June 4, 2021

Mr. Joseph A. Unruh
Sharp Lawn & Tree, Inc.
25539 Mary Morris Road
Chestertown, Maryland 21620

Dear Mr. Unruh:

The Maryland Department of the Environment acknowledges the receipt of your Notice of Intent (NOI) to be authorized under the State of Maryland Natural Wood Waste Recycling Facility (NWWRF) General Permit No. 2021-NWW-GP01 for the operation of the NWWRF located at 25266 Mary Morris Road in Chestertown, Kent County. This letter serves as notification that your NOI has been accepted.

In signing the NOI, you have certified your intent to comply with the terms and conditions of the enclosed general permit. Authorization under this general permit shall expire 5 years from the date of this letter unless the NOI is renewed at that time.

For further information, please contact Mr. Kaveh Hosseinzadeh at (410) 537-3315 or *kaveh.hosseinzadeh@maryland.gov.*

Sincerely,

for Edward Dexter
Edward M. Dexter, Administrator
Solid Waste Program

Enclosure

cc: Mr. Tom Philips, State Chemist, Maryland Department of Agriculture (w/encl.)
Ms. Kaley Laleker, Director, Land and Materials Administration (LMA)
Mr. Brian Coblentz, Chief, Compliance Division, LMA (w/encl.)

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Land and Materials Administration
Solid Waste Program
1800 Washington Boulevard, Suite 605, Baltimore, Maryland 21230-1719

Larry Hogan
Governor

Ben Grumbles
Secretary

Natural Wood Waste Recycling General Permit

No. 2021-NWW-GP01

ISSUE DATE: June 4, 2021 ***EXPIRATION DATE:*** June 3, 2026

Issued to: Sharp Lawn & Tree, Inc.

Authorizing: The operation of the Sharp Lawn & Tree Natural Wood Waste Recycling Facility

Located at: 25539 Mary Morris Road, Kent County, Maryland 21620

This permit is issued pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and regulations promulgated thereunder, and is subject to the attached terms and conditions, and compliance with all applicable laws and regulations.

Edward M. Dexter, Administrator
Solid Waste Program

Kaley Laleker, Director
Land and Materials Administration

PART I. COVERAGE UNDER THIS GENERAL PERMIT:

A. Applicability

This authorization applies to a person or company choosing to operate a Natural Wood Waste Recycling Facility in the State of Maryland under the provisions of this general permit.

B. Signatory Requirements

1. All information submitted to the Department shall be signed, dated and certified as true and correct by the responsible party; and

2. Contain the following certification as part of the NOI:
"I certify that I am a responsible party and under penalty of law that this document and all attachments were prepared under my direction and supervision and in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge, information and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations and that this certification subjects me to the penalties of perjury to the same extent as if the statement had been verified under oath before an individual authorized to administer oaths."

C. Eligibility

This authorization will cover new and existing Natural Wood Waste Recycling Facilities whose operators file a Notice of Intent (NOI) with the Department to be so covered under the general permit.

D. Authorization and Authority

1. To be authorized to operate under this general permit, a person is required to submit a NOI in accordance with Code of Maryland Regulations (COMAR) 26.04.09.11 and to comply with all the terms and conditions of this general permit and any other requirements of regulation and law.

2. Authority for this general permit is Environment Article, §§9-1701 and 9-1708, Annotated Code of Maryland, and COMAR 26.04.09.04.

E. Effective Date of Coverage

Authorization to operate a Natural Waste Recycling Facility is effective on the date the Department acknowledges receipt of the NOI. NOIs shall be sent to the Department by certified mail, return receipt requested. Authorization to operate a Natural Waste Recycling Facility expires 5 years after the date the Department acknowledges receipt of the NOI unless a renewal NOI is submitted at least 14 days prior to the expiration of the authorization.

F. Expiration or Renewal

At least 14 days before the expiration date (unless permission for a later date has been granted by the Department), the permittee shall submit a new NOI or notify the Department of the intent to cease operating by no later than the expiration date of their authorization under this general permit.

G. Permit Suspension or Revocation; Enforcement

Authorization to operate under this general permit is subject to suspension or revocation and enforcement by the Department in accordance with the provisions of COMAR 26.04.09.10 and other applicable statutes or regulations.

H. Transfer of Ownership

Authorization under this general permit is not transferable and authorizes only the signatory party to operate the permitted facility. In the event of any change in control or ownership of the property, the permittee shall notify the succeeding owner by certified mail, of the existence of this general permit and of any outstanding permit noncompliance, a minimum of 60 days prior to transferring control or ownership. A copy of this notification shall also be forwarded to the Department at the same time.

I. Planning, Zoning, and Land Use Requirements

1. Nothing in this general permit authorizes the construction or the operation of the facility in violation of the local government's planning, zoning, and land use requirements.

2. The issuance of this general permit does not prevent any duly authorized local authority from taking action to enforce applicable zoning, planning and land use requirements.

J. Compliance

1. The requirements of this general permit and other applicable laws and regulations shall be complied with at all times.

2. If for any reason the permittee does not comply with or will be unable to comply with any condition specified in this general permit, the permittee shall notify the Department by telephone at (410) 537-3315 on the same day, or on the next working day, following any noncompliance. Within 5 working days after this notification, the permittee shall provide the Department with the following information in writing:

    a. A description of the noncompliance, including date, time and type of noncompliance;

    b. Cause of noncompliance;

    c. Anticipated time the noncompliance is expected to continue or if such condition has been corrected;

    d. Steps taken by the permittee to correct the noncompliance; and

    e. Steps to be taken by the permittee to prevent recurrence of the noncompliance.

K. Right of Entry

The permittee shall allow the Department's authorized representatives, at reasonable times and upon presentation of credentials:

1. To enter the facility covered under this general permit or any location where records are required to be kept under the terms and conditions of this general permit;

2. To have access to and copy any records required to be kept under the terms and conditions of this general permit;

3. To inspect any equipment or process required by this general permit;

4. To inspect any collection, treatment, pollution management or control facilities, or transport vehicles required by this general permit;

5. To sample waste, groundwater, surface water, soil or vegetation on the site of the facility operation authorized by the general permit; and

6. To obtain photographic documentation or evidence.

L. Civil and Criminal Liability

Nothing in this general permit shall be construed to preclude the institution of any legal action nor relieve the permittee from civil or criminal responsibilities and/or penalties for non-compliance with Title 9 of the Environment Article, Annotated Code of Maryland, or any federal, local, or other state law or regulations.

M. Severability

If any provision of this general permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect, and such invalid provisions shall be considered severed and deleted from this general permit.

PART II: REQUIRED INFORMATION:

All of the following information must be accessible at all times and must be available on site.

A. A map showing the specific location and land use within ½ mile of the boundaries of the facility.

B. Drawings of on-site buildings and other facility structures showing type of construction, layout and dimensions.

C. A topographic map of the site that identifies slopes greater than 25 percent, floodplains, wetlands, and aquifer recharge areas.

D. Drawings showing unloading, product storage, equipment storage and processing areas.

E. A site plan designating the property boundaries, existing and proposed structures, and roads.

F. An Operations and Maintenance Manual which the permittee shall update if a change in the operations occurs, or if MDE requests an update. This operations and maintenance manual shall, at a minimum, contain:

1. Periodic cleaning and maintenance;

2. The methods for handling unacceptable wastes delivered to this facility, including how they shall be identified, segregated, and handled before final disposal;

3. Employee safety training requirements;

4. Procedures for recording and reporting incidents of noncompliance with the regulations;

5. Methods used to prevent mud, soil, and debris from the facility from entering public roadways; and

6. Other contingency plans applicable to the operation including but not limited to control of oil spills, etc.

G. A descriptive statement of:

1. Processes and technology to be used;

2. Major items of equipment including manufacturer, type, model, capacity, and number of units;

3. Types and anticipated quantities of natural wood waste to be accepted and processed daily;

4. Types of natural wood waste that are not accepted;

5. Means by which quantities of materials entering, processed, and leaving the facility are determined;

6. Geographic areas to be served by the facility;

7. Measures that shall be taken to prevent or control ground or surface water pollution, explosions, odors, noise, dust, litter, vectors, and other nuisances

8. Methods of controlling runoff from unloading, storage, and processing areas;

9. Soil type and depth;

10. Employee safety and sanitary facilities including the location of on site sewage disposal and water supply systems;

11. Number and types of employees; and

12. Site security and access control.

H. An erosion and sediment control plan that meets the requirements of COMAR 26.17.01 and has been approved by the local soil conservation district or appropriate approving authority.

I. A grading permit as required by the local jurisdiction.

J. An approved and bonded storm water management plan as required by the local jurisdiction.

K. A description of and copies of all other applicable permits required under local, state or federal statutes.

PART III: OPERATING CONDITIONS:

A. Authorization

1. The permittee is authorized to process (only by windrow composting, grinding and chipping, cutting, or mulching) and store only natural wood waste, as defined in COMAR 26.04.09.02, including tree stumps, brush, and limbs, root mats, logs, leaves, grass clippings, unadulterated wood wastes and other natural vegetative materials. This general permit does not cover large scale static pile composting.

2. The permittee is authorized to convert this wood waste into recyclable products such as wood chips, mulch, compost and firewood.

B. Hours of Operation

1. The permittee may operate this facility during daylight hours only unless local zoning requires shorter operating periods.

2. A statement of the days and hours of operation shall be posted at the entrance of this facility.

C. Operational Restrictions and Procedures

The permittee shall not operate this facility outside of the posted hours of operation (unless approved by MDE) nor shall the facility be operated in such a manner as to:

1. Create a nuisance;

2. Be conducive to insect and rodent infestation or the harboring of animals;

3. Cause a discharge of constituents derived from natural wood waste into the air unless otherwise permitted by MDE;

4. Cause a discharge of constituents derived from natural wood waste to waters of the state unless otherwise permitted by MDE; and

5. Create other hazards to public health, safety or comfort as may be determined by MDE.

D. Supervision

The facility shall be under the direct supervision of a responsible party on site at all times during operation who is accountable for insuring that the conditions of this general permit are met.

E. Controlled Access

Access to this facility shall be controlled at all times.

1. Gates, fencing, and other ingress/egress controls around the perimeter of this facility shall be adequate to prevent access when the facility is not in operation.

2. Access to the facility shall be limited to those times when authorized personnel are on duty at the facility and supervisory personnel are on site.

F. Inspection of Incoming Wastes

1. All incoming loads of material shall be inspected to ensure that unpermitted waste types are not accepted by the permittee.

2. Any incoming load, which contains visible unpermitted waste, shall not be allowed to unload.

3. Unpermitted wastes should be segregated and stored in a manner to prevent any unpermitted wastes or runoff from such substances from entering the waters of the state.

4. Within 24 hours of discovery, any unpermitted waste shall be properly disposed of at an appropriate permitted solid waste acceptance facility.

5. All hazardous waste shall be separated and handled in accordance with the applicable requirements of COMAR 26.13.01 "Disposal of Controlled Hazardous Substances."

G. Unprocessed Natural Wood Waste Material

1. Natural wood waste shall be stored on site for no longer than 30 days before it is initially processed.

2. Unprocessed natural wood waste piles shall be surrounded on all sides by an all-weather fire lane at least 12 feet wide capable of supporting emergency equipment.

3. The distance between any two unprocessed natural wood waste storage piles shall be a minimum of 20 feet wide at all times and be negotiable by emergency vehicles, loaded delivery vehicles, etc., during adverse weather conditions.

4. The distance between unprocessed natural wood waste piles and property boundaries shall be a minimum of 50 feet.

5. The maximum height of each unprocessed natural wood waste pile shall not exceed 20 feet at any time.

6. The maximum width of each unprocessed natural wood waste pile shall not exceed 50 feet at any time.

H. Processed Natural Wood Waste (Wood Chip/Mulch/Compost) Windrows

1. Windrows shall be composed only of wood chips, mulch, or compost.

2. Windrows shall be surrounded on all sides by an all-weather fire lane at least 12 feet wide capable of supporting emergency equipment.

3. The distance between any two windrows shall be a minimum of 20 feet wide at all times and be negotiable by emergency vehicles, loaded delivery vehicles, etc., during all weather conditions.

4. The distance between windrows and property boundaries shall be a minimum of 50 feet.

5. The maximum height of each windrow shall not exceed 10 feet at any time.

6. The maximum width of each windrow shall not exceed 50 feet at any time.

I. Operating Procedures

1. In order to ensure that aerobic conditions are maintained and controlled during processing of natural wood waste, the permittee shall:

   a. Take daily temperature readings;

   b. Take weekly oxygen levels;

   c. Turn the windrows and wood processing piles:
   (i) when daily temperature readings reach or exceed 140°F;
   (ii) when weekly oxygen readings go below 10 percent; and
   (iii) at least monthly.

2. A record log of all daily temperature readings, weekly oxygen readings and dates and times that windrows and processing piles were turned shall be maintained and kept on site at all times.

3. The permittee shall make a written request to MDE and obtain MDE's written authorization before any additives are used in any storage or processing activity.

4. All natural wood waste products shall be removed from the site within 1 year of the date of initial processing of the natural wood waste.

J. Processing Conditions

In order to ensure compliance with COMAR 26.04.09 and Section §9-1708 of the Environment Article, Annotated Code of Maryland:

1. All processing activities involving unloading, separation, reduction, or alteration shall be:

   a. Located a distance of at least 50 feet from any property line; or

   b. Conducted in one or more of the following ways:
   (i) In an enclosed building; or
   (ii) Screened from adjoining properties.

2. Markets shall be identified and available for the raw material or products produced.

3. If, at any time, natural wood wastes, wood chips, compost, mulch, or other wood wastes exceeds any limit designated in the permit, the permittee shall cease accepting natural wood waste and other recyclable materials until the storage and processing piles and/or windrows are reduced to permitted levels.

4. Dust resulting from this facility's operation shall be controlled at all times.

5. The permittee shall confine all wood waste to the unloading, processing, or storage areas at the facility.

6. All raw material receipt and storage, processing activities, and product storage shall occur on suitable ground surfaces. No operations shall occur on filled land unless expressly approved by MDE.

K. Roads

All access roads and fire lanes shall be able to be negotiated in all weather conditions by emergency vehicles, loaded delivery vehicles, and other transportation vehicles and shall be provided and maintained from the entrance gate of the facility to the processing, loading and unloading areas.

L. Reporting Requirements

1. An annual report shall be submitted to MDE concerning the operation and status of the facility for each calendar year in which this facility is in operation. All annual reports shall be for the calendar year ending Dec. 31 and shall be submitted to MDE by Mar. 1 of the following year on the "Annual Natural Wood Waste Tonnage Report Form" provided by MDE. The report shall include at least the following:

    a. Quantity of natural wood waste received during each month of the preceding 12 months by volume and weight, indicating the county in which each quantity of material is generated;

    b. Quantities of processed material and residues produced by the processing activities during each month of the preceding 12 months by volume and weight; and

    c. Quantities of processed material and residues removed from this facility during each month of the preceding 12 months by volume and weight.

2. MDE may impose other reporting requirements considered necessary.

3. Except for information found to be confidential in accordance with the Maryland Public Information Act, all information submitted in conjunction with this general permit shall be available for public inspection at MDE.

4. All records and information required to be maintained under the terms and conditions of this general permit shall be retained by the permittee on site (unless otherwise authorized by MDE) for a minimum period of 3 years following closure of the facility.

M. Emergency Preparedness Manual

1. An emergency preparedness manual shall be maintained at this facility at all times. A copy of the manual shall be forwarded to MDE with the NOI.

2. This emergency preparedness manual shall, at a minimum, contain:

    a. A list of names and telephone numbers of the persons to contact in the event of a fire, flood, or other emergency situation at this facility;

    b. A list of emergency response equipment present at this facility or available for use at this facility, the location of the equipment, and how the equipment shall be used in the event of a fire or other emergency;

    c. The procedures facility personnel shall follow from discovery of an emergency until the situation is corrected, including measures to minimize the occurrence, recurrence, or spread of fires, explosions, and releases;

    d. Location of known water supplies, fire hydrants, dry chemical extinguishers, or other materials that may be used for fire fighting purposes;

    e. Provision for reporting emergency situations to MDE without delay; and

    f. Provision for familiarizing all employees with the requirements of the emergency preparedness manual.

3. The permittee shall revise the emergency preparedness manual if a change in the operations occurs, or if MDE requires revisions. Any changes made at the permittee's initiation shall be reported in writing to MDE within 30 days of occurrence. All other revisions shall be made within the time period required by MDE.

N. Personnel and Equipment Maintenance

Adequate personnel and equipment shall be provided to:

1. Assure safe, continuous, and adequate operations;

2. Maintain compliance with the provisions of the general permit and regulatory requirements; and

3. Assure prompt attention to correct problems associated with the construction and maintenance of the facility.

O. Fire Control

1. The permittee shall operate this facility in accordance with the applicable requirements of the local and state fire marshal's office.

2. The permittee shall take suitable measures to prevent and to control fires that may occur during operation of this facility.

3. Burning of wood waste shall not be allowed except as authorized by MDE and local authorities.

4. An adequate water supply must be available in case of a fire. MDE, the local fire department, or the Office of the State Fire Marshall may direct that the permittee install, alter or expand the volume and manner of water supply or water storage capacity available at the site, or inclusion of other fire retardant materials such as ground or soil, and shall specify a time frame for compliance with that directive. Compliance within the specified time frame is a condition of compliance with this general permit.

5. A means to notify the local fire department shall be available on-site at all times (e.g. telephone and radio).

P. Landfilling Prohibited

Nothing in this permit authorizes the acceptance of regulated solid waste or the disposal or landfilling of regulated solid waste at this facility without approval from MDE as required by Section 9-204 of the Environment Article.

Q. Noise Control

Nothing in this general permit authorizes the operation of this facility in a manner that violates the applicable noise provisions of COMAR 26.02.03.

R. Wetland and Waterways Construction

The permittee shall operate this facility in accordance with the Maryland Non-Tidal Wetland and Waterways Regulations, COMAR 26.23.01 and 26.24.01.

S. Storm Water Management and Pollutant Discharge

Storm water management at this facility shall be in accordance with the requirements of COMAR 26.17.02. Any point source discharge of pollutants to waters of the state is prohibited unless permitted by MDE. Any pollutants from the handling, transfer, or storage of wastes, including accidental spills and rainfall events, shall be collected or disposed of in a manner approved by MDE.

T. Erosion and Sediment Control

The permittee shall operate this facility in accordance with the Erosion and Sediment Control Plans regulations as set forth in COMAR 26.17.01 and applicable local approval.

U. Property Rights

Authorization conveyed under this general permit does not convey any property rights in either real or personal property, or any exclusive privilege or franchise, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

V. Duty to Provide Information

The permittee shall furnish to MDE, within a reasonable time, any information which MDE may request to determine whether the permittee is in compliance with the general permit or whether cause exists for termination of the permittee's authorization to operate under this general permit.