



# **Beneficial Use Of Industrial By-Products Summary of New Legislation**

Act 178 of 2014

Effective September 16, 2014



## What is Beneficial Use?

Beneficial use involves the use of industrial by-products to replace or supplement a raw material or product. Beneficial use by-products are exempt from regulation as solid waste.

## **Beneficial Use By-Products**

- **Cement Kiln Dust/Lime Kiln Dust**
- **Coal or Wood Ash**
- **Grinding Sludge from road projects**
- **Flue Gas Desulfurization Material**
- **Foundry Sand**
- **Lime Softening Residuals**
- **Pulp and Papermill Ash & Residues**
- **Soils Washed or Removed from Sugar Beets**
- **Spent Media from sandblasting unpainted steel**
- **Stamp Sands**



## Specific Beneficial Uses



- **Beneficial Use 1** means use as aggregate, road material or **building material** if it will be bonded or encapsulated by cement, limes or asphalt.
- **Beneficial Use 2** means use as **construction fill**, including road base or soil stabilizer and road shoulder material.
- **Beneficial Use 3** means application of material as a **fertilizer, soil conditioner** or **liming material** approved by MDARD.
- **Beneficial Use 4** means use to stabilize, neutralize, solidify, or otherwise treat waste for ultimate disposal at a licensed Part 111 or Part 115 facility; to treat wastewater or sludge; to stabilize hazardous substances, or to serve as **landfill construction material**.
- **Beneficial Use 5** means **soil mixtures** using foundry sand.

# ALLOWABLE BENEFICIAL USES



## Beneficial Use by-products

- Cement Kiln Dust/Lime Kiln Dust
- Coal Bottom or Wood Ash
- Coal or Wood Ash
- Dewatered Grinding Sludge
- Flue Gas Desulfurization Material
- Foundry Sand
- Lime Softening Residuals
- Mixed Wood Ash
- Pulp and Paper Mill Ash
- Pulp and Paper Mill Material
- Soil Washed or Removed from Sugar Beets
- Spent Media from Sandblasting
- Stamp Sands

## Beneficial Uses

- 1, 2, 3, 4
- 3
- 1, 2 and 4
- 1, 2
- 1, 3
- 1, 2, 3, 4, 5
- 3, 4
- 1, 2, 3, 4
- 1, 2, 3, 4
- 3
- 3
- 1, 2
- 1, 2

## Other Changes:

- Codify and simplify use of **inert materials** such as rock, trees; stumps; uncontaminated soil or sediment, construction brick, masonry or broken concrete used for fill, rip rap, slope stabilization; portland cement clinker, foundry sand used to manufacture soil.
- Expand definition of **source separated materials** to include tires, railroad ties, scrap wood, and recovered paint solids to use as fuel; gypsum dry wall returned to production process; asphalt shingles used to make asphalt or to use as fuel.
- Codify additional materials as **low hazard industrial waste**, including coal or wood ash, cement kiln dust, pulp and paper material, scrap wood, mixed wood ash, tires, asphalt shingles, foundry sand, street cleanings, copper stamp sands. These can now go to a type III landfill.



## Points of Interest

- Law maintains existing DEQ Use Approvals.
- DEQ intends to make conforming rule changes.
- DEQ is developing a Question & Answer Document.
- DEQ is working with Department of Agriculture and Rural Development on transition issues for land application.

