



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
MATERIALS MANAGEMENT DIVISION



PHILLIP D. ROOS  
DIRECTOR

## GYP SUM DRYWALL EXEMPTION

According to the provisions of Section 11553(8) of Part 115, Solid Waste Management (Part 115), of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), 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 Environment, Great Lakes, and Energy (EGLE).

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:

Abhijit Muduganti  
Solid Waste Section  
Materials Management Division  
Michigan Department of Environment, Great Lakes, and Energy  
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. "Agronomic rate" means a rate that meets both of the following requirements:
  - a. Is generally recognized by the agricultural community or is calculated for a particular area of land to improve the physical nature of soil, such as structure, tilth, water retention, pH, or porosity, or to provide macronutrients or micronutrients in an amount not materially in excess of that needed by the crop, forest, or vegetation grown on the land.

- b. Takes into account and minimizes runoff of beneficial use by-products to surface water or neighboring properties, the percolation of excess nutrients beyond the root zone, and the liberation of metals from the soil into groundwater.
7. In the case of agricultural land, the fields must currently be in use, or will be used in the next growing season, for crop production. 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 EGLE.
13. The Material shall be licensed and/or registered with the Michigan Department of Agriculture and Rural Development, as applicable, 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. The transporting unit shall be designed and operated to prevent littering or any other nuisance.

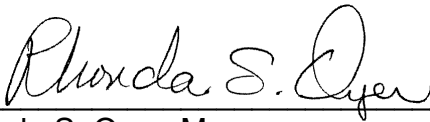
17. The Material may be disposed of in a Type II municipal landfill or a Type III industrial/construction and demolition landfill licensed pursuant to Part 115, provided the disposal is consistent with the landfill's waste acceptance policies.
18. Prior to application, the Material shall not be mixed 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 of the NREPA or other applicable state and federal laws/statutes.

STATE OF MICHIGAN  
Department of Environment, Great lakes, and Energy

By:   
Rhonda S. Oyer, Manager  
Solid Waste Section  
Materials Management Division

Dated: March 5, 2025

This publication is intended for guidance only and may be impacted by changes in legislation, rules, policies, and procedures adopted after the date of publication. Although this publication makes every effort to teach users how to meet applicable compliance obligations, use of this publication does not constitute the rendering of legal advice.

If you need this information in an alternate format, contact [EGLE-Accessibility@Michigan.gov](mailto:EGLE-Accessibility@Michigan.gov) or call 800-662-9278.

EGLE does not discriminate on the basis of race, sex, religion, age, national origin, color, marital status, disability, political beliefs, height, weight, genetic information, or sexual orientation in the administration of any of its programs or activities, and prohibits intimidation and retaliation, as required by applicable laws and regulations.