

**U.S. Ecology Detroit North
Frequently Asked Questions (FAQs)
April 2019**

1. How can I stop this license action from happening?

The Department of Environmental Quality (DEQ) can only deny a license application if the proposed operations would not comply with the hazardous waste laws and rules. Therefore, if you make a technical comment that demonstrates the proposed license will not meet a hazardous waste law or rule, the DEQ will not issue the license. Generally, if someone shares a technical comment that requires changes in the license to meet the hazardous waste laws and rules, the applicant proposes a change to the license application that addresses the technical deficiency. The DEQ reviews the change and when the deficiency is corrected, the DEQ issues a revised, draft license for public comment again. The DEQ evaluates each license application for compliance with the hazardous waste laws and rules. If a proposed license meets the requirements of the hazardous waste laws and rules, the DEQ is obligated under the hazardous waste laws and rules to issue the license.

2. What are the legal provisions that provide a basis for denying a hazardous waste operating license?

The DEQ does not have authority to deny a license on the basis of public support or opposition. There are criteria that need to be met to deny a license application. The criteria are found under Rule 518 and 519 of the [hazardous waste laws and rules](#). The criteria for denying a hazardous waste license application include:

- When the proposed license includes provisions that would violate the hazardous waste laws or rules.
- When the proposed design of the operation is demonstrated to result in harm to human health or the environment.
- When the location seeking the license is operating in violation of their existing hazardous waste license, laws, or rules and the facility continues to operate without fixing the violation(s).
- When the applicant provides false information or does not provide enough information for the DEQ to conclude that the equipment is designed properly and will be operated in a manner that meets the hazardous waste laws and rules.

The hazardous waste laws and rules only allow the DEQ to consider the applicant's activities at the location where the hazardous waste license actions are to occur. Activities occurring at other locations owned and operated by the same company cannot be considered when making a decision on the hazardous waste license application.

3. Why did you waive the requirement for U.S. Ecology Detroit North to have a soil and groundwater monitoring program?

U.S. Ecology Detroit North (formerly Dynecol) received a waiver from the soil monitoring requirements in the hazardous waste laws and rules before issuance of the May 2, 1990, license, which preceded the license that is currently in effect. The waiver was granted because no hazardous waste, or hazardous waste constituents, are to reach soil based on the facility design and operating requirements. All areas where hazardous waste is handled

must be paved with concrete or asphalt. In specified areas, such as the container management building storage bays and the treatment area unloading pad, the paved areas are also coated with chemical-resistant materials to further enhance the design and prevent any release to soil from the storage and treatment activities.

U.S. Ecology Detroit North (formerly Dynecol) also received a revised waiver from the groundwater monitoring requirements on April 26, 2017. A previous waiver had been issued to Dynecol, but it was pointed out in the public comment process that a small portion of the hazardous waste operation was not fully under a structure that provides protection from precipitation and runoff, which is a requirement for the waiver. U.S. Ecology Detroit North applied for, and was granted, a revised waiver based on site geology and a finding from the DEQ that there is no potential for migration of liquid from the facility to reach the uppermost aquifer during the life of the facility. The site has groundwater that is generally not drinkable, and the greater Detroit area is supplied with drinking water from Lake Huron. The regional geology in the Detroit area is well known to consist of 100 to 150 feet of clay with very few water-bearing sand and gravel layers. Under the clay, there is a bedrock aquifer which is known to contain naturally occurring trace levels of hydrocarbons, sulfur, and a high mineral content. Most of the information relied upon in waiving the groundwater monitoring requirements is found in the November 1, 1994, Hydrogeological Information section of the U.S. Ecology Detroit North (formerly Dynecol) Permit Application. Previous groundwater investigations from 1981, 1983, and 1988 are also summarized in the document referenced above.

4. What releases to the environment are allowed by the hazardous waste expansion and renewal license?

No discharges to the environment are allowed at this site under the proposed license, nor is any disposal to be authorized under the proposed license. The proposed license would only allow storage and treatment of hazardous waste at the site. Within a year of accepting the hazardous waste, the waste must be shipped off-site following storage and/or treatment for further handling and disposal at a location authorized to accept the waste. The conditions included in the license are designed to prevent any release and to prevent any exposure to the materials stored and treated at this location. The proposed license includes conditions:

- To prevent releases from the operation.
- To require emergency response in coordination with local emergency responders in the event of an emergency.
- To require clean-up if there is any release from the hazardous waste activities occurring at this site.
- To set aside money which the state can use if clean-up is needed and not performed.

A comprehensive waste analysis process must be followed under the proposed license. The waste analysis process involves the company taking specific steps to verify the nature of the incoming waste before and after shipment to the Georgia Street location. This ensures the company is able to properly manage, store, and treat incoming waste.

The air and water permits needed for the expansion were issued by the DEQ, Air Quality Division, in 2015, and the Great Lakes Water Authority (the receiving wastewater treatment

plant) in 2013. Those permits have been determined to meet the laws and rules that apply under the Clean Air Act, the Clean Water Act, and applicable local ordinances.

5. I saw a discharge from this facility to the environment, how is that allowed and compliant?

If ever you see something that appears concerning and looks like an environmental discharge that is not authorized, please call our Pollution Emergency Alert System. You can report what you saw, when and where it occurred, and any other details that may be relevant in determining the cause and source of the discharge. By getting the information to the right people quickly, you are ensuring that an investigation is conducted promptly, and any necessary corrections and enforcement actions are taken. Community members play a valuable role in helping the DEQ protect human health and the environment. ***The number to the Pollution Emergency Alerting System hotline, which has operators to assist available 24 hours a day 7 days a week, is 800-292-4706.***

6. How does the DEQ coordinate with the Great Lakes Water Authority (GLWA) in regulating this facility?

The DEQ receives wastewater test data reports from the GLWA routinely. The test data includes data collected by both the GLWA and U.S. Ecology Detroit North. This information is reviewed to monitor how the company is doing in meeting their GLWA wastewater treatment permit limits. If the company is not meeting their wastewater permit limits, GLWA will let the DEQ know if U.S. Ecology Detroit North needs to make changes to the process in order to meet the permit limits. The DEQ discusses what measures GLWA will take or if DEQ needs to provide assistance to GLWA to ensure U.S. Ecology Detroit North corrects the exceedance. The 2018 wastewater treatment data reporting included approximately 2,400 samples. The data showed eight exceedances of the wastewater limits: seven daily limit exceedances and one monthly limit exceedance. The report shows that U.S. Ecology Detroit North met their wastewater treatment limits in their GLWA permit 99.7 percent of the time in 2018. This data can be viewed on the [compliance scorecard](#).

7. What does the DEQ do if they find a violation?

There are risks in managing chemicals and hazardous waste. To minimize the risk, the DEQ establishes specific design, construction, and operational requirements to prevent release and ensure the operations at hazardous waste treatment and storage facilities do not present a hazard. If a company violates the hazardous waste license, laws or rules, the DEQ acts to enforce the hazardous waste license, laws and rules. The DEQ has hazardous waste inspectors that inspect, at least quarterly, to verify the company is operating as required under the hazardous waste laws and rules. If a violation is identified, the DEQ issues a notice to the company that identifies the observations made to support that a violation occurred. The company is required to correct any violations in a timely matter. Depending on the severity of the violation the DEQ may seek to recover fines and penalties under the hazardous waste laws and rules.

8. What kind of materials are managed at the facility?

At the Georgia Street location in Detroit, Michigan, U.S. Ecology Detroit North stores and treats both hazardous waste and non-hazardous waste. The proposed license renewal and

expansion covers the hazardous waste activities that can occur at this location. At this location, U.S. Ecology Detroit North stores and consolidates solutions, sludges, and solids wastes containing acids, alkalis, metals and/or organic compounds; and wastes that are ignitable, corrosive, or reactive. U.S. Ecology Detroit North also treats inorganic aqueous wastes containing acids, alkalis, and metals.

9. I heard that the buffer from the edge of a hazardous waste facility is only 60 meters. How is this possible?

Rule 603 of Michigan's hazardous waste laws and rules addresses isolation distances for the active portions of new facilities and expansions of existing hazardous waste treatment, storage, or disposal facilities. In general, hazardous waste management must be conducted at least 60 meters away from the property line as specified under (2)(b) of Michigan's hazardous waste laws and rules.