

# SPECIAL CONDITIONS GENERAL PERMIT WMGR111

## A. Description.

This general permit authorizes the processing (mixing or blending) at waste generation or mine sites of: (i) synthetic gypsum from forced oxidation flue gas desulfurization (FGD) systems generated at coal-fired electric power plants, (ii) coal ash, and (iii) approved alkaline agent to produce for beneficial use a stabilized FGD-gypsum material, hereinafter referred to as stabilized FGD-gypsum material, for mine reclamation by placement at active or abandoned mine sites.

## B. Determination of Applicability Requirements.

A person or municipality that proposes to operate under the terms and conditions of this general permit after the date of permit issuance must apply for and 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 Form 20 (Application For A Residual Waste General Permit), along with 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. Checks shall be made payable to the "Commonwealth of Pennsylvania".

## C. Operating Requirements.

1. Physical testing and chemical analysis requirements:
  - a. The pH range of the well-mixed and stabilized FGD-gypsum material shall be between 10.5 – 12.5, in standard units, using EPA method (EPA-9045D) or Standard Method (SM-4500) unless the stabilized FGD-gypsum material is capped as specified in Condition C.5. of this general permit, in which case the pH of the FGD-gypsum material shall be greater than 7.0.
  - b. The chemical concentration of any constituent of the stabilized FGD-gypsum does not exceed its limit, as listed in Table 1 of this Condition below.

**Table 1**<sup>(2)</sup>

**Chemical Concentration Limits  
Stabilized FGD-Gypsum**

<b>Constituents</b>	<b>Leachate<sup>(1)</sup> (mg/L)</b>
Aluminum	5.0
Antimony	0.15
Arsenic	0.25
Barium	50
Beryllium	0.1
Boron	15.0

# SPECIAL CONDITIONS GENERAL PERMIT WMGR111

**Table 1<sup>(2)</sup> (Continued)**

## Chemical Concentration Limits Stabilized FGD-Gypsum

Constituents	Leachate <sup>(1)</sup> (mg/L)
Cadmium	0.125
Chromium (Total)	2.5
Chromium (Hex)	2.5
Chlorides	2,500
Cobalt	17.5
Copper	25
Cyanide (Free)	0.2
Iron	7.5
Lead	0.125
Manganese	2.5
Mercury	0.05
Molybdenum	4.375
Nickel	2.5
Selenium	1
Silver	2.5
Sulfate	2,500
Thallium	0.05
Vanadium	6.5
Zinc	50

The determinations of compliance with Table 1 may be based on the 90 percent upper confidence level for each metal or the 80 percent confidence interval for pH using the Test Methods for Evaluating Solid Waste (EPA SW-846) as guidance for the statistical treatment of data.

- (1) = Leachability evaluations shall be conducted using the Toxicity Characteristic Leaching Procedure (EPA method 1311) or the Synthetic Precipitation Leaching Procedure (EPA method 1312).
  - (2) = There must be at least 8 feet between the lowest area where the stabilized FGD-gypsum material is placed and the seasonal high water table, perched water table or bedrock unless otherwise authorized in writing by the Department.
- c. The permittee shall meet one of the following requirements:
- i. The stabilized FGD-gypsum material shall not be more permeable than  $1 \times 10^{-6}$  cm/sec within 56 days, based on laboratory testing, using the ASTM D5084 method, or other testing method approved by the Department, in writing; or

## **SPECIAL CONDITIONS GENERAL PERMIT WMGR111**

- ii. The stabilized FGD-gypsum material shall, upon setting, be at least one order of magnitude less permeable than barrier fill material required to be established between the placement area and a coal outcrop, high wall or low wall and drainage sump areas, based on a field testing method approved in writing by the Department. At sites where barrier fill materials are not required (e.g., coal refuse disposal sites), the stabilized FGD-gypsum material shall be protected from contact with ground and/or surface water, to the maximum extent possible, by placing surface diversions, collection ditches, and/or underdrains to collect such water and divert it away from the placement area. Surface diversions shall be constructed out of materials that are not susceptible to erosion and dissolution. Either an interim or a final cap shall be placed and graded over the stabilized FGD-gypsum material as specified in Condition C.5. of this general permit.
  
- d. The stabilized FGD-gypsum material shall achieve, upon setting, a minimum unconfined compressive strength, based on a field-testing, of 40 pounds per square inch (psi) by ASTM D1633.
  
- 2. The beneficial use of stabilized FGD-gypsum material, for mine reclamation purposes, shall be at least eight (8) feet to the regional groundwater level, and either (i) approved by the appropriate Department's District Mining Office as a mine permit amendment or as part of a mine permit application, or (ii) performed under a contract with the Department. Written approvals from the Department's District Mining Office must be received prior to any processing and/or beneficial use activities being conducted under the authorization of this general permit.
  
- 3. In the production of stabilized FGD-gypsum material:
  - a. The FGD-gypsum, coal ash and alkaline agent shall be uniformly mixed by processing equipment such as pug mill, double auger, etc.
  - b. An equivalent mixing method may be used if it is approved by either the Department's: (i) Bureau of Waste Management, or (ii) District Mining Office.
  
- 4. The beneficial use of stabilized FGD-gypsum material, for mine reclamation purposes, shall be as follows:
  - a. The stabilized FGD-gypsum material shall be uniformly placed and compacted in horizontal layers not exceeding eighteen (18) inches in thickness, or by an alternate method approved in writing by the Department, to achieve (i) the permeability as specified in Condition C.1.c., and (ii) upon setting, the minimum unconfined compressive strength as specified in Condition C.1.d. of this general permit.
  - b. The stabilized FGD-gypsum material shall not be placed where the slope is greater than 2.5 horizontal to 1.0 vertical, unless otherwise approved by the Department.

## SPECIAL CONDITIONS GENERAL PERMIT WMGR111

- c. The working surface the placement area shall be graded to promote positive drainage and minimize filtration. The final lift of the stabilized FGD-gypsum material shall have a minimum three percent (3%) slope.
  
- 5.
  - a. Interim cap – Except as provided in Condition C.5.b. below, an interim temporary cap, shall be placed on the FGD-gypsum material if the permittee does not intend to place an additional FGD-gypsum material for a time period of more than six months.
  
  - b. Final cap – A final permanent cap shall be placed and graded over the stabilized FGD-gypsum material and any required barrier fill material within one year of reaching final grade, unless the stabilized FGD-gypsum material is less permeable than  $1 \times 10^{-6}$  cm/sec.
  
  - c. The interim and final cap shall meet the following requirements:
    - i. The interim cap shall not be more permeable than  $1 \times 10^{-6}$  cm/sec and the permittee must demonstrate how the proposed cap material will meet the permeability requirement prior to placement.
  
    - ii.
      - 1. The final cap shall be covered with a drainage layer and a minimum of four (4) feet of soil suitable for permanent establishment of vegetation or other appropriate cover material approved by the Department.
  
      - 2. The final cap and drainage layer shall be properly maintained to protect its integrity.
  
      - 3. The Department may waive the final cap requirement based on a demonstration that it is not necessary to limit infiltration at the site.
  
      - 4. A drainage layer is required if a cap is not installed.
  
- 6. Unless otherwise indicated, in writing by the Department, for each reclamation site the permittee shall develop a “Water Quality Monitoring Plan”, as described in §288.251 through §288.257 and shall be submitted for Department review. At a minimum, the water quality-monitoring plan shall contain the following information:
  - a. Groundwater monitoring points should be discussed with and approved by the Department prior to installation. Groundwater monitoring points normally include monitoring wells, springs, seeps, mine discharges, and abandoned mine shafts.
  
  - b. At least one (1) upgradient monitoring point or background well shall be constructed.
  
  - c. Groundwater monitoring points shall be positioned downgradient of the reclamation site where the stabilized FGD-gypsum material is placed.

## **SPECIAL CONDITIONS GENERAL PERMIT WMGR111**

- d. At least three (3) downgradient groundwater monitoring points shall be established, unless otherwise approved by either the Department's: (i) Bureau of Waste Management, or (ii) District Mining Office. The actual number of downgradient groundwater monitoring points and their location will depend upon: (1) the configuration of the reclamation site where stabilized FGD-gypsum material is placed, (2) the volume of stabilized FGD-gypsum material placed, and (3) the groundwater conditions at the reclamation site.
  - e. The groundwater monitoring shall be sufficient to detect impacts of the placement of stabilized FGD-gypsum material on the groundwater.
  - f. Before the stabilized FGD-gypsum material is placed, six (6) background samples from each monitoring point shall be collected monthly to adequately characterize groundwater quality of the reclamation site.
  - g. The groundwater monitoring points shall be sampled on a quarterly basis once the stabilized FGD-gypsum material is placed.
  - h. The groundwater monitoring shall continue for five (5) years after the completion of beneficial use of stabilized FGD-gypsum material. The monitoring required in this Condition shall continue for five (5) additional years if groundwater degradation is determined to occur.
  - i. Background and quarterly samples shall be analyzed for: static water elevation (for monitoring wells), flow (for springs, seeps, or mine discharges), pH (field and laboratory value), conductance, alkalinity, acidity, Iron, Manganese, Sulfate, Total Dissolved Solids, Total Suspended Solids, Aluminum, Antimony, Arsenic, Barium Beryllium, Boron, Cadmium, Chloride, Calcium, Chromium (Total), Cobalt, Copper, Lead, Magnesium, Mercury, Molybdenum, Nickel, Potassium, Selenium, Silver, Sodium, Thallium, Vanadium, and Zinc.
  - j. Specific detailed information regarding groundwater-monitoring points and sample collection techniques shall be provided for Department review.
7. The blending of FGD-gypsum, coal ash and alkaline agent shall be performed in an area with an implemented erosion and sedimentation (E & S) control plan in accordance with the requirements as specified in Chapter 102 of the Department Rules and Regulations. A copy of the approved E & S plan must be maintained at the blending facility and be provided to the Department upon request.
8. The FGD-gypsum, coal ash, and alkaline agent authorized in Condition A of the general permit, shall not be accepted at the (i) waste processing area at waste generation site, or (ii) mine site in case of a temporary cessation of operations, or during the breakdown of equipment.

## **SPECIAL CONDITIONS GENERAL PERMIT WMGR111**

9. The storage of FGD-gypsum, coal ash, alkaline agent, or stabilized FGD-gypsum material, at the waste processing area at the waste generation site or mine site, shall be as follows:
  - a. During an operational period, storage in piles in the waste processing area at the waste generation site or mine site of (i) FGD-gypsum, (ii) coal ash, (iii) and/or alkaline agent shall not be for more than 2 weeks after their receipt.
  - b. During an operational period, storage in piles at the mine site of stabilized FGD-gypsum material produced shall be limited to the quantity that may be placed during daily operations.
  - c. During a temporary cessation of operations or an equipment breakdown event, the storage in piles of (i) FGD-gypsum, (ii) coal ash, and/or (iii) alkaline agent at the waste generation or mine site shall not be for more than 2 weeks after their receipt.
  - d. During a temporary cessation of operations or an equipment breakdown event, the stabilized FGD-gypsum material stored in piles shall be kept moist or covered with tarpaulins or canvas to prevent fugitive dust. The integrity of the canvas or tarpaulins must be maintained at all times.
  - e. The (i) FGD-gypsum, (ii) coal ash, and/or (iii) alkaline agent may be stored, in an enclosed structure (i.e., silo, tank, etc.), for up to six (6) months unless the Department otherwise limits such storage, in writing.
10. The storage and transportation of: (i) FGD-gypsum, (ii) coal ash, and (iii) alkaline agent shall be in a manner which does not create a nuisance or be harmful to the public health, safety or the environment and shall comply with the requirements of 25 PA Code, Chapter 299 (relating to storage and transportation of residual waste).
11. Upon cessation of operations for 45-days or more of the processing or reclamation activities at the waste processing area at the waste generation site or mine site, the permittee shall remove any remaining: (i) FGD-gypsum, (ii) coal ash, (iii) alkaline agent, and/or (iv) stabilized FGD-gypsum material and any other residual wastes or other materials which contain, or have been contaminated by, stabilized FGD-gypsum material 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.
12. 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, 123.2, and 123.31.
13. Nothing in this general 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

## **SPECIAL CONDITIONS GENERAL PERMIT WMGR111**

regulation, providing that said local law, ordinance, or regulation is not preempted by the 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.

14. As a condition of this permit and of the permittee's authority to conduct the activities authorized by this 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.
15. The processing and beneficial use 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.
16. Storm water run-on and run-off at the storage and processing areas for: (i) FGD-gypsum, (ii) coal ash, (iii) alkaline agent, and/or (iv) stabilized FGD-gypsum material shall be managed in accordance with The Clean Streams Law and regulations promulgated thereunder.
  - a. Best Management Practices (BMPs) shall be implemented at the storage areas to divert storm water run-on from the storage areas. Surface water controls must be constructed and maintained to prevent ponding and excessive wetting and shall be based on a 24-hour precipitation event to be expected once every 25 years.
  - b. A copy of the Storm Water Management Control Plan to address on-site run-off shall be maintained at the sites at all times and shall be provided to the Department upon request. The Storm Water Management Control Plan shall be consistent with the Department's most recent guidelines on the development and implementation of the Preparedness, Prevention and Contingency Plan (PPC) Plan.

The permittee shall not cause or allow a point or non-point source discharge of the storm water run-off or leachate or both from the processing and storage areas of FGD-gypsum, coal ash, alkaline agent, and/or stabilized FGD-gypsum material to the surface water of this Commonwealth. An NPDES (National Pollutant Discharge Elimination System) permit may be required if a point or non-point source discharge of the storm water run-off or leachate or both to the surface waters of the Commonwealth occurs.

## **SPECIAL CONDITIONS GENERAL PERMIT WMGR111**

17. After placement of the stabilized FGD-gypsum material, storm water run-on at the mine reclamation site shall be diverted away from the stabilized FGD-gypsum material. Surface water controls must be constructed, implemented and maintained to eliminate or prevent ponding and excessive wetting and shall be based on a 24-hour precipitation event to be expected once every 25 years.
18. Hazardous waste, municipal waste, special handling waste, and other residual waste may not be mixed and/or stored with FGD-gypsum and coal ash received, or beneficially used with the stabilized FGD-gypsum material.
19. Prior to the placement of stabilized FGD-gypsum material, the permittee shall:
  - a. Prepare the reclamation site free of debris, vegetation, organic material, etc.
  - b. Properly dispose of the material generated in Condition C.19.a. above that is not usable or suitable to reclaim the mine site in accordance with the Department's Rules and Regulations and the terms and conditions of this general permit.
20. Where the reclamation site contains springs or wet areas, the permittee shall construct: (i) water courses, or (ii) an underdrain system to prevent water from being in contact with the stabilized FGD-gypsum material. The underdrain system shall be protected by an adequate filter to ensure continued free flow or drainage of anticipated seepage from precipitation and from the spring or wet weather seeps. The underdrain system shall be designed and constructed using standard geotechnical engineering methods.
21. The permittee shall prepare the reclamation site for placement of stabilized FGD-gypsum material as follows:
  - a. The reclamation site where the stabilized FGD-gypsum material is placed shall be designed to minimize surface and/or ground water contact with the stabilized FGD-gypsum material. The design shall include upslope diversion ditches, drains to divert ground water away from and/or to convey surface water under the stabilized FGD-gypsum material.
  - b. The surface configurations at reclamation site shall minimize surface water infiltration and prevent storm water runoff from being in contact with the stabilized FGD-gypsum material.
22. Organic material may not be mixed and/or stored with: (i) FGD-gypsum and coal ash received, or (ii) beneficially used with stabilized FGD-gypsum material.
23. The processing and storage of: (i) FGD-gypsum, (ii) coal ash, (iii) alkaline agent, and (iv) beneficial use of stabilized FGD-gypsum material shall not be:
  - a. Placed in direct contact with surface or ground water;



## **SPECIAL CONDITIONS GENERAL PERMIT WMGR111**

- b. Placed within 100 feet of a perennial stream;
  - c. Placed within 300 feet of an exceptional wetland;
  - d. Placed within 300 feet downgradient of a private or public water source;
  - e. Placed within 100 feet of a sinkhole or area draining into a sinkhole;
  - f. Placed within 1,000 feet up-gradient of a private or public water source, unless otherwise approved by the Department's: (i) appropriate Regional Office, or (ii) District Mining Office;
  - g. Placed during periods of heavy rain or to ground that is saturated; and
  - h. Placed within a 100-year floodplain of a water of this Commonwealth;
24. Equipment used in the production and/or storage of FGD-gypsum, coal ash, alkaline agent, and stabilized FGD-gypsum material shall be maintained in good operating condition to prevent FGD-gypsum, coal ash, alkaline agent, and stabilized FGD-gypsum material from being unintentionally conveyed out of the processing or storage areas. During periods of processing activity, weekly inspections of each processing and/or storage area and its surrounding environs are to be conducted to determine compliance of the terms and conditions of this general permit, and for evidence of failures.
25. Any independent contractors or agents retained by the permittee for the completion of processing and placement activities authorized under this permit shall be subject to compliance history review by the Department prior to performance of any activities, as specified by the Solid Waste Management Act of 1980, as amended.
26. The (i) FGD-gypsum, (ii) coal ash, (iii) alkaline agent, and (iv) stabilized FGD-gypsum material under the authorization granted in this general permit shall be managed in accordance with the permittee's application. Except to the extent the permit states otherwise, the permittee shall utilize materials received and/or produced for beneficial use purposes as described in the permit application.
27. 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.
28. This permit does not authorize and shall not be construed as an approval to discharge any industrial wastes, wastewater, leachate or runoff from areas where solid waste management activities are conducted to the waters of the Commonwealth.
29. Any person operating under the provisions of this general permit must notify the Department, as follows:

## **SPECIAL CONDITIONS GENERAL PERMIT WMGR111**

- a. The permittee must notify the appropriate Department District Mining Office having jurisdiction over the reclamation site, in writing, at least fifteen (15) days prior to relocating the processing facility, within the same reclamation site.
  - b. If the processing facility or reclamation activity is to be relocated to a new mine site or a waste generation site to be included under this general permit, at least thirty (30) days prior to a permittee operating at a new location, a completed Form 20 (Application For A Residual Waste General Permit) must be provided to the appropriate Department's: (i) Regional Office, (ii) District Mining Office, or (iii) Bureau of Abandoned Mine Reclamation (if appropriate) for review and approval. An application fee for existing permittees to operate at a new location is not required. In addition, an approval is required from the appropriate District Mining Office as a mine permit amendment, as part of a mine permit application for active mines, or Department contract for an abandoned mine.
30. A person or municipality that plans to continue: (i) the processing of FGD-gypsum, coal ash, alkaline agent, and/or (ii) beneficial use of stabilized FGD-gypsum material authorized under this general permit, after the expiration date indicated on the permit cover 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 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 in effect and enforceable pending the issuance or denial of the renewal application, provided the permittee is, and has been, operating in compliance with the terms and conditions of the general permit.

### **D. Sampling, Analysis and Frequency of Monitoring.**

1. Representative samples of the entire stabilized FGD-gypsum material produced must be collected and analyzed as required in Conditions D.3., and D.4. to determine compliance with the physical and/or chemical requirements as specified in Conditions C.1.b., C.1.c., and C.1.d. of this general permit. More than one sample is usually necessary to accurately represent the stabilized FGD-gypsum material produced or stored. Core samples at different locations and at various depths shall be collected and then composited to obtain a representative sample of the stabilized FGD-gypsum material produced and stored. The key is to obtain a representative sample. In general, the more samples taken, the greater the chance that the sampling results will be representative of the quality of the stabilized FGD-gypsum material that is produced.
2. The analyses required in Conditions C.1.b., C.1.c., C.1.d., C.6.i. and D of this general permit shall be performed by a laboratory accredited or registered for accreditation

## **SPECIAL CONDITIONS GENERAL PERMIT WMGR111**

under the Pennsylvania Environmental Laboratory Accreditation Act, Act of 2002, No. 25.

3. Prior to the first beneficial use of any stabilized FGD-gypsum material under the provisions of this permit, the permittee shall verify that the FGD-gypsum, coal ash, and alkaline agent is uniformly mixed by the processing equipment, as required in Condition C.3. of this general permit, and collect representative samples of the entire stabilized FGD-gypsum material produced and analyze for the "leachable" levels for each constituent as listed in Table 1 of Condition C.1.b. of this general permit. Thereafter, the permittee shall perform chemical analysis on additional representative samples of stabilized FGD-gypsum material as follows:
  - a. If the amount of stabilized FGD-gypsum material produced is greater than zero but less than 75,000 tons, on a monthly basis, the frequency of testing shall be once per 60-days.
  - b. If the amount of stabilized FGD-gypsum material produced is equal to or greater than 75,000 tons, on a monthly basis, the frequency of testing shall be once per 30-days.
  - c. Each time a new generator source of: (i) FGD-gypsum, or (ii) waste derived alkaline agent is used to produce the stabilized FGD-gypsum material, for mine reclamation purposes, authorized under this general permit.
4. The frequency of monitoring requirements for the physical and chemical analysis of representative samples of the stabilized FGD-gypsum material shall be as follows:
  - a. The frequency of monitoring for the: (i) permeability as specified in Condition C.1.c., and (ii) minimum unconfined compressive strength as specified in Condition C.1.d. shall be once per 120 days.
  - b. After the physical and chemical analysis of representative samples of the stabilized FGD-gypsum material has been conducted as required in Conditions C.1.b., C.1.c., and C.1.d. at the frequency as specified in D.3., and D.4. of this general permit for a two-year period and has met the requirements and concentration limits as specified in these Conditions of this general permit, the Department may reduce the required frequency of monitoring if a written request for the reduction of sampling frequency is submitted by the permittee. However, the frequency of monitoring may not be less than twice per year. A written approval from the Department must be obtained before commencing a reduced sampling frequency.
5. Should knowledge of the generation process, visual observations, or analytical results indicate variability in the quality of: (i) FGD-gypsum, (ii) waste derived alkaline agent, and/or (iii) stabilized FGD-gypsum material, more frequent testing shall be conducted.
6. Upon request by the Department, the permittee shall collect for analysis representative samples of the: (i) FGD-gypsum, (ii) waste derived alkaline agent, and/or (iii) stabilized

## **SPECIAL CONDITIONS GENERAL PERMIT WMGR111**

FGD-gypsum material, as required in Conditions C.1.c., C.1.d., and D of this general permit, within 48 hours of the request.

### **E. Recordkeeping.**

1. Records of all analytical testing conducted on the (i) FGD-gypsum, (ii) waste derived alkaline agent, and (iii) stabilized FGD-gypsum material, as required in Conditions C.1.c., C.1.d., C.6.h., C.6.i., and D of this general permit, shall be retained by the permittee, for a minimum of 5 years, at the permittee's place of business and shall be made available to the Department upon request.
2. The permittee shall develop and maintain records of volume and weight of the (i) FGD-gypsum, (ii) coal ash, (iii) waste derived alkaline agent, and (iv) stabilized FGD-gypsum material for beneficial use activities authorized in this general permit.
3. The permittee shall maintain records of volume and weight and location of use of the stabilized FGD-gypsum material for mine reclamation purposes.

### **F. Reporting.**

1. The permittee shall immediately notify the appropriate Department Regional Office (see attached list), in writing, of any changes in: the name, address, owners, operators and/or responsible officials of the company; changes in processing area location; changes in land ownership or the right to operate on the land occupied; the physical or chemical characteristics of the FGD-gypsum, waste derived alkaline agent, or coal ash received to produce the stabilized FGD-gypsum material; the physical or chemical characteristics of the stabilized FGD-gypsum material produced; the blending process that produces stabilized FGD-gypsum material; and the change in status of any permit issued by the Department or federal government under the environmental protection acts.
2. Persons operating under the provisions of this general permit shall submit, by March 1<sup>st</sup> of the following year, to the appropriate Department District Mining Office and Regional Office, an annual report which contains the information outlined in Conditions C.1.b., C.1.c., C.1.d., C.6.h., C.6.i., D.3., D.4., D.5. and E, and summarizes the weight and volume of (i) coal ash, (ii) FGD-gypsum, and (iii) stabilized FGD-gypsum material beneficially used during the last 12 months. The annual report must also include the laboratory reports for "leachate" analyses performed on a representative sample of the stabilized FGD-gypsum material for all the constituents as listed in Table 1, Condition C.1.b. of this general permit. The analysis data submitted in compliance with this requirement must be from samples of the stabilized FGD-gypsum material collected within the past six (6) months.
3. Analytical results of samples conducted as specified in Conditions C.6.h. and C.6.i. of this general permit shall be submitted to the appropriate District Mining Office one (1) month after receipt of the analyses.

## **SPECIAL CONDITIONS GENERAL PERMIT WMGR111**

4. Analytical results of samples conducted on the coal ash and/or waste derived alkaline material, if appropriate, shall be submitted to the appropriate District Mining Office upon request.
5. For each new source of: (i) waste derived alkaline agent, or (ii) FGD-gypsum, other than from the sources described in the application, proposed to be used in the production of stabilized FGD-gypsum material:
  - a. The appropriate District Mining Office must approve the new source material as a permit amendment before the stabilized FGD-gypsum material produced from the new source may be beneficially used. If a contract with the Department is being used for abandoned mine reclamation, it must be amended before the stabilized FGD-gypsum material produced from the new source may be beneficially used.
  - b. The new source of waste derived alkaline agent proposed to be used in the production of stabilized FGD-gypsum material must be determined to be a coproduct as defined in §287.1 (relating to definitions) and meet the requirements in §287.8 (referring to coproduct determinations) or §287.9 (referring to industry-wide coproduct determinations). A copy of either a letter from the Department indicating concurrence with the coproduct determination or the required analyses and documentation necessary to verify the waste derived alkaline agent meets the requirements of a coproduct must be provided to the appropriate Department Regional Office, and District Mining Office, for review.

**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  
Fax: 484-250-5961

Regional Solid Waste Manager:	James Wentzel
Facilities Manager:	Mohamed Mazid
Operations Manager:	Robert France
RW Coordinator:	Calvin Ligos

**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  
Fax: 570-826-5448

Regional Solid Waste Manager:	William Tomayko
Facilities Manager:	Ed Dudick
Operations Manager:	John Leskosky
RW Coordinator:	Chris Fritz

**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  
Fax: 717-705-4930

Regional Solid Waste Manager:	Tony Rathfon
Facilities Manager:	John Oren
Operations Manager:	Sam Sloan
RW Coordinator:	Lisa Wilt

**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  
Fax: 570-327-3420

Regional Solid Waste Manager:	Jim Miller
Facilities Manager:	_____
Operations Manager:	Pat Brennan
RW Coordinator:	_____

**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  
Fax: 412-442-4194

Regional Solid Waste Manager:	Mike Forbeck
Facilities Manager:	Dave Burns/Carl Spadaro
Operations Manager:	Fred DeNorscia
RW Coordinator:	Liz Bertha

**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  
Fax: 814-332-6117

Regional Solid Waste Manager:	Todd Carlson
Facilities Manager:	Joel Fair
Operations Manager:	Anita Stainbrook
RW Coordinator:	Rob Bechtel