

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT
DIVISION OF MUNICIPAL and RESIDUAL WASTE

GENERAL PERMIT WMGR109

PROCESSING USED OILS, GREASES, FATS AND SIMILAR
MATERIALS FOR THE PRODUCTION OF BIOFUEL,
INCLUDING BIODIESEL

Issued: March 9, 2016
Expires: March 9, 2026

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Rev. 3/2016

A. Description:

The approval herein granted is limited to the processing of used restaurant oil, yellow grease, grease trap waste, oils and animal fat from food processing or rendering plants, waste from ethanol production, soybean soap stock, float grease (from wastewater treatment plants), and off-specification vegetable oils ("oil and grease waste") to produce biofuel, including biodiesel, for beneficial use as fuel. The authorized processing is limited to filtration, deodorization using steam stripping, carbon absorption or other means, heating, decantation, distillation, transesterification, esterification, neutralization, water washing, and polishing using absorbents.

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 or reissue the authorization granted in this general permit if it deems necessary to prevent harm or the threat of harm to the public health, or the environment.

B. Registration Requirements:

All commercial processors that propose to operate under the terms and conditions of this general permit after the date of permit issuance must register its use with the Department of Environmental Protection at least 30 days prior to commencing processing of oil and grease waste and provide proof that notification was provided to the municipality and county, in which the processing activities will be conducted. A completed registration form, along with a registration fee in the amount identified on the registration 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." Persons producing biofuel, including biodiesel, for non-commercial use are not required to register under this general permit unless the Department determines that their activities are causing harm, creating a nuisance or threatening human health, safety, or the environment.

C. Definitions:

Biodiesel – A fuel comprised of mono-alkyl esters of long-chain fatty acids derived from vegetable oils or animal fats, designated B100, and meeting the requirements of ASTM D 6751 or, for biodiesel to be shipped outside the United States, the specification for biodiesel fuel commonly used in the country where it will be shipped for use as fuel or blend stock.

Biofuel – A fuel produced under this general permit, including biodiesel.

Commercial processor – A person, business or other entity in the business of manufacturing biofuel, including biodiesel for sale.

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D. Operating Conditions:

1. A facility operating under this general permit shall not be located:
 - a. within 300 yards of a building owned by a school district or parochial school used for instructional purposes.
 - b. within 300 yards of a park or playground.
 - c. in the 100-year floodplain of waters of this Commonwealth, unless the Department approves in the permit a method of protecting the facility from a 100-year flood consistent with the Flood Plain Management Act (32 P. S. §§ 679.101 - 679.601) and the Dam Safety and Encroachments Act (32 P. S. §§ 693.1 - 693.27).
2. The permittee shall inspect the incoming oil and grease waste to ensure that it is free of hazardous waste or other materials.
3. Oil and grease waste shall not be mixed with other types of solid wastes, including hazardous waste, special handling waste, or residual or municipal waste.
4. Oil and grease waste and residues from processing shall not be accumulated speculatively as defined in 25 Pa. Code § 287.1.
5. The permittee is responsible for the proper storage and management of oil and grease waste to ensure the following:
 - a. storage conditions that may cause the haborage, breeding, or attraction of vectors are prevented and eliminated;
 - b. other measures necessary to minimize and control the presence of vectors are taken;
 - c. if vectors are present, measures necessary to exterminate them are immediately taken;
 - d. odors are controlled and do not cause a nuisance to neighboring properties.
6. Equipment must be inspected and monitored during waste processing activities to ensure that equipment operates properly to prevent spillage or release of oil and grease waste, biofuels, including biodiesel, or other materials resulting from the processing activities.
7. In the event of a spill or release of oil and grease waste, biofuel, including biodiesel, or any other materials resulting from processing, the permittee shall take appropriate immediate action to protect the health and safety of the public and the environment. The following spills and releases of oil and grease waste, biofuel, including biodiesel, or any residue from processing must immediately be reported to the Department's Emergency Hotline at (717) 787-4343 and the appropriate DEP regional office:

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- a. a discharge where the spilled or released amount of oil and grease waste, biofuel, including biodiesel, or any residue from processing exceeds five gallons or,
 - b. a discharge of oil and grease waste, biofuel, including biodiesel, or any residue from processing, regardless of the volume where the discharge may reach surface waters.
8. The permittee shall retain records at the permittee's place of business for a minimum of 5 years from the date the records were generated and shall make them available to the Department for inspection upon request. These records shall contain the source of incoming waste including the name, address, and telephone number of the source, the date of receipt and quantity of waste received.
 9. Any independent contractors or agents retained by the permittee in the completion of activities authorized under this general permit shall be in compliance with all environmental statutes, regulations and orders of the Department.
 10. By registering under this general 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. §§ 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.
 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, provided that said local law, ordinance, or regulation is not preempted by the Pennsylvania Solid Waste Management Act, 35 P.S. §§ 6018.101 – 6018.1003; Municipal Waste Planning, Recycling and Waste Reduction Act, 53 P.S. §§ 4000.101 – 4000.1904; Air Pollution Control Act, 35 P.S. §§ 4001 – 4015, and The Clean Streams Law, 35 P.S. §§ 691.1 – 691.1001.
 12. Failure of the measures herein approved to perform as intended, 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.

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13. Any person that operates under the provisions of this general permit shall immediately notify the Waste Management Program at the Department's appropriate Regional Office via certified mail of any changes in: the company name, address, owners, operators and responsible officials; land ownership and the right to enter and operate on any land occupied by a facility; the system used to process waste; and the status of any permit issued by the Department or federal government under the environmental protection acts.

At least thirty (30) days prior to a permittee operating a processing facility at a new location, two (2) completed copies of the registration form available from the Department's Bureau of Waste Management must be supplied to the Waste Management Program at the Department's appropriate Regional Office. There is no application fee for existing permittees to operate at a new location.

14. 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 if necessary (e.g., if changes in phone numbers, equipment, or regulatory requirements occur).
15. 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.
16. Upon cessation of operations at the facility, the permittee shall comply with any applicable closure requirements in 25 Pa. Code § 297.272.
17. Biofuel produced by the permittee is no longer a waste provided it meets one of the following:
- a. the specification for B100 in ASTM D 6751 (Standard Specification for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels), or
 - b. the specification for biodiesel fuel commonly used in the country where it will be shipped for use as fuel or blend stock, or
 - c. the specification in ASTM D 396 (Standard Specification for Fuel Oils) , or
 - d. the specifications required by the combustion device in which it will be used.

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18. Glycerin produced by the permittee is no longer a waste provided it is not accumulated speculatively pursuant to 25 Pa. Code § 287.1 and meets the specification in ASTM D 1257 (Standard Specification for High-Gravity Glycerin) or is shipped to a manufacturer for conversion into glycerin that will meet the specification in ASTM D 1257. (Note: Any glycerin produced by the permittee and used as is as an ingredient in a manufacturing process, such as in soap or cosmetic production, is not a waste under the definition of "waste" in § 287.1 provided it is not accumulated speculatively.)
19. Biofuels, including biodiesel, and glycerin not meeting the requirements in Conditions D17 or D18 must be managed as waste in accordance with the requirements in 25 Pa. Code Chapters 287 through 299.

E. 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 renewal registration 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 registration shall include a completed registration form along with a registration fee in the amount identified in 25 Pa. Code § 287.626(d) and must be submitted to the appropriate Department Regional Office. A check shall be made payable to the "Commonwealth of Pennsylvania." A copy of the renewal application shall also be sent to the attention of the Department's Bureau of Waste Management, Division of Municipal and Residual Waste, 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 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, 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

