



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

GYPSUM DRYWALL EXEMPTION

According to the provisions of Section 11507 of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and the rules promulgated under Part 115, specifically R 299.4119, standard interior gypsum drywall from new construction (Material) is granted a site/source separated exemption by the authorized representative of the Director of the Michigan Department of Environmental Quality (MDEQ).

This exemption is subject to the following conditions:

1. This approval is for Material that has not been glued, painted, or otherwise been contaminated from manufacture or use (e.g., waterproof or fireproof drywall).
2. The Material shall be processed so that 95 percent of the Material is less than $\frac{1}{4}$ inch by $\frac{1}{4}$ inch in size, unless an alternate size is approved by the Director.
3. Each person intending to operate pursuant to this exemption shall notify the Director, in writing, of his or her intent. Notification shall be sent to:

Mr. Duane Roskoskey
Storage Tank and Solid Waste Section
Waste and Hazardous Materials Division
Michigan Department of Environmental Quality
P.O. Box 30241
Lansing, Michigan 48909-7741

4. The Material shall be applied only to agricultural or silvicultural lands that need fertilization as demonstrated by laboratory soil tests or it may be used as an additive to produce compost.
5. If the Material is used to produce compost, it shall comprise less than 2.5 percent, by weight, of the compost mixture.
6. Application of the Material to agricultural or silvicultural lands shall not exceed the agronomic rate for the crop to be grown on the site subsequent to the application of Material to the site. The agronomic rate is defined as that rate that provides the nitrogen and other nutrient needs of the crop but does not overload the soil with nutrients or other constituents that may eventually leach to groundwater, limit crop growth, or adversely impact soil quality.

7. These fields must currently be in use, or will be used in the next growing season, for crop production or harvest in the case of agricultural land. Fall applications of Material shall be restricted to fall planted crops, such as winter wheat and forage stands, or for silvicultural use.
8. The Material shall not be applied in a manner that adversely restricts soil permeability or causes ponding, pooling, or runoff in the area.
9. Material that is surface applied to agricultural soil shall be incorporated into the soil as soon as feasible after application to land.
10. The Material shall not be applied to an application site unless the water table is at least 30 inches below the surface of the soil at the time of application.
11. The application of the Material shall not cause erosion or sedimentation to occur in violation of Part 91, Soil Erosion and Sedimentation Control, of the NREPA, and the rules promulgated under Part 91.
12. The Material or constituents contained in the Material shall not come into direct contact with surface water, groundwater, or wetland areas as defined by the NREPA, and the administrative rules promulgated thereunder, unless approved or permitted by the MDEQ.
13. The Material shall be licensed with the Michigan Department of Agriculture, pursuant to Part 85, Fertilizers, of the NREPA.
14. Processing, storage, or use of the Material shall be managed in such a way to prevent nuisance conditions and the release of fugitive dust or visible emissions in violation of Part 55, Air Pollution Control, of the NREPA, or the rules promulgated under Part 55.
15. Processing and storage of the Material shall be done either in a building or an area meeting the waste pile containment requirements contained in R 299.4130 of Part 115.
16. Vehicles used to transport the Material shall comply with the Michigan Vehicle Code, 1949 PA 300, as amended, and the rules promulgated under that Act. The Material shall be covered to prevent loss to the environment during transport and delivery to an application site.
17. The Material may be disposed of in a Type II municipal landfill or a Type III industrial/construction and demolition landfill licensed pursuant to Part 115, provided the disposal is consistent with the landfill's waste acceptance policies and the Material is solidified sufficiently to pass the paint filter test.

18. Prior to application, the Material shall not be mixed with other wastes that are not inert as defined by Part 115 or the rules promulgated under Part 115, unless appropriate approvals or permits as required by state and/or federal law are obtained.

This approval shall immediately become void for any of the following reasons:

1. The generator of the Material does not comply with the conditions of this approval.
2. Additional information demonstrates that the Material is not appropriate for agricultural or silvicultural use.
3. Additional information demonstrates that the Material is causing environmental contamination.
4. New state or federal regulations are promulgated that would cause this approval to be invalid.

Violation of the conditions of this approval is subject to the enforcement provisions of Part 55, Part 85, Part 91, and Part 115 or other applicable state and federal laws/statutes.

STATE OF MICHIGAN
Department of Environmental Quality

By: _____
George W. Bruchmann, Chief
Waste and Hazardous Materials Division

Dated: _____ Signed 8/13/03_____