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**BACKGROUND DOCUMENT ON THE PROPOSED REVISIONS OF  
310 CMR 19.000**

**REGULATORY AUTHORITY:  
M.G.L. c. 111, s. 150A**

**MAY 2010**

## BACKGROUND DOCUMENT ON THE PROPOSED REVISIONS OF 310 CMR 19.000, MAY 2010

The Massachusetts Department of Environmental Protection (MassDEP) proposes to amend 310 CMR 19.000, the Commonwealth of Massachusetts' Solid Waste Management Regulations. Specifically, MassDEP proposes to amend 310 CMR 19.017, Waste Bans, to add clean gypsum wallboard to the list of restricted materials effective September 1, 2010, and 310 CMR 19.006 to add a definition for clean gypsum wallboard.

The regulations at 310 CMR 19.017 require solid waste handling and disposal facilities to submit waste ban compliance plans. Solid waste handling and disposal facilities include transfer stations, landfills, municipal waste combustors and construction and demolition debris processing facilities. Waste ban compliance plans should demonstrate how the facility operator will not dispose, transfer for disposal or contract for disposal solid waste commingled with unacceptable quantities of restricted materials. Once a plan is approved by MassDEP it must be implemented by the facility. MassDEP will use the plan to evaluate compliance and conduct enforcement (if needed).

Gypsum wallboard, also known as "drywall", is a panel used typically in interior construction to form a wall or ceiling. The panel has a gypsum core and is faced with a heavy paper or other material on both sides. During new construction, gypsum wallboard installers generate scrap material as they cut the gypsum wallboard to meet various sizes. Approximately 15% -20% of new gypsum wallboard is disposed of as scrap. It is estimated that approximately 40,000 tons to 50,000 tons of new gypsum wallboard scrap material is generated annually in Massachusetts<sup>1</sup>.

Since 2001, MassDEP has successfully worked with the construction and demolition industry to develop a recycling and reuse infrastructure that can divert this material from disposal, meet its Solid Waste Master Plan goals to shift the focus from waste management to materials management, and meet the Commonwealth's priorities to expand recycling and waste reduction. In 2006, Massachusetts became the first state to ban from disposal certain components of the C&D waste stream, specifically asphalt pavement, brick, concrete, metal and wood. MassDEP continues to work with the C&D industry to divert other C&D materials such as gypsum wallboard, asphalt shingles and ceiling tiles to recycling and reuse markets.

In 2003, MassDEP began to work with the wallboard manufacturing industry and the C&D industry to focus recycling and reuse efforts on gypsum wallboard scrap material to reduce the disposal of gypsum wallboard scrap material in landfills to minimize hydrogen sulfide gas generation and increase recycling of this material.

There is now a sustainable recycling infrastructure that has a current capacity to recycle approximately 80,000 tons of gypsum wallboard waste material into new gypsum wallboard, with the potential to increase capacity. Contractors and haulers will have the option to either continue to send mixed C&D to solid waste facilities (i.e. construction and demolition debris processors or transfer stations) that will separate the clean gypsum wallboard material or separate the clean gypsum wallboard scrap material and send it directly to a gypsum recycling facility<sup>2</sup>. One gypsum wallboard recycler, Gypsum Recycling America, has established a collection network with numerous C&D processors and transfer stations allowing for contractors to continue to bring clean gypsum wallboard scrap to locations they currently bring their waste materials (see Attachment 1).

MassDEP is not proposing to ban the disposal of renovation or demolition gypsum wallboard waste material at this time. We will continue to work with the C&D industry, through the C&D Subcommittee of MassDEP's Solid Waste Advisory Committee, to assist in developing a recycling and reuse infrastructure for this material.

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<sup>1</sup> Gypsum Association reported 304,119 tons of gypsum wallboard was sold in Massachusetts between April 2008 and April 2009. The National Association of Home Builders determined new wallboard installation results in 15% - 20% scrap.

<sup>2</sup> Currently, two recycling facilities take gypsum wallboard waste directly from contractors and haulers. They are Gypsum Recycling America located in Cambridge, MA and GP-Gypsum located in Newington, NH.

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MassDEP is proposing an implementation date for the disposal ban of September 1, 2010.

MassDEP has identified two specific issues and proposed options<sup>3</sup>:

1. The greatest tonnage of C&D waste materials is generated on commercial and large scale projects. Therefore, the regulations and policies will be focused on that segment of the C&D waste stream and not on homeowners performing minor projects on their homes.

Proposal: Solid waste facilities (i.e. landfills, transfer stations, municipal waste combustors, and construction and demolition debris processing facilities) do not need to conduct recordkeeping or comprehensive load inspections for vehicles with less than a five cubic yard capacity.

2. It is not feasible to require separation of all clean gypsum wallboard and other banned construction and demolition material (i.e. asphalt pavement, brick, concrete, metal and wood).

Proposal: Loads with a cumulative total of 20% or less asphalt pavement, brick, concrete, metal, wood and gypsum wallboard will not be considered failed loads. In addition, pieces of clean gypsum wallboard with dimensions of two square feet or less are exempt from the disposal ban.

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<sup>3</sup> MassDEP has addressed both issues within our Guidance for Solid Waste Handling and Disposal Facilities on Compliance with MassDEP's Waste Bans for our existing C&D materials banned from disposal. We are proposing to revise the same guidance document to include clean gypsum wallboard.

**Attachment 1  
GRA Collection Points**

