



**State of Michigan  
Department of Environmental Quality  
HAZARDOUS WASTE MANAGEMENT FACILITY POSTCLOSURE OPERATING LICENSE**

NAME OF LICENSEE: Waste Management of Michigan, Inc.

NAME OF OWNER: Waste Management of Michigan, Inc.

NAME OF OPERATOR: Waste Management of Michigan, Inc.

NAME OF TITLEHOLDER OF LAND: Waste Management of Michigan, Inc.

FACILITY NAME: Woodland Meadows North Landfill

FACILITY LOCATION: 4620 Hannan Road, Canton Township, Michigan

EPA IDENTIFICATION NUMBER: MID 000 810 408

EFFECTIVE DATE: September 28, 2018

REAPPLICATION DATE: March 30, 2028

EXPIRATION DATE: September 28, 2028

**AUTHORIZED ACTIVITIES**

Pursuant to Part 111, Hazardous Waste Management, of Michigan's Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), being Sections 324.11101 to 324.11153 of the Michigan Compiled Laws (MCL), and the hazardous waste management administrative rules (hereafter called the "rules") promulgated thereunder, being Rule (R) 299.9101 *et. seq.* of the Michigan Administrative Code, by the Michigan Department of Environmental Quality (MDEQ), a postclosure operating license (hereafter called the "license") is issued to Waste Management of Michigan, Inc. hereafter called the "licensee") to operate a hazardous waste facility located at latitude, longitude: 42.273149, -83.429436. The licensee is authorized to conduct the following hazardous waste management activities:

- |  |  |  |   |
|--|--|--|---|
| <input type="checkbox"/> STORAGE             | <input type="checkbox"/> TREATMENT           | <input type="checkbox"/> DISPOSAL            | <input checked="" type="checkbox"/> POSTCLOSURE |
| <input type="checkbox"/> Container           | <input type="checkbox"/> Container           | <input type="checkbox"/> Landfill            | <input type="checkbox"/> Tank                   |
| <input type="checkbox"/> Tank                | <input type="checkbox"/> Tank                | <input type="checkbox"/> Land Application    | <input type="checkbox"/> Surface Impoundment    |
| <input type="checkbox"/> Waste Pile          | <input type="checkbox"/> Surface Impoundment | <input type="checkbox"/> Surface Impoundment | <input checked="" type="checkbox"/> Landfill    |
| <input type="checkbox"/> Surface Impoundment | <input type="checkbox"/> Incinerator         |  | <input type="checkbox"/> Waste Pile             |
| <input type="checkbox"/> Drip Pad            | <input type="checkbox"/> Other:              |  |   |

**APPLICABLE REGULATIONS AND LICENSE APPROVAL**

The conditions of this license were developed in accordance with the applicable provisions of the rules, effective November 5, 2013. The licensee shall comply with all terms and conditions of this license. This license consists of the 21 pages of conditions attached hereto, as well as those in Attachments 1 through 4, and the applicable rules contained in R 299.9101 through R 299.11008, as specified in the license. For purposes of compliance with this license, applicable rules are those which are in effect on the date of issuance of this license, in accordance with R 299.9521(3)(a).

This license is based on the information in the license application submitted on May 18, 2015, and any subsequent amendments (hereafter referred to as "the application"). Pursuant to R 299.9519(11)(c), the license may be revoked if the licensee fails, in the application or during the license issuance process, to disclose fully all relevant facts or, at any time, misrepresents any relevant facts. As specified in R 299.9519(1), the facility shall be constructed, operated, and maintained in accordance with Part 111 of Act 451, the rules, and this license.

This license is effective on the date of issuance and shall remain in effect for 10 years from the date of issuance, unless revoked pursuant to R 299.9519 or continued in effect as provided by the Michigan Administrative Procedures Act, 1969 PA 306, as amended (Act 306). Pursuant to R 299.9516, this license shall be reviewed by the Director five years after the date of issuance and shall be modified as necessary, in accordance with the provisions of R 299.9519 and R 299.9520.

Issued this 28<sup>th</sup> day of September, 2018

By:           Allan B. Taylor            
Allan B. Taylor, Manager  
Hazardous Waste Section  
Waste Management and Radiological Protection Division

**WOODLAND MEADOWS NORTH LANDFILL**

**MID 000 810 408**

**HAZARDOUS WASTE MANAGEMENT FACILITY POSTCLOSURE OPERATING LICENSE**

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**PART I  
STANDARD CONDITIONS**

**A. TERMINOLOGY AND REFERENCES**

Throughout this license, the term "Division" means the Waste Management and Radiological Protection Division, and any successor organization, within the MDEQ, responsible for administering Part 111 of Act 451 and the rules. Throughout this license, "Director" means the Director of the MDEQ or the Director's duly authorized designee, such as the Division Director. All the provisions of Title 40 of the Code of Federal Regulations (CFR) referenced in this license are adopted by reference in R 299.11003.

**B. EFFECT OF LICENSE**

Except as otherwise provided by law, any treatment, storage, or disposal of hazardous waste not specifically authorized in this license is prohibited. Issuance of this license does not authorize any injury to persons or property, any invasion of other private rights, or any infringement of federal, state, or local law or regulations {R 299.9516(8)}; nor does it obviate the necessity of obtaining such permits or approvals from other units of government, as may be required by law. Compliance with the terms of this license does not constitute a warranty or representation of any kind by the MDEQ, nor does the MDEQ intend that compliance with this license constitutes a defense to any order issued, or any action brought under Act 451 or any other applicable state statute or §106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act {42 U.S.C. 9606(a)}; the Resource Conservation and Recovery Act of 1976, as amended (RCRA), and its rules; or any other applicable federal statute. The licensee, however, does not represent that it will not argue that compliance with the terms of this license may be a defense to such future regulatory actions. Each attachment to this license is a part of, and is incorporated into, this license and is deemed an enforceable part of the license.

**C. SEVERABILITY**

The provisions of this license are severable, and if any provision of this license, or the application of any provision of this license, to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this license shall not be affected thereby.

**D. RESPONSIBILITIES**

1. The licensee shall comply with Part 111 of Act 451, the rules, and all conditions of this license, except to the extent authorized by the MDEQ, pursuant to the terms of an emergency operating license. Any license noncompliance, except to the extent authorized by the MDEQ, pursuant to the terms of an emergency operating license, constitutes a violation of Part 111 of Act 451 and is grounds for enforcement action, license revocation, license modification, or denial of a license renewal application. {§§11148, 11150, and 11151 of Act 451; R 299.9521(1)(a) and (c) and (3)(a) and (b); and 40 CFR §270.30(a)}
2. If the licensee wishes to continue an activity regulated by this license after the expiration date of this license, the licensee shall submit a complete application for a new license to the Division Director at least 180 days before this license expires on March 30, 2028, unless an extension is granted pursuant to R 299.9510(5). To the extent the licensee makes a timely and sufficient application for renewal of this license, this license and all conditions herein will remain in effect beyond the license expiration date and shall not

expire until a decision on the application is finally made by the MDEQ; if the application is denied or the terms of the new license are limited, until the last day for applying for judicial review of the new license or a later date fixed by order of the reviewing court consistent with §91(2) of Act 306. {R 299.9521(1)(a) and (c) and (3)(a) and 40 CFR §270.30(b)}

3. The licensee shall comply with the conditions specified in R 299.9521(1)(b)(i) to (iii) and 40 CFR §270.30(c) through (k), (l)(2), (3), (5), (7), and (11), and (m). {§§11123(3), 11146(1) and (2), and 11148(1) of Act 451 and R 299.9501(1), R 299.9516, R 299.9519, R 299.9521(1)(a) and (b) and (3)(a) and (b), R 299.9522, and R 299.9525}
4. The licensee shall give notice to the Division, as soon as possible, prior to any planned physical alterations or additions to the licensed facility. {R 299.9501, R 299.9519(1), and Part 6 of the Part 111 of Act 451 rules}

#### **E. SUBMITTAL DEADLINES**

When the deadline for submittals required under this license falls on a weekend or legal state holiday, the deadline shall be extended to the next regular business day. This extension does not apply to the deadline for financial mechanisms and associated renewals, replacements, and extensions of financial mechanisms required under this license. The licensee may request extension of the deadlines for submittals required under this license. The licensee shall submit such requests at least five business days prior to the existing deadline for review and approval by the Division Director. Written extension requests shall include justification for each extension. {R 299.9519 and R 299.9521(3)(a)}

**PART II  
GENERAL OPERATING CONDITIONS**

**A. GENERAL WASTE ANALYSIS**

The licensee shall ensure that any waste managed at the facility has been properly characterized pursuant to R 299.9302. {R 299.9605(1) and 40 CFR §264.13}

**B. SECURITY**

The licensee shall comply with the barrier, surveillance, and signage requirements of R 299.9605(1) and 40 CFR §264.14.

**C. GENERAL INSPECTION REQUIREMENTS**

The licensee shall inspect the hazardous waste management facility, remedy any deterioration or malfunction of equipment or structures, and document inspections and remedies in accordance with the inspection schedule, contained in Attachment 1 of this license, and the provisions of 40 CFR § 264.15, which is adopted by reference in R 299.11003. {R 299.9605(1)}

**D. PERSONNEL TRAINING**

The licensee shall conduct personnel training as required by R 299.9605(1) and 40 CFR § 264.16, which is adopted by reference in R 299.11003. This training program shall, at a minimum, cover all items necessary to properly inspect, maintain, and monitor the facility during postclosure care.

**E. PREPAREDNESS AND PREVENTION**

The licensee shall comply with the preparedness and prevention requirements of R 299.9606 and 40 CFR Part 264, Subpart C.

**F. CONTINGENCY PLAN**

The licensee shall comply with the contingency plan requirements of R 299.9607 and 40 CFR Part 264, Subpart D. The Contingency Plan, Attachment 2 of this license, and the prescribed emergency procedures shall be immediately implemented by the licensee whenever there is a fire, explosion, or other release of hazardous waste or hazardous waste constituents that threatens, or could threaten, human health or the environment, or if the licensee has knowledge that a spill has reached surface water or groundwater.

**G. DUTY TO MITIGATE**

Upon notification from the Director, or his or her designee, that an activity at the facility may present an imminent and substantial endangerment to human health or the environment, the licensee shall immediately comply with an order issued by the Director, pursuant to §11148(1) of Act 451, to halt such activity and conduct other activities, as required by the Director, to eliminate the said endangerment. The licensee shall not resume the halted activity without the prior written approval from the Director. {§11148 of Act 451 and R 299.9521(3)(b)}

## H. **MANIFEST SYSTEM**

The licensee shall comply with the manifest requirements of R 299.9304, R 299.9305, and R 299.9608.

## I. **RECORDKEEPING AND REPORTING**

1. The licensee shall comply with the written operating record requirements of R 299.9609 and 40 CFR §264.73 and Part 264, Appendix I. The written operating record of all monitoring and maintenance activities shall be maintained at the Woodland Meadows main office, located at 5900 Hannan Road, Wayne, Michigan.
2. The licensee shall submit the results of all environmental monitoring required by this license, and any additional environmental sampling or analysis conducted beyond that required by this license, in the form of an Environmental Monitoring Report, to the Division Director within 60 days after any sample collection. {R 299.9521(1)(a), R 299.9521(3)(b), and 40 CFR §270.30(l)(4)}
3. The licensee shall provide environmental monitoring information or data, that is required pursuant to this license, to an authorized representative of an environmental or emergency response department, who requests such information or data and that has jurisdiction over the facility. Such information or data shall be made available on the same day the licensee forwards this information to the Division Director. {R299.9521(3)(b)}
4. The licensee shall immediately report to the Division Director any noncompliance with the license that may endanger human health or the environment by doing both of the following:
  - (a) The licensee shall immediately notify the Hazardous Waste Section at 517-284-6838, if the noncompliance occurs Monday through Friday during the period of 8:00 a.m. to 5:00 p.m., except state holidays, or by calling the MDEQ Pollution Emergency Alerting System (PEAS) at 1-800-292-4706 during all other times. This notice shall include the following:
    - (i) Information concerning the fire, explosion, release, or discharge of any hazardous waste, or hazardous waste constituent, that could threaten human health or the environment; that has reached surface water or groundwater; or that may endanger public drinking water supplies or the environment.
    - (ii) A description of the occurrence and its cause, including all the information outlined in R 299.9607(2)(a)-(i).
  - (b) The licensee shall also follow up the verbal notice by providing a written report to the Division Director within five days of the time the licensee becomes aware of the circumstances. The written report shall contain all of the information in Condition II.1.4(a)(i)-(ii) of this license, along with a description of the noncompliance and its cause; the periods of noncompliance (including exact dates and times); whether the noncompliance has been corrected and, if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance and when those activities



occurred or will occur. The Division Director may waive the five-day written notice requirement in favor of submittal of a written report within 15 days of the time the licensee becomes aware of the circumstances.

5. The licensee shall report all other instances of noncompliance with this license, Part 111 of Act 451, the rules, and any other applicable environmental laws or rules that apply to the licensed facility at the time monitoring reports required by this license are submitted, or within 30 days, whichever is sooner. The reports shall contain the information listed in Condition II.I.4 of this license. {R 299.9521(1)(a) and 40 CFR § 270.30(l)(10)}
6. The licensee may make minor modifications to the forms contained in the attachments to this license. The modifications may include changing the format, updating existing references and information, adding necessary information, and changing certification and notification information, in accordance with Part 111 of Act 451 and its rules, and RCRA and its regulations. The licensee shall submit the modifications to the Division Director prior to implementing the use of the modified form(s). If the Division Director does not reject or require revision of the modified form(s) within 14 days of receipt, the licensee shall implement use of the modified form(s) and the form(s) shall be incorporated into this license as a replacement for the existing form(s).

**J. POSTCLOSURE**

The licensee shall comply with the postclosure monitoring requirements of R 299.9613 and monitor and maintain the facility in accordance with the Postclosure Inspection Schedule, Attachment 1 of this license. The licensee shall submit a certification of postclosure in accordance with R 299.9613(5). {R 299.9613 and 40 CFR §§ 264.116 through 264.119}

**K. FINANCIAL ASSURANCE FOR POSTCLOSURE**

1. On the effective date of this license, the facility postclosure cost estimate is \$1,171,000.
2. The licensee shall continuously maintain financial assurance for the current postclosure cost estimate as required under R 299.9703.

**L. FINANCIAL ASSURANCE FOR CORRECTIVE ACTION**

1. On the effective date of this license, the cost of performing corrective action at the facility is as follows:

Interim Measures	\$0
Corrective Action Investigation	\$0
Corrective Measures Study	\$0
Corrective Measures Implementation	\$0
Total	\$0

The licensee shall keep this estimate current, as required under R 299.9712.

2. The licensee shall continuously maintain financial assurance for corrective action, as required under R 299.9713, for approved work plans required by Condition V of this license.

**M. LAND DISPOSAL RESTRICTIONS**

The licensee shall comply with all the requirements of 40 CFR Part 268. {R 299.9627 and 40 CFR Part 268, which is adopted by reference in R 299.11003}

**N. DOCUMENTS TO BE MAINTAINED AT THE FACILITY**

The licensee shall maintain, at the Woodland Meadows main office, located at 5900 Hannan Road, Wayne, Michigan, the following documents and amendments required by this license, until postclosure is completed, certified by an independent registered professional engineer, and the facility is released from financial assurance requirements for postclosure by the Director:

1. Inspection schedules
2. Contingency plan
3. Postclosure plan
4. Cost estimate for facility postclosure and copies of related financial assurance documents
5. Operating record
6. Site security plan
7. Facility engineering plans and specifications
8. Recordkeeping procedures
9. Environmental monitoring plans, including sampling and analysis plans and quality assurance/quality control (QA/QC) plans
10. Environmental monitoring data and statistical records
11. Preventative procedures (personnel protection plan)
12. Evaluation of Post Closure Care (EPCC) Plan

{R 299.9521(3)(a)}

**O. ENGINEERING PLANS**

The licensee shall maintain the facility in accordance with the Engineering Plans, Attachment 3 of this license, and any modifications to those plans shall be made in accordance with this license.

**PART III  
LANDFILL POSTCLOSURE CONDITIONS**

**A. COVERAGE OF LICENSE**

1. The hazardous waste landfill leachate collection and treatment systems, along with any associated piping, pumps, structures, and equipment at the facility, shown on the Facility Drawing dated April 27, 2018, are covered by the license. {R 299.9521(1)(b)}
2. The Facility Drawing dated April 27, 2018, and the attached plans and specifications, are incorporated into this license as Attachment 3.

**B. DESIGN AND RUN-ON, RUN-OFF, AND CONTAMINANT CONTROL**

1. The licensee shall operate and maintain the existing run-on and run-off management system for collection and control of storm water. {R 299.9604(1)(b)}
2. The licensee shall expeditiously empty or otherwise manage collection and holding facilities (e.g. tanks or catch basins), associated with run-on and run-off control systems, after storms, to maintain the design capacity of the system. {R 299.9619 and 40 CFR § 264.301(h)}
3. The licensee shall operate and maintain a leachate collection and removal system in accordance with this license and the Engineering Plans, Attachment 3 of this license. The leachate captured by this system shall be discharged to the sewer system operated by the Great Lakes Water Authority.
4. The licensee shall survey the benchmarks once every two years. A visual survey of the final cover will be performed in accordance with the criteria identified in Attachment 1 of this license. A survey of the final cover will be performed once every five years. Following this survey, a contour map of the final cover shall be submitted to the Division with the annual report. {R 299.9619 and 40 CFR § 264.310(b)(1), (5) and (6)}

**C. ADDITIONAL REPORTING**

The licensee shall submit an annual inspection and maintenance summary report to the Division by March 1st of each year during the postclosure care period. The annual inspection and maintenance report shall include the following:

1. A summary of all maintenance activities performed by the licensee to maintain the integrity of the landfill.
2. A summary of all maintenance activities performed by the licensee to maintain the integrity of the final cover, such as erosion repair, subsidence repair, mowing, fertilization, hydraulic barrier, and a copy of the associated inspection logs. {R 299.9521(2)(a) and (b) and 40 CFR § 270.31}

**PART IV  
ENVIRONMENTAL MONITORING CONDITIONS**

**A. GROUNDWATER MONITORING PROGRAM**

1. The licensee shall conduct a detection monitoring program. Under this program, the licensee shall operate and maintain a groundwater monitoring system consisting of monitoring wells labeled: MW-6R, E-7A, MW-12R, MW-14, MW-15, GA-31B, GA-32C, GA-33C, GA-34A, GA-35A, GA-36A, GA-46W, MW-50, and GA-51, as shown on Figure 2 of the Groundwater Monitoring Sampling and Analysis Plan, Attachment 4 of this license. GA-46W and GA-51 are designated to serve as piezometers for water level collection only. {R 299.9611(2)(a) and (b), R 299.9612, and R 299.9629 and 40 CFR Part 264, Subpart F, excluding 40 CFR §264.94(a)(2) and (3), 264.94(b) and (c), 264.100, and 264.101}

The licensee shall sample the monitoring wells in accordance with the procedures specified below:

- (a) Static water level measuring devices, pumps, and/or sampling equipment shall be compatible with the parameters sampled and must be thoroughly cleaned and rinsed before use in each monitoring well. Sampling procedures shall assure that cross-contamination and changes in water chemistry do not occur. {R 299.9612 and 40 CFR § 264.97(d) and (e)}
- (b) The static water elevation shall be determined by methods giving precision to 1/8 inch, or 0.01 foot, prior to purging water from the wells for sampling. Measurements shall be made from the top of the casing, with the elevation of all casings in the monitoring well system related to a permanent reference point, using United States Geological Survey datum. {R 299.9612 and 40 CFR 264.97(f)}
- (c) To ensure a representative sample, the well will be evacuated as specified in Section 6, of Attachment 4, of this license. Wells shall be sampled immediately after purging where recovery rates allow. Where wells are pumped dry during purging, recovery rates shall be determined, and samples taken, as soon as sufficient recovery occurs, not to exceed 24 hours. {R 299.9612 and 40 CFR § 264.97(d) and (e)}
- (d) Water removed from each monitoring well shall be managed as specified in Section 6.1.3, of Attachment 4, of this license. {R 299.9521(3)(b)}
- (d) All monitoring wells shall be adequately protected from vehicular traffic, be clearly labeled, securely capped, and locked when not in use. {R 299.9612 and 40 CFR § 264.97(c)-(e)}
- (f) Prior to undertaking monitoring well replacement or repair, the licensee shall obtain the written approval of the Division, unless the well has been damaged or rendered inoperable, and the location, design, and depth of the monitoring well remain unchanged. {R 299.9519(5)(c)(i)}

2. The licensee shall collect and analyze samples according to the schedule, parameters, and procedures specified in the Groundwater Monitoring Sampling and Analysis Plan, approved on September 28, 2018, Attachment 4 of this license. The licensee shall submit proposed revisions to the Groundwater Monitoring Sampling and Analysis Plan, to the Division Director for approval, prior to implementation and shall revise any other affected document accordingly. If approved, the revisions shall become part of this operating license. {R 299.9519(5)(c)(ii), R 299.9611(2)(a), R 299.9612, and 40 CFR § 264.97(d) and (e)}
3. The licensee shall submit an annual groundwater report to the Division Director no later than March 1<sup>st</sup> for the previous calendar year's activities. At a minimum, the report shall include the following information:
  - (a) A narrative summary of the previous calendar year's sampling events, including sampling event dates; the identification of any significant problems with respect to the Sampling and Analysis Plan defined procedures; and copies of field log sheets.
  - (b) A determination of the groundwater flow rate and direction in the monitored zone, including the preparation of a groundwater level contour map from this data.
  - (c) A summary of groundwater quality data results, data graphs, and data tables, including a narrative summary of results and trends.
  - (d) A presentation of the statistical analysis of the data and the identification of any statistically significant increases (SSI), and/or pH decreases, pursuant to Conditions IV.A.5 and IV.A.6 of this license.
  - (e) An analysis and discussion of laboratory and field related QA/QC information. This shall include results of any equipment, field, and trip blanks collected, and discussion and evaluation of the adequacy of the data with respect to the Sampling and Analysis Plan specifications and requirements.

This annual report is in addition to the reporting requirements of Condition II.1.2 of this license. {R 299.9521(3)(b), R 299.9612(1), and 40 CFR § 264.97(j)}

4. *Establishing Background.* The licensee shall establish background groundwater quality values at monitoring wells for the parameters specified in Table 2, of Attachment 4, of this license.
  - (a) Background values for the non-naturally occurring primary groundwater monitoring parameters, listed in Table 2, of Attachment 4, of this license, shall be the laboratory reporting limit(s) for the parameter(s), which are also listed in Table 2, of Attachment 4, of this license.
  - (b) Background values for naturally occurring secondary parameters have been established by the procedures specified in Appendix D, of Attachment 4, of this license. Background values shall be updated every two years, as described in Section D of Appendix D, of Attachment 4, of this license. The results of this update, including the mean background values, variance, and standard deviations for each monitored parameter, at each well, must be submitted with the Annual Groundwater Monitoring Report to the Division Director.

{R 299.9612(1)(d) and (e) and 40 CFR § 264.97(a) and (g)}

5. *Detection Monitoring Program.* Within 60 days of the conclusion of each sampling event, the licensee shall determine, utilizing Section 7.3, of Attachment 4, of this license, if an initial exceedance has occurred compared to background levels for each primary and secondary parameter listed in Table 2, of Attachment 4, of this license. For the non-naturally occurring primary parameters, any occurrence above the laboratory reporting limit(s) for the parameter(s) shall be considered an initial exceedance. The licensee shall notify the Division within one working day following the determination of an initial exceedance and arrange for a resampling of the offending well within 30 days. The initial exceedance will be evaluated with a pass 1 of 1 resampling approach to determine if an SSI has occurred. {R 299.9612(1)(c) and (e) and 40 CFR §264.97(h) and (i)}
6. If an SSI is confirmed, in accordance with Condition IV.A.5, for any primary or secondary parameter, the licensee shall notify the Division, Hazardous Waste Section, Permit and Corrective Action Unit, by telephone, within one working day and arrange a resampling as soon as possible to reconfirm the SSI. Resampling must include not less than four replicate samples at the affected well(s) for the offending parameter(s). An SSI shall be reconfirmed if two of the four replicates are detected above the laboratory reporting limit(s) for primary parameter(s), or two of the four replicates for secondary parameters exceeds the calculated background concentration for the offending parameter. {R 299.9612 and 40 CFR §264.97(g)}
7. If the licensee determines, pursuant to Conditions IV.A.5 and IV.A.6 of this license, that an SSI has occurred for primary parameters, the licensee shall address the increase in accordance with R 299.9612 and 40 CFR §264.98(f) and (g) and:
  - (a) Notify the Division Director, or if unavailable, the MDEQ PEAS at 1-800-292-4706.
  - (b) Immediately take steps to determine the cause of the contamination and eliminate the source of discharge.
  - (c) As soon as possible, sample the offending well and the wells immediately adjacent to the offending well that are in the monitoring program listed in Condition IV.A.1 for the parameters listed in Table 3 of Attachment 4.
  - (d) 180 days after the determination, submit to the Division Director a detailed description of corrective actions that shall achieve compliance with applicable laws and rules, including a schedule of implementation. Corrective action shall also meet the requirements of R 299.9629 and include a plan for a groundwater monitoring program that shall demonstrate the effectiveness of the corrective action. Such a groundwater monitoring program may be based on a compliance monitoring program developed to meet the requirements of 40 CFR §264.99.
  - (e) Prior to a license modification requiring a compliance monitoring and corrective action program, the licensee shall provide the Division Director, or his or her designee, with weekly telephone updates and written reports every two weeks regarding the progress to date in determining the cause of contamination and eliminating the discharge. The written report shall include the results of all samples from environmental monitoring conducted by the licensee. {R 299.9521(3)(b)}

- (f) The licensee may demonstrate that a source other than the licensed facility, or an error in sampling, analysis, or evaluation solely caused the increase. A report that contains this information shall be submitted within 60 days of a statistically significant determination under Condition IV.A.6 of this license
8. If the licensee determines, pursuant to Conditions IV.A.5 and IV.A.6 of this license, that an SSI has occurred for any secondary parameter, the licensee shall address the increase in accordance with R 299.9612 and:
- (a) Notify the Division Director, or if unavailable, the MDEQ PEAS at 1-800-292-4706.
  - (b) As soon as possible, sample the offending well and the wells immediately adjacent to the offending well that are in the monitoring program listed in Condition IV.A.1 for the parameters listed in Table 3 of Attachment 4.
  - (c) The licensee shall immediately take steps to determine the cause of contamination and eliminate the source of the discharge. A report that explains the chronology of events, investigative methods, all laboratory analyses, calculations, field activities, and findings related to this determination shall be submitted within 60 days of a statistically significant determination under Condition IV.A.6 of this license.
  - (d) 180 days after the determination, submit to the Division Director a detailed description of corrective actions that shall achieve compliance with applicable laws and rules, including a schedule of implementation. Corrective action shall also meet the requirements of R 299.9629 and include a plan for a groundwater monitoring program that shall demonstrate the effectiveness of the corrective action. Such a groundwater monitoring program may be based on a compliance monitoring program developed to meet the requirements of 40 CFR §264.99.
  - (e) The licensee may demonstrate that a source other than the licensed facility, or an error in sampling, analysis, or evaluation solely caused the increase. A report that contains the information in Condition IV.A.8(c) of this license shall be submitted within 60 days of a statistically significant determination under Condition IV.A.6 of this license.
9. In the event that the Division Director determines from the findings of Conditions VI.A.5 and VI.A.6, of this license, that an SSI in hazardous constituents has occurred in the groundwater and the Director finds, in accordance with §11148 of Act 451, that the increase may present an imminent and substantial hazard to the health of persons or to the natural resources, or is endangering or causing damage to public health or the environment, the licensee shall immediately comply with an order issued by the Director pursuant to §11148(1) of Act 451 to conduct activities, as required by the Director, to eliminate the said endangerment. {R 299.9612(1)(g)}

## **B. SURFACE WATER MONITORING PROGRAM**

1. The licensee shall conduct an annual surface water monitoring program as described in Attachment 4 of this license.

2. Within 60 days after each sampling, the licensee shall determine if the downstream sample exhibits increased concentrations of monitored parameters relative to the upstream sample for each sampling event, for each parameter, listed in Table 4, of Attachment 4, of this license.
3. If a significant increase is detected in a monitoring parameter(s), the licensee shall resample both upstream and downstream locations for each parameter listed in Table 4, of Attachment 4, of this license, for confirmation purposes.
4. If significant increases of monitored parameters are confirmed, the licensee must notify the Division Director immediately by telephone, and within seven days in writing.
5. Within 30 days after the confirmation of a significant increase, the licensee shall determine whether a discharge to surface waters is occurring, determine the source, and take immediate steps to eliminate and prevent any such discharge.
7. The licensee shall report surface water monitoring results as required by Condition II.1.2 of this license.

{R 299.9521(3)(a) and (b) and R 299.9611(5)}

### **C. LEACHATE MONITORING PROGRAM**

1. The licensee shall conduct an annual leachate monitoring program as described in Attachment 4 of this license.
2. The licensee shall monitor the monthly volume of leachate pumped from the facility and record the volume in the operating record. {R 299.9609(1)(b) and R 299.9619(4)(c)(iii)}
3. Any organic parameter that is added to the monitored parameters due to its elevated presence in the routine leachate monitoring, conducted as specified in Attachment 4 of this license, shall be added to the ground water and surface water monitoring parameters by the licensee. Should a new parameter be detected in the leachate, the licensee shall have the option of sampling the leachate within 60 days to confirm the new parameter, prior to adding in the new parameter to the groundwater and surface water monitoring programs. If an added parameter is not detected over two consecutive samplings in the groundwater and surface water monitoring programs, it may be removed from those programs, if approved in writing by the Division Director.
4. The licensee shall report leachate monitoring results as required by Condition II.1.2 of this license.
5. The licensee shall submit an annual leachate monitoring report to the Division by March 1st of each year during the postclosure care period. The annual leachate monitoring report shall include:
  - (a) Leachate volume calculations.
  - (b) A graphical presentation of the monthly and yearly quantities of leachate being generated and pumped from the landfill.



- (c) A graphical comparison between leachate quantities pumped/generated during the reported year and the leachate quantities pumped/generated from previous years.
- (d) Reasons for increases/decreases in leachate quantities. If there is an increase in leachate quantities, the source shall be indicated in the leachate monitoring report.

{R 299.9521(3)(a) and (b) and R 299.9611(5)}

**D. EFFLUENT MONITORING PROGRAM**

The licensee shall conduct monitoring of the treated effluent, discharged to the sewer system, in accordance with the permit issued to the facility by the Great Lakes Water Authority. The licensee shall comply with the Great Lakes Water Authority discharge limitations.

{R 299.9521(3)(a) and (b) and R 299.9611(5)}

**PART V  
CORRECTIVE ACTION CONDITIONS**

**A. CORRECTIVE ACTION AT THE FACILITY**

1. The licensee shall implement corrective action for all releases of a contaminant from any waste management unit (WMU) at the facility, regardless of when the contaminant may have been placed in, or released from, the WMU. For the purposes of this license, the term "corrective action" means an action determined by the Division Director to be necessary to protect the public health, safety, welfare, or the environment; and includes, but is not limited to, investigation, evaluation, cleanup, removal, remediation, monitoring, containment, isolation, treatment, storage, management, the temporary relocation of people, and the provision of alternative water supplies; or any corrective action allowed under Title II of the federal Solid Waste Disposal Act, PL 89 272, as amended, or regulations promulgated pursuant to that act. For the purposes of this license, the process outlined in Part 111 of Act 451 and the environmental protection standards adopted in R 299.9629 shall be used to satisfy the corrective action obligations under this license. {§§11102 and 11115a of Act 451 and R 299.9629}
2. To the extent that a release of a hazardous substance, as defined in §20101(x) of Act 451, that is not also a contaminant, as defined in §11102(2) of Act 451, is discovered while performing corrective action under this license, the licensee shall take concurrent actions as necessary to address the Part 201, Environmental Remediation, of Act 451, remedial obligations for that release. {R 299.9521(3)(b)}

**B. CORRECTIVE ACTION BEYOND THE FACILITY BOUNDARY**

The licensee shall implement corrective action beyond the facility in accordance with §11115a of Act 451 and R 299.9629(2).

**C. IDENTIFICATION OF EXISTING WASTE MANAGEMENT UNITS**

The WMUs at the facility are identified below and shown on the figure, in Attachment 3, of this license.

WMU Number 1: Landfill

WMU Number 2: Waste Oil Storage Area

WMU Number 3: 14,000 Gallon Aboveground Pretreatment Tank

WMU Number 4: 6,000 Gallon Underground Leachate Storage Tank

1. The following WMUs, identified in Attachment 3 of this license, require no further corrective action at this time. No further corrective action is required at this time for the units because there is no evidence of a release of any contaminants.
  - (a) WMU Number 1: Landfill
  - (b) WMU Number 2: Waste Oil Storage Area
  - (c) WMU Number 3: 14,000 Gallon Aboveground Pretreatment Tank
  - (d) WMU Number 4: 6,000 Gallon Underground Leachate Storage Tank

2. Within 30 days after discovery of a new release of a contaminant from a WMU, the licensee shall provide written notification to the Division Director. The written notification shall include all available information pertaining to the release. Based on a review of all of the information, the Division Director may require corrective action for the newly identified release. The licensee shall submit a written Remedial Investigation Work Plan to the Division Director, within 60 days after written notification from the Division Director that corrective action for the release is required.

{§§11102 and 11115a of Act 451 and R 299.9521(3)(b) and R 299.9629}

3. Within 30 days after discovery of a new WMU, or a release of a contaminant from a new WMU, the licensee shall provide written notification to the Division Director. The written notification shall include all of the following information:
  - (a) The location of the unit on the facility topographic map.
  - (b) The designation of the type of unit.
  - (c) The general dimensions and structural description, including any available drawings of the unit.
  - (d) The date the unit was operated.
  - (e) Specification of all waste(s) that have been managed in the unit.
  - (f) All available information pertaining to any release of a contaminant from the unit.
4. Based on a review of all of the information provided in Condition V.D.3 of this license, the Division Director may require corrective action for the newly identified WMU. The licensee shall submit a written Corrective Action Investigation (CAI) Work Plan to the Division Director, within 60 days after written notification from the Division Director that corrective action for the unit is required.

{§§11102 and 11115a of Act 451 and R 299.9504(1), R 299.9508(1)(b), and R 299.9629 and 40 CFR §270.14(d)}

#### D. **CORRECTIVE ACTION INVESTIGATION**

The licensee shall conduct a CAI to determine if a release of a contaminant(s) from any of the WMUs, identified in Conditions V.C.1 or V.C.3 of this license, has occurred and, if a release(s) has occurred, evaluate the nature and extent of the release(s). The licensee shall submit a written CAI Work Plan, CAI Final Report documenting compliance with the approved CAI Work Plan and supporting further corrective action at the facility, and CAI progress reports to the Division Director for review and approval in accordance with Condition V.K of this license. The Division Director will approve, modify and approve, or provide a Notice of Deficiency (NOD) for the CAI Work Plan and CAI Final Report. Upon approval, the CAI Work Plan and CAI Final Report become enforceable conditions of this license. {§§11102 and 11115a of Act 451 and R 299.9629}

**E. INTERIM MEASURES**

The licensee shall conduct interim measures (IM) at the facility, if determined necessary by the licensee or the Division Director, to cleanup or remove a released contaminant or to take other actions, prior to the implementation of corrective measures, as may be necessary to prevent, minimize, or mitigate injury to public health, safety, or welfare, or to the environment. The licensee shall submit a written IM Work Plan, an IM Final Report documenting compliance with the approved IM Work Plan and supporting further corrective action at the facility, and IM progress reports to the Division Director for review and approval in accordance with Condition V.K of this license. The Division Director will approve, modify and approve, or provide a NOD for the IM Work Plan and IM Final Report. Upon approval, the IM Work Plan and IM Final Report become enforceable conditions of this license. The licensee shall implement the approved IM Work Plan within 60 days of receipt of the Division Director's written approval of the IM Work Plan. {§§11102 and 11115a of Act 451 and R 299.9629}

**F. DETERMINATION OF NO FURTHER ACTION**

1. The licensee shall continue corrective action measures to the extent necessary to ensure that the applicable environmental protection standards adopted in Part 111 of Act 451 are met, if the limits are not less stringent than allowed pursuant to the provisions of the RCRA.
2. Based on the results of the CAI and other relevant information, the licensee shall submit a written request for a minor license modification to the Division Director, if the licensee wishes to terminate corrective action for a specific WMU, identified in Condition V.C.1 or V.C.3 of this license. The licensee must demonstrate that there have been no releases of a contaminant(s) from the WMU and that the WMU does not pose a threat to public health, safety, welfare, or the environment.
3. Based on the results of the CAI and other relevant information, the licensee shall submit a written request for a license major modification to the Division Director, if the licensee wishes to terminate facility-wide corrective action. The licensee must conclusively demonstrate that there have been no releases of a contaminant(s) from any of the WMUs at the facility and that none of the WMUs pose a threat to public health, safety, welfare, or the environment.
4. If, based upon a review of the licensee's request for a license modification, pursuant to Condition V.F.2 or V.F.3 of this license, the results of the completed CAI, and other relevant information, the Division Director determines that the releases or suspected releases of a contaminant(s) do not exist and that the WMU(s) do not pose a threat to public health, safety, welfare, or the environment, the Division Director will approve the requested modification, subject to Conditions V.F.5 and V.F.6, below.
5. A determination of no further action shall not preclude the Division Director from requiring continued or periodic monitoring of air, soil, groundwater, or surface water, if necessary to protect public health, safety, welfare, or the environment, when facility-specific circumstances indicate that potential or actual releases of a contaminant(s) may occur.

6. A determination of no further action shall not preclude the Division Director from requiring further corrective action at a later date, if new information or subsequent analysis indicates that a release or potential release of a contaminant(s) from a WMU, at the facility, may pose a threat to public health, safety, welfare, or the environment. The Division Director will initiate the necessary license modifications if further corrective action is required at a later date.

{§§11102 and 11115a of Act 451 and R 299.9629(2)}

**G. CORRECTIVE MEASURES STUDY**

If the Division Director determines, based on the results of the CAI and other relevant information, that remedial activities are necessary, the Division Director may notify the licensee, in writing, that a Corrective Measures Study (CMS) is required. If notified by the Division Director, the licensee shall conduct a CMS to develop and evaluate the corrective measures alternative(s) necessary to address the release(s) of a contaminant(s) or hazardous substance(s) and the WMU(s) that are identified in the approved CAI Final Report as requiring final remedial activities. The licensee shall submit a written CMS Work Plan, a CMS Final Report documenting compliance with the approved CMS Work Plan and supporting further corrective action at the facility, and CMS progress reports to the Division Director for review and approval, in accordance with Condition V.K. of this license. The Division Director will approve, modify and approve, or provide a NOD for the CMS Work Plan and CMS Final Report. Upon approval, the CMS Work Plan and CMS Final Report become enforceable conditions of this license. {§§11102 and 11115a of Act 451 and R 299.9629}

**H. CORRECTIVE MEASURES IMPLEMENTATION PLAN**

1. The licensee shall conduct final corrective measures based on the CMS Final Report approved by the Division Director. The licensee shall submit a written Corrective Measures Implementation (CMI) Work Plan to the Division Director for review and approval. The licensee shall also submit a written CMI Final Report documenting the compliance with the approved CMI Work Plan and providing justification that the corrective actions may cease, and CMI progress reports to the Division Director for review and approval in accordance with Condition V.K. of this license. The Division Director will approve, modify and approve, or provide a NOD for the CMI Work Plan and CMI Final Report. Upon approval, the CMI Work Plan and CMI Final Report become enforceable conditions of this license.
2. The Division will provide notice of its draft decision on the CMI Work Plan to persons on the facility mailing list and provide an opportunity for a public hearing.
3. The licensee shall implement the approved CMI Work Plan within 60 days of receipt of the Division Director's written approval of the CMI Work Plan.

{§§11102 and 11115a of Act 451 and R 299.9629}

**I. CORRECTIVE ACTION MANAGEMENT UNITS**

If applicable, the licensee shall comply with the requirements of R 299.9635 in order to designate an area at the facility as a corrective action management unit for implementation of response activities. {R 299.9521(3)(a)}

**J. TEMPORARY UNITS**

If applicable, the licensee shall comply with the requirements of R 299.9636 in order to designate tank or container storage units, used for the treatment or storage of remediation wastes, as temporary units for implementation of response activities. {R 299.9521(3)(a)}

**K. SUMMARY OF CORRECTIVE ACTION SUBMITTALS**

The licensee shall submit required corrective action documents in accordance with the schedule below.

CORRECTIVE ACTION DOCUMENT	SUBMITTAL DEADLINE
Written notification of a new release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 30 days after discovery
CAI Work Plan for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 60 days after receipt of written notification that response activity is required
Revised CAI Work Plan for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 45 days after receipt of CAI Work Plan NOD
CAI progress reports	Bimonthly after initiation of the CAI
CAI Final Report for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 60 days after completion of CAI
Revised CAI Final Report for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 45 days after receipt of CAI Final Report NOD
IM Work Plan for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 60 days after receipt of notification that IM Work Plan is required
Revised IM Work Plan for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 30 days after receipt of IM Work Plan NOD
IM progress reports	Bimonthly after initiation of the IM

<b>CORRECTIVE ACTION DOCUMENT</b>	<b>SUBMITTAL DEADLINE</b>
IM Final Report for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 60 days after completion of IM
Revised IM Final Report for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 45 days after receipt of IM Final Report NOD
CMS Work Plan for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 60 days after receipt of notification that CMS is required
Revised CMS Work Plan for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 45 days after receipt of CMS Work Plan NOD
CMS progress reports	Bimonthly after initiation of the CMS
CMS Final Report for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 60 days after completion of the CMS
Revised CMS Final Report for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 30 days after receipt of CMS Final Report NOD
CMI for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 90 days after approval of the CMS Final Report
Revised CMI for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 45 days after receipt of CMI NOD
CMI progress reports	Bimonthly after implementation of the CMI
CMI Completion Report for remediated WMUs and contaminant releases	Within 60 days after the remedial actions have been completed and cleanup criteria have been met
Revised CMI Completion Report for remediated WMUs and contaminant releases	Within 45 days after receipt of CMI Completion Report NOD

**L. CORRECTIVE ACTION DOCUMENTS RETENTION**

The licensee shall maintain all corrective action documents required by this license at the

facility. The documents shall be maintained for the operating life of the facility or until the facility is released from financial assurance requirements for corrective action by the Director, whichever is longer. The licensee shall offer such documents to the Division Director prior to discarding those documents.

{Sections §§111102 and 11115a of Act 451 and R 299.9629}

**M. DISPUTE RESOLUTION**

1. In regard to a decision by the MDEQ to approve a submittal with modifications under Conditions V.D, V.E, V.G, and V.H, the licensee may initiate formal dispute resolution by requesting review of the disputed issues by the Division Director. This written request must be filed with the Division Director within 15 days of the licensee's receipt of the MDEQ's statement of decision. The licensee's request shall state the issues in dispute; the relevant facts upon which the dispute is based; any factual data, analysis, or opinion supporting its position; and all supporting documentation upon which the licensee bases its position. Within 14 days of the receipt, by the Division Director, of the licensee's request for a review of disputed issues, the Division Director will provide a written statement of decision to the licensee, which will include a statement of his/her understanding of the issues in dispute; the relevant facts upon which the dispute is based; any factual data, analysis, or opinion supporting his/her position; and all supporting documentation relied upon by the Division Director in making his/her decision. The time period for the review, by the Division Director, of the disputed issues may be extended by written agreement between the parties.
2. The written statement of the Division Director, issued under Condition V.M.1 of this license, shall be considered the final decision of the MDEQ, subject to the review provided for agency decisions under MCL 600.631.



**PART VI**  
**SCHEDULE OF COMPLIANCE**

Within 180 days of license issuance, the licensee shall submit a plan to the Division Director, for review and approval, that outlines an approach for performing an EPCC, including the components and duration. Specifically, the submitted EPCC plan will provide the foundation to evaluate the monitoring and maintenance data collected during the extended postclosure care period, and determine if the conclusions support modification or termination of postclosure activities during periodic review of the license requirements. The EPCC plan will be consistent with the United States Environmental Protection Agency Memorandum dated December 15, 2016, and titled, *Guidelines for Evaluating the Post-Closure Care Period for Hazardous Waste Disposal Facilities under Subtitle C of RCRA*, issued by the Office of Resource Conservation and Recovery.