions of this permit shall immediately notify the Department (see attached list), in writing, of any changes in: the company name, address, owners, operators and responsible officials; the location of any stationary facility; land ownership and the right to enter and operate on any land occupied by a stationary facility; bonding and insurance status; the system and chemicals used to process waste oil and unused, contaminated oils; and the status of any permit issued by the Department or federal government under the environmental protection acts.
2. The permittee shall immediately notify the Department's Emergency Hotline at (717) 787-4343 and the appropriate DEP regional office (see attached list) in the event of a discharge or spill of waste oil and unused, contaminated oils or any residue from processing and shall take appropriate immediate action to protect the health and safety of the public and the environment. Spills of less than 5 gallons of waste oil and unused, contaminated oils need not be immediately reported, but should be recorded as specified in Condition 26. Spills containing any oil capable of reaching surface water must be immediately reported and should be recorded as specified in Condition 26.

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 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)". The renewal shall be sent to the attention of the Department's Bureau of Waste Management, Rachel Carson State Office Building, 400 Market Street, P.O. Box 69170, Harrisburg, PA 17106-9170.

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

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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.