



Pennsylvania Department of Environmental Protection
Acceptable Uses and Use Restrictions for Baghouse Fines
Per General Permit No. WMGR028

The beneficial use of baghouse fines or scrubber pond precipitates, generated by hot-mix asphalt plants is limited to the following: (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. The beneficial use of baghouse fines or scrubber pond precipitates must comply with the acceptable uses and use restrictions below.

A. ACCEPTABLE USES:

1. Where used as an aggregate in roadway construction, the baghouse fines or scrubber pond precipitates must comply with the requirements of the Pennsylvania Department of Transportation's (PennDOT) specifications as outlined in their Publication No. 408 (Specifications), and conform with applicable engineering, other professional, or industry practices and procedures as the raw material for which it is being substituted.
2. The beneficial use of baghouse fines or scrubber pond precipitates as a component or ingredient in the manufacturing of construction materials must meet the applicable standards set forth by the American Society of Testing and Materials (ASTM), or other national, state, or industry standard for which it is being used.
3. Where used as a soil additive or soil conditioner, the maximum amount of baghouse fines or scrubber pond precipitates applied to any site shall not exceed 500 dry tons per acre.

B. USE RESTRICTIONS:

1. Baghouse fines and/or scrubber pond precipitates shall not be placed in direct contact with surface water or groundwater.
2. The baghouse fines or scrubber pond precipitates authorized under this general permit shall not be used as a valley fill material, to fill open pits from coal or non-coal mining, or to level or bring an area to grade unless one of the following applies:
 - a. Baghouse fines or scrubber pond precipitates are used as embankment material, to level or bring an area to grade where a construction activity will commence within three (3) months after the placement of baghouse fines or scrubber pond precipitates.
 - b. For multi-phase construction projects (such as development of a commercial/industrial park), all baghouse fines or scrubber pond precipitates shall be covered within sixty (60) days of completion of fill placement, unless it is uncovered as a requirement of ongoing active phase construction.

- c. When approved for use as a soil additive or conditioner as part of the reclamation plan for permitted surface mining operations.
3. Hazardous wastes, municipal waste, special handling waste, and other residual wastes, as the terms are defined in 25 Pa. Code §287.1, may not be mixed, stored or beneficially used with baghouse fines or scrubber pond precipitates.
4. The storage and transportation of baghouse fines or scrubber pond precipitates shall be in a manner which will not create a nuisance or be harmful to the public health, safety or the environment, and comply with the requirements of 25 Pa. Code, Chapter 299.
5. Persons storing, transporting or beneficially using the baghouse fines or scrubber pond precipitates must 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 of 1,000 pounds or more of baghouse fines, scrubber pond precipitates, or combination thereof, and shall take appropriate immediate action to protect the health and safety of the public and the environment.