



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

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July 29, 1998

To: Interested Parties

From: Philip J. O'Brien, Ph. D., Director  
Waste Management Division  
Department of Environmental Services

Subject: Certified Waste-Derived Product No. 05, Silt Extender for Manufactured Topsoil  
Consisting of Spent Brewery Diatomaceous Earth

Pursuant to Env-Wm 3207.05 and Env-Wm 3208 of the New Hampshire Solid Waste Rules (Rules), the Department of Environmental Services, Waste Management Division (Department) has added a silt extender for use in manufactured topsoil (product) made with spent brewery diatomaceous earth (waste) to the Department's list of certified waste derived products. Use of the waste(s) must adhere to Part Env-Wm 3202.04 of the New Hampshire Solid Waste Rules which are designed to protect public health and the environment. Before using the waste(s) to produce the product, be sure to note any specifications or restrictions that have been placed on the use, storage, handling, and production of the waste(s) and or product. **Three (3) specifications and / or restrictions are attached.**

For any person producing this product at the site of waste generation, the product may be produced without obtaining a solid waste permit, i.e. the activity is permit-exempt per Env-Wm 2208.03. Note that this permit exemption applies only to the generator of the waste(s).

For all others who wish to produce the product using waste from off-site locations, a permit-by-notification is required for each processing location per Env-Wm 2207.04.

This certification granted by the department shall not affect the applicant's obligation to obtain all requisite federal, state, or local permits, licenses or approvals, or to comply with all other applicable federal, state, district or local permits, ordinances, laws or approvals or conditions pertaining to the approved activity.

For permitting information and questions, please call the Department's Permitting and Design Review Section at (603) 271-2935 for assistance.

cc: PDRS CWDP File  
SWCS  
Patricia Hannon

Certified Waste Derived Product No. 5  
Silt Extender in Manufactured Topsoil  
Made with Spent Brewery Diatomaceous Earth  
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**Specifications and/or Restrictions**  
**for the Use of**  
**Spent Brewery Diatomaceous Earth**  
**as a Silt Extender in Manufactured Topsoil**

- 1) Only spent diatomaceous earth which has been used in the filtration of beer shall be certified for re-use.
- 2) The diatomaceous earth shall not be stockpiled for a period greater than three (3) days prior to its incorporation into manufactured topsoil. The stockpiles shall be managed in such a way as not to create a nuisance from odor or windblown dust.
- 3) The diatomaceous earth component of the manufactured topsoil shall not be included in such a way as to render the topsoil injurious to plant, human or aquatic life, or to soil to water when the topsoil is applied according to the directions for use.