

Inert Material and Waste Piles

Solid waste is regulated by [Part 115](#), Solid Waste Management, of Act 451 of 1994, as amended, and [administrative rules](#). Most solid waste cannot be stored in a waste pile unless approved by the department. In order to store certain materials on the ground, there are storage requirements that must be met. These are addressed in both rules R 299.4129 and R 299.4130.

Certain materials that have been designated as inert can be stored in a pile or buried if it meets the conditions listed in rule R 299.4114. Inert material may include uncontaminated rock, trees, stumps, and other land clearing debris, excavated soil, construction brick, masonry, pavement, broken concrete, some chipped tires used in landfill construction and operation, portland cement clinker, and some low hazard industrial waste.

COMMON VIOLATIONS INCLUDE:

For private land owners and businesses:

- ✓ Not reporting to the department when a site will receive more than 1000 cubic yards of inert material such as brick, masonry, or pavement material. Complete and submit the [Inert Materials Notification Form](#) to the Waste and Hazardous Materials Division when it is intended that a site receive a 1000 cubic yards or more of inert material.
- ✓ Using concrete (for fill or other purposes) that has exposed reinforcing bars or contains other construction and demolition waste.
- ✓ Burying trees, stumps, and land clearing debris within four feet of the groundwater table, or placing in a wetland or floodplain. Contact the [Land and Water Management Division](#) for further information on floodplains and wetlands regulations.
- ✓ Accumulating solid waste at a site in either a pile or burying it on-site. For homeowners, this applies to waste such as scrap tires and construction and demolition material and any waste that creates a nuisance.

For businesses:

- ✓ Storing any material that is intended to be reused or stored on land without ensuring the material is inert according to Part 115 regulations or failing to obtain an inert designation for the material from the department prior to storage or reuse.
- ✓ Storing solid waste on the ground, in violation of Part 115, e.g., waste pile requirements.
- ✓ Storing site or source-separated materials as well as, other potentially recyclable materials in a manner that constitutes speculative accumulation as described in rule R 299.4119(2)(a).

Above are violations that have been identified during inspections by Department of Environmental Quality (DEQ), Waste and Hazardous Materials Division staff. The violations are not listed by severity or frequency of findings.

ADDITIONAL RESOURCE LINKS:

The Waste and Hazardous Materials Division has developed several [operational memos](#), including operational memo 115-20 [Waste Pile Regulation](#), and [guidance documents](#) to clarify several areas of solid waste regulations.

CONTACTS FOR MORE INFORMATION:

Environmental Compliance Assistance Program
DEQ Environmental Science and Services Division
1-800-662-9278 or email deq-ead-env-assist@michigan.gov

or

DEQ Waste and Hazardous Materials Division [District Office](#)

Revised January 26, 2007 by Judy Schaefer, ESSD