

## **US Ecology Detroit North (formerly Dynecol)**

- The facility was established as an industrial site prior to 1930.
- The surrounding area has gone from residential to industrial. See attached historic aerial photographs.
- In the mid-1970s, the site managed acids for the steel industry (original name was Waste Acid Services), which subsequently became designated hazardous waste under the federal Resource Conservation and Recovery Act of 1976.
- It was grandfathered when state and federal hazardous waste permitting regulations took effect in the early 1980's, and is currently licensed as a hazardous waste treatment and storage facility pursuant to Part 111, Hazardous Waste Management, of NREPA
- While it does not impact the decision on the operating license, it appears that the City of Detroit negotiated the land swap with US Ecology that helped to make a portion of the proposed expansion possible.
- The City of Detroit has designated the area encompassing the facility as the I-94 Industrial Corridor.
- The current hazardous operating license application started out as a renewal and was modified in 2012 to include an expansion after US Ecology purchased the facility from Dynecol. The proposed expansion would increase the facility's tank and container storage and treatment capacities.
- The site is also licensed as a solid waste processing plant pursuant to Part 115, Solid Waste Management, of NREPA. Industrial waste sludge is solidified in tanks and sent offsite for disposal in a landfill.
- Public participation procedures typical of most major permitting decisions have been followed. Specific examples of participation by the City include:
  - The Detroit City Council and State Legislators were notified of the license expansion application. No comments were received on that initial notification.
  - Only DEQ personnel and a representative from EQ Detroit (competing business) attended the meeting held by the facility.
  - The Detroit City Council and State Representatives were also notified of the Public Hearing for the proposed issuance of the operating license.
  - The Public Hearing notification was posted on the City of Detroit's Web page.

- Post cards announcing the DEQ's intent to issue the permit were mailed to approximately 4,000 residents within a one-mail radius of the facility.
  - The hearing was attended by Councilman Scott Benson of the Detroit City Council and about 70 residents.
  - As a result of the amount of public interest, a public meeting was held and the public comment period was extended. The meeting was attended by Councilman Scott Benson and State Representative Rosemary Robinson along with 70 local residents (some of the same residents from the first meeting).
  - It is not clear whether the notifications were shared with the Mayor.
- The facility takes in hazardous waste liquids from the processing of steel (pickling liquor) and other industrial/manufacturing processes. These liquids are treated by neutralization and passed through filter presses and dissolved air floatation devised to remove particulates (metals) prior to the discharge to the POTW. The expanded permit does not increase the amount of treatment of hazardous waste liquids of 144,000 gallons per day (it only increases the amount of onsite storage of liquid and solid hazardous waste). Any liquids that are discharged ("dumped") into the POTW have been pre-treated to meet the standards of the POTW discharge permit. The POTW permit allows the same maximum total discharge of 300,000 gallons per day. The discharge is by batch with a maximum of 15,000 gallons per batch and a maximum of 20 batches per day. Some liquids may be consolidated and shipped to another facility for treatment or disposal, and any solids generated from the treatment process are shipped off-site to another facility for treatment or disposal. The expansion request includes an increase in treated hazardous waste solids. The existing solid waste treatment building will be modified to manage hazardous waste treatment. The expanded permit would allow 1,200 tons of hazardous waste solids to be treated per day. (see attached Capacity Comparison Table accounting for existing vs proposed volumes, stored or treated).
- The facility stores hazardous waste in tanks and containers.
  - Hazardous waste storage would be managed in five buildings.
    - Existing container management facility for container storage
    - Building 4 proposed for conversion from solid to hazardous waste for container storage
    - Building 5A and 5b proposed construction for container storage
    - Existing storage tanks in the treatment building would be converted to hazardous waste
  - Tank storage capacity goes from 23,000 gallons to 176,200 gallons.

- Container storage capacity goes from 53,118 gallons to 500,739 gallons.
- The facility solidifies low activity concentration Technologically Enhanced Naturally Occurring Radioactive Material (TENORM). This TENORM (aka “fracking waste”) is solidified/stabilized and shipped off-site for disposal. No liquids associated with the TENORM are discharged into the Detroit sewer system.
  - The proposed HW Operating License expansion has absolutely nothing to do with the TENORM being processed at this facility. In fact, the TENORM processing is handled in the solid waste processing area and not subject to the hazardous waste requirements.
  - The expansion proposed does not include an expansion of the processing of TENORM. The facility currently has one mixing bin designated for TENORM processing and there is nothing in the expansion requests that suggests they plan to add TENORM processing capacity.
  - Accidents involving low activity concentration TENORM are no more likely than accidents involving other shipments. If an accident were to occur, the radioactive materials involved do not pose an immediate threat to people or the environment. The material is easily detected and can be cleaned up. The total activity in any given shipment is small and would not pose a threat to residents, ground water or the Great Lakes.
  - We have never disputed that the facility is receiving fracking wastes. Before they began processing these materials they registered with the Radiological Protection Section and we reviewed their work plans and processes for handling the materials.
  - This is not “highly radioactive” materials. Highly radioactive materials are subject to regulations. It is because these materials are at such low activity concentrations that they are not regulated at the federal level.
  - The low activity concentration radioactive materials are being solidified at the facility and not put into the water supply. There is zero evidence to indicate that the TENORM will become part of the drinking water supply regardless of the “Halliburton Loophole”.
  - The TENORM processed at this facility poses an extremely low risk to the workers who are dealing with the material and an almost immeasurably small risk to the residents living near the facility.
  - The TENORM processed at this facility has such a small activity concentration that it poses no risk to the Detroit River or the Great Lakes.
  - The City of Detroit asked the facility to modify the application to remove TENORM. The response was probably not, USE would like to leave their options open. In the City of Detroit’s evaluation, TENORM is the biggest dilemma.
- The DEQ agreed to City of Detroit’s May 6, 2016, request for a two week delay in any decision on the operating license. This request would allow the City of Detroit health officer to conduct an evaluation of impacts the expansion might

have on the community. The City of Detroit has not shared the results of this evaluation with the DEQ.

- At this point we have no basis to deny the operating license. The decision has been purposefully delayed at the request of US Ecology, but a decision must be made by September 30, 2016, to honor the DEQ's federal RCRA grant work plan commitments.
- The Detroit Wastewater Treatment Plant (WWTP), (now leased and operated by the Great Lakes Water Authority (GLWA)) is required by its NPDES permit to implement and Industrial Pretreatment Program (IPP) to control the wastewater discharges from the industrial users in its wastewater collection system. GLWA is required to establish local sewer use ordinance limits that are protective of the WWTP and the water quality standards in the receiving stream. These local limits are reviewed and approved by DEQ Water Resource Division (WRD). In addition to local limits, the permit issued to USE by GLWA includes limits based on federal standards for Centralized Waste Treatment. The treatment system at USE is designed to remove the metals and organic compounds found in the types of wastewater it receives to levels that can be safely handled by the WWTP.
- The WWTP has more than sufficient treatment capacity to handle the pretreated wastewater from USE. The WWTP is designed to provide secondary treatment for up to 850 Million Gallons a Day (MGD) with additional primary capacity for wet weather flow. The annual average flow treated at the WWTP is 635 MGD. Less than 10% of the dry weather flow to the WWTP is from industrial sources. Of that <635 MGD, USE is authorized to discharge a maximum of 0.3 MGD (300,000 gallons per day). GLWA has confirmed that USE has not requested an increase in the authorized maximum daily flow.
- In regards to the concern about the removal of industrial pollutants compared to the removal of "common pills": While the pills may be common, treatment to remove them from municipal sewage is not. The removal of metals and other industrial pollutants is done with very common, well understood treatment processes. The issue of pharmaceuticals and personal care products in sewage is still an emerging issue. Municipal WWTPs do not have specialized treatment to remove pharmaceutical compounds.