



Office of Waste Management and Radiological Protection

Beneficial Use 5 Conditions

- Section 11502(7) - "Beneficial use 5" means blended with inert materials or with compost and used to manufacture soil.
- Section 11551(1) (a) – The material is not a part 111 hazardous waste or mixed with a hazardous waste.
- Section 11551(1) (b) – The material is not stored at the site of generation or use for more than 3 years, or the amount that is transferred off site for use during a 3-year period equals at least 75% by weight or volume of the amount of that material stored on site for beneficial use at the beginning of the 3-year period.
- Section 11551(1) (c) – The material is stored in a manner that maintains its usefulness, controls wind dispersal, and prevents loss of the material beyond the storage area.
- Section 11551(1) (d) – The material is stored in a manner that does not cause groundwater to no longer be fit for 1 or more protected uses, does not cause a violation of a part 31 surface water quality standard, and otherwise does not violate part 31.
- Section 11551(1) (e) – The material is transported in a manner that prevents accidental leakage, spillage, or wind dispersal.
- Section 11551(1) (f) – The use of the material is for a legitimate beneficial purpose other than a means to discard the material and the material is used according to generally accepted engineering, industrial, or commercial standards for that use.
- Section 11551(1) (i) - For beneficial use 5, the material is foundry sand from ferrous or aluminum foundries and representative sampling of the foundry sand using either a totals analysis, a leachate analysis (using EPA method 1311, EPA method 1312, ASTM method 3987, or other leaching protocol approved by the department), or any combination of the 2 types of analyses demonstrates that none of the following maximum concentrations are exceeded:

CONSTITUENT ANALYSIS	TOTALS MG/KG	LEACHATE ANALYSIS MG/L
Antimony	4.3	0.006
Cobalt	0.8	0.04
Copper	5,800	1
Iron	23,185	2.0
Lead	700	0.004
Manganese	1,299	0.86
Molybdenum	5	0.073
Nickel	100	0.1
Thallium	2.3	0.0045
Zinc	2,400	2.4
Benzene	0.1	0.005
Formaldehyde	26	1.3
Phenol	88	4.4
Trichloroethylene	0.1	0.005

- Section 11551 (2) – The determination whether a material meets the requirements of subsection (1)(a) shall be based on the analysis of a representative sample of the material by the initial generator. The initial generator shall maintain records of the test results for not less than 10 years after the date the material was sent off site and make the records available to the department upon request. The generator shall resample and analyze the material when raw materials or processes change in a way that could reasonably be expected to materially affect analysis results.
- Section 1151 (3) - Except as otherwise provided in this act, storage and use of beneficial use by-products shall comply with all other applicable provisions of this act.
- Section 11551(5) – A person that actively manages and reuses a beneficial use by-product that has already been used in compliance with this part may rely on analytical data from the prior use.
- Section 11551 (9) - This part does not authorize open dumping prohibited by the solid waste disposal act, 42 USC 6901 to 6992k.

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