



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
LANSING



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DIRECTOR

December 28, 2021

VIA E-MAIL

Dr. Ethel Crisp, PhD, Senior Environmental Protection Specialist/Regional Intern Coordinator  
U.S. Environmental Protection Agency, Region 5  
Land, Chemicals, and Redevelopment Division  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

Dear Dr. Crisp:

SUBJECT: Michigan Fiscal Year 2021 Year End Accomplishment Report (Report)

Attached is the fiscal year 2021 Year End Accomplishments Report, prepared by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Materials Management Division (MMD), to report work accomplishments of the Resource Conservation and Recovery Act of 1976, as amended, Work Plan.

This report fulfills EGLE's obligation under the assistance agreement to submit a final technical performance report to the United States Environmental Protection Agency (U.S. EPA), Region 5.

If you have any questions or concerns regarding this Report, please contact Ms. Kimberly M. Tyson, Manager, Hazardous Waste Section, MMD, at 517-388-2797; [TysonK@Michigan.gov](mailto:TysonK@Michigan.gov); EGLE, MMD, P.O. Box 30241, Lansing, Michigan 48909.

Sincerely,

Elizabeth M. Browne, Director  
Materials Management Division

Attachment

cc: Mr. Patrick F. Kuefler, Chief, Land Enforcement and Compliance Assurance  
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Mr. Dale Bridgford, EGLE

**Michigan's  
Resource Conservation  
and Recovery Act**

**Fiscal Year 2021 Year-End  
Accomplishments Report**

**for the**

**United States  
Environmental Protection Agency**

**April 1, 2021 – September 30, 2021**



MICHIGAN DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY

**Prepared By:  
Hazardous Waste Section  
Materials Management Division**

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- Appendix 1A - FY 2021 Corrective Action Oversight Work Schedule Accomplishments
- Appendix 1B - FY 2021 Corrective Action Oversight Work Schedule Accomplishments For The Dow Chemical Company (Dow)
- Appendix 2 - FY 2021 Non-Commitment Corrective Action Accomplishments
- Appendix 3 - FY 2021 Financial Record Review Accomplishments
- Appendix 4 - FY 2021 Non-Financial Record Reviews Accomplishments
- Appendix 5 - FY 2021 Vapor Intrusion Work Accomplishments
- Appendix 6 - FY 2021 Hazardous Secondary Materials Reviews And Determinations

### **Please Note:**

*Data and facility names found in tables and appendices included throughout this report have been pulled directly from EGLE's Waste Data System (WDS) database, and the information contained therein may include shortened descriptions and/or acronyms. If questions regarding the table contents arise, the reader is encouraged to contact EGLE for clarification.*

## 1 INTRODUCTION

This report has been prepared by the Michigan Department of Environment, Great Lakes, and Energy's (EGLE) Materials Management Division (MMD), to fulfill its obligation under the federal Resource Conservation and Recovery Act of 1976, as amended (RCRA), Subtitle C, State Tribal Assistance Grant, for fiscal year (FY) 2021, to submit a final technical performance report to the United States Environmental Protection Agency (U.S. EPA), Region 5.

This report provides a summary of work accomplished during April 1, 2021, through September 30, 2021, under the FY 2021 grant. These accomplishments fulfill EGLE's obligation in its role of administering the national Solid Waste Disposal Act of 1965, as amended by the RCRA, and as amended by the Hazardous and Solid Waste Amendments of 1984.

## 2 CHALLENGES TO MEETING FY 2021 COMMITMENTS

### ***Coronavirus Disease 2019 (COVID-19) Pandemic***

Due to COVID-19 restrictions, on January 22, 2021, EGLE submitted a request to the U.S. EPA, Region 5, Land Enforcement and Compliance Assurance Branch, to change how EGLE inspects large quantity generators (LQGs). EGLE proposed to inspect LQGs through a combination of desk audits and on-site evaluations, and update the number of inspections for FY 2021 based on 2019 Biennial Report information. The U.S. EPA granted EGLE's request on January 28, 2021. The outcomes of EGLE's alternative inspection plan approach are reported under the Compliance and Enforcement section of this report.

### ***Reduced Program Funding***

On July 18, 2016, the U.S. EPA notified EGLE (then known as the Michigan Department of Environmental Quality, but for clarity's sake, EGLE is referred to throughout this document) that Michigan's State and Tribal Assistance Grants funding would be reduced in a phased manner, by approximately \$290,000 per year, beginning FY 2017 through FY 2020. It is important to note that a \$290,000 reduction in funds equates to a reduction in approximately two full-time equivalent positions (eight positions overall). This funding reduction impacts Michigan's ability to hire new staff to fill existing vacancies, and to retain and replace existing experienced Corrective Action (CA) staff who retire or move on to other employment. With fewer staff resources, this funding reduction has directly impacted Michigan's ability to meet grant commitments and achieve the U.S. EPA's goal of Environmental Indicator (EI) completions at 95 percent of the state's Government Performance and Results Act of 1993's (GPRA) baseline list of facilities, by year 2020. The issue has been further compounded by emerging contaminants, such as perfluoroalkyl and polyfluoroalkyl substances (PFAS), and vapor intrusion (VI), as discussed below. Given this budgetary climate and the human health significance of emerging contaminant issues, further discussions with the U.S. EPA will be needed to identify GPRA commitments that will not be met by Hazardous Waste Program (HWP) staff because of the high priority of the management of PFAS, VI, and any other emerging issues that may pose significant human health risk in the near term.

### ***Volatilization to Indoor Air Pathway***

EGLE continues to address the volatilization to indoor air pathway (VIAP). For Michigan, the total number of sites requiring screening for VIAP concerns is 237. This work includes evaluating historic cleanup decisions where VIAP was an applicable pathway, to ensure that the CA taken was adequately protective. With the results from the assessments that have been conducted to date, it has become clear that work beyond EGLE's GPRA 2020 CA commitments will be necessary to address sites where human health risks may be unacceptably high. EGLE will continue our discussions with the U.S. EPA regarding how this VIAP work, particularly the work that has become a priority at non-GPRA sites, and can be used to meet EGLE's FY 2021 and beyond grant commitments. During the second half of FY 2021, it is estimated that staff and management spent approximately 792 hours on VIAP work. Please see Appendix 5 at the end of this report for details of this work.

### ***PFAS Initiative***

EGLE continues to address PFAS present in soils, groundwater, surface water, and/or other media, at a large number of sites around the state of Michigan. As a result of the continued directive for EGLE to identify locations impacted by PFAS and initiate response actions to address the contamination, Hazardous Waste Section (HWS) staff have spent significant time performing PFAS related work activities. During the second half of FY 2021, HWS staff spent approximately 704 hours participating in workgroups to address a variety of PFAS challenges and conducting CAs at hazardous waste facilities. Staff continue to plan the December 2021 Virtual Great Lakes PFAS Summit, hosted by EGLE, in coordination with the Treatment Technology Roundtable. Over 150 nation-wide participants are expected, from government, consulting, industry, and research.

In addition, HWP staff spent significant time integrating PFAS issues into CA activities at over 30 state-lead and U.S. EPA-lead GPRA 2021 sites, including:

Revitalizing Auto Communities	Ford Motor Company – Saline Plant
Environmental Response (RACER) sites:	Hayes Lemmerz (former)
RACER Buick City	Lacks Industries, Inc., Cascade site
RACER Coldwater Road	MacDermid, Inc., Ferndale
RACER Eckles Road	Michigan Seamless Tube
RACER Flint West	Midlink Business Park
RACER Lansing Plants 2, 3, and 6	MRP Properties, LLC – Alma
RACER Peregrine	National Standard, City Complex
RACER Willow Run Powertrain	Old Carco, LLC (Chrysler Introl Division)
BASF Corporation, Wyandotte	PSC Environmental Services
Cleveland-Cliffs Steel - Dearborn Works	Selfridge Air National Guard Base
Daimler Chrysler (former), Scio Township	Teledyne Vehicle Systems
Delphi Automotive Systems (Plant 400)	Universal Die Casting, Inc.
EI DuPont Flint	US Ecology Romulus
Fenske Landfill (now RRD)	Warner Lambert Co, LLC
Ford Motor Company – Monroe	Wayne Disposal, Inc.
Lacks Industries, Inc., Saranac	

These activities involved sample collection and analysis, reporting, and, in most cases, additional delineation activities, such as residential well sampling and coordination with the Michigan Department of Health and Human Services (MDHHS) and local health departments. HWP staff also spent time preparing material for and presenting information on these sites in a series of Regional Webinars presented throughout the state to inform citizens and local units of government about PFAS contamination at these sites.

It is important to note that staff time spent on PFAS activities will likely increase in future years, given the high priority to quickly identify PFAS contamination throughout the state, and to initiate immediate actions as necessary to protect public health. As with VI, PFAS contamination is requiring the HWP to evaluate human exposures under control determinations at GPRA sites where this EI has been met, and at sites moving forward through the CA process to ensure the validity of “yes” determinations. Without additional resources to complete HWP work, time spent on the PFAS initiative will likely jeopardize EGLE’s ability to complete grant commitments where non-commitment PFAS work must be prioritized to protect human health.

### ***Health and Safety Coordination***

A critically important element of maintaining a sound work environment is a successful health and safety program that will ensure that employees are provided the tools necessary to safely perform their job functions, coupled with effective program management control. The HWP houses one staff person to coordinate the many health and safety tasks involved with health and safety oversight for both the MMD and the Oil, Gas, and Minerals Division (OGMD). This work involves coordinating health and safety issues that include: purchasing and distribution of personal protection equipment and supplies; employee notification and tracking for health monitoring and respirator fit testing; scheduling and tracking initial and refresher hazardous waste operations and emergency response (HAZWOPER), cardiopulmonary resuscitation, and first aid training; and overseeing accident reporting for 170 employees. Health and safety duties have become more time intensive over the years due to the following: the newly assigned responsibility for OGMD health and safety; new and more complicated procedures to enroll staff into initial and refresher HAZWOPER trainings; and the need to ensure that staff complete a suite of National Incident Management System trainings, which is requisite training for EGLE staff who may be called upon to respond if an emergency incident should occur. It is estimated that the HWP staff person currently responsible for the above-described duties spends at least 25 percent of their time performing this work. In addition, the COVID-19 pandemic has had significant impacts on the duties of this position in FY 2021. These included: rescheduling of previously established HAZWOPER refresher trainings to a virtual format; adjustments to required physical examinations due to health clinic changes in response to the pandemic; additional time spent in tracking and record keeping that document staff’s compliance with Health and Safety requirements; and the development of pandemic-safe field and in-person work protocols consistent with Centers for Disease Control and Prevention and MDHHS guidance.

## **3 PROGRAM ELEMENTS**

In FY 2021, EGLE is using seven elements in an effective state program to manage hazardous waste through a delegation of RCRA authorities.



The Work Plan elements are as follows:

- 3.1 State Authorization
- 3.2 Environmental Justice (EJ)
- 3.3 Compliance and Enforcement
- 3.4 Administrative Controls- operating licenses (OL); post-closure (PC) OL; clean-closure; PC plans; and orders/legally enforceable agreements.
- 3.5 Corrective Action
- 3.6 Financial Capability
- 3.7 Management and Reporting

The year-end accomplishments are discussed in the applicable sections below.

### **3.1 State Authorization**

U.S. EPA FY 2018–2022 Strategic Plan, Goal 1 – Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety.

**Objective 1.3:** *Revitalize Land and Prevent Contamination.* Provide better leadership and management to properly clean up contaminated sites and to revitalize and return the land back to communities.

U.S. EPA FY 2018–2022 Strategic Plan, Goal 2 – Cooperative Federalism: Rebalance the power between Washington and the states to create tangible environmental results for the American people.

**Objective 2.1:** *Enhance Shared Accountability.* Improve environmental protection through shared governance and enhanced collaboration with state, tribal, local, and federal partners, using the full range of compliance assurance tools.

On January 15, 2021, the U.S. EPA notified EGLE that the draft express authorization revision application (EARA) for Amendment 12 of the HWP rules was acceptable, and to proceed with submittal of the final EARA. The final EARA was submitted to the U.S. EPA on March 15, 2021. The U.S. EPA then requested a copy of EGLE’s rules mailing list, presumably in preparation for public noticing its draft authorization decision via the Federal Register process. Shortly thereafter, EGLE inquired about the status of the authorization and was advised by the U.S. EPA that the final EARA was under consideration by the Office of Regional Counsel. Since that time, EGLE has made multiple inquiries on the status of the authorization, the last being on August 13, 2021. To date, EGLE has not received any responses to these inquiries.

Michigan’s annual Report on Authorized State Program Revisions (RASPR) was last submitted to the U.S. EPA on August 4, 2020, immediately after the currently effective HWP rules were promulgated. With no action on the authorization of these rules, EGLE advised the U.S. EPA that it will update the RASPR once the current rules are authorized, and will promptly submit the updated RASPR to the U.S. EPA.

### **3.2 Environmental Justice (EJ)**

U.S. EPA FY 2018–2022 Strategic Plan, Goal 1 – Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety.

**Objective 1.3:** *Revitalize Land and Prevent Contamination.* Provide better leadership and management to properly clean up contaminated sites and to revitalize and return the land back to communities.

U.S. EPA FY 2018–2022 Strategic Plan, Goal 2 – Cooperative Federalism: Rebalance the power between Washington and the states to create tangible environmental results for the American people.

**Objective 2.2:** *Increase Transparency and Public Participation.* Listen to and collaborate with impacted stakeholders and provide effective platforms for public participation and meaningful engagement.

EGLE continued its efforts to support EJ during the second half of FY 2021 through regulatory and policy/procedural development and outreach.

### **3.2.1 Participation in Work Groups and Outreach to EJ Entities**

HWS staff participated in the Training Workgroup, and the Planning and Policy Workgroup, which are multi-agency work groups formed to address EJ education, and development of EJ strategies. Projects prioritized in FY 2021 included plain language communication with the public and stakeholders, and the development of the MiEJScreen Tool.

### **3.2.2 Training**

Under the leadership of the Office of Environmental Justice Public Advocate, EGLE hosted [Michigan's Environmental Justice Conference](#), May 18 through 20, 2021, with many MMD staff attending. This conference highlighted actions that will help achieve EJ in Michigan. In total 3,159 people were trained through the conference: 1,287 attended live, and 1,872 viewed recorded sessions, which remain available for training more staff. Armed with information from the conference and U.S. EPA guidance materials, HWP staff will continue to incorporate EJ principles into all aspects of the RCRA decision-making processes to enhance EJ and community engagement.

### **3.2.3 Licensing and CA**

EGLE continued informal discussions to resolve the July 27, 2020, Discrimination Complaint, regarding its licensing of US Ecology Detroit North in Detroit, Michigan, on January 29, 2020. The Complaint alleges that EGLE failed to comply with Title VI of the Civil Rights Act of 1964. Updates on the Complaint may be found on the [Nondiscrimination in EGLE Programs page](#), under the "Filed Discrimination Complaints" header.

EGLE anticipates changes to its hazardous waste licensing processing procedures and public outreach efforts in FY 2022, to address issues raised in the complaint. The HWP has added public informational meeting in its licensing process, in an effort to communicate earlier and more often.

### **3.2.4 Examples of Implementation and Public Engagement**

In general, the HWS has expanded its RCRA public participation process to address EJ principles. The HWS conducted virtual and in person meetings to provide greater access to facility information and the decision-making process. For most projects, public meetings are posted on the Internet, via YouTube, to be accessed by anyone, at any time. Licensing, CA, and contact information is also routinely posted on municipal Websites, which is in addition to the requirements of the HWP administrative rules. EGLE has also implemented mass-mailings to alert the public of licensing and CA activities at facilities in EJ areas. Examples of EGLE Websites that have been updated

to enhance public involvement and availability of information related to RCRA activities include the following:

- [Michigan.gov/USEcologyDetroitNorth](https://www.michigan.gov/USEcologyDetroitNorth)
- [Michigan.gov/USEcologyDetroitSouth](https://www.michigan.gov/USEcologyDetroitSouth)
- [Michigan.gov/USEcologyWDI](https://www.michigan.gov/USEcologyWDI)
- [Michigan.gov/USEcologyMDWTP](https://www.michigan.gov/USEcologyMDWTP)
- [Michigan.gov/EGLEPetro-Chem](https://www.michigan.gov/EGLEPetro-Chem)
- [Michigan.gov/BuickCity](https://www.michigan.gov/BuickCity)
- [Michigan.gov/EGLEMcLouthNorth](https://www.michigan.gov/EGLEMcLouthNorth)

On June 29, 2021, a virtual public informational meeting was held regarding Wayne Disposal, Inc., major modification for its landfill liner design. Several methods of communication were utilized to notify residents and interested parties, including postcard mailers, bulletins sent out to several GovDelivery lists, and the use of EGLE's Twitter account. The Environmental Scorecard for US Ecology Detroit North is updated biannually. An associated bulletin was sent out to the facility's GovDelivery list (an email list of interested parties), which reached 1,372 people.

### **3.2.5 Translation Projects**

During the second half of the FY 2021, no documents were translated for RCRA public participation.

## **3.3 Compliance and Enforcement**

U.S. EPA FY 2018–2022 Strategic Plan, Goal 3 – Rule of Law and Process:  
Administer the law, as Congress intended, to refocus the Agency on its statutory obligations under the law.

**Objective 3.1:** *Compliance with the Law.* Timely enforce environmental laws to increase compliance rates and promote cleanup of contaminated sites through the use of all of the U.S. EPA's compliance assurance tools, especially enforcement actions to address environmental violations.

**Objective 3.2:** *Create Consistency and Certainty.* Outline exactly what is expected of the regulatory community to ensure good stewardship and positive environmental outcomes.

### **3.3.1 Compliance Assistance and Outreach**

#### **3.3.1.1 Training**

During the second half of FY 2021, EGLE hosted eight virtual events covering Michigan's RCRA, materials management, pollution prevention, and energy programs. EGLE also provided training at several events hosted by other parties. The events allowed EGLE to reach a total of 3,275 people: 2,013 attendees viewing live sessions and 1,275 viewing sessions recorded in FY 2020 and 2021.

EGLE recorded webinars and meetings continue to see significant use. Sessions covering RCRA compliance (Waste Webinar Series), license reviews, and CA oversight, continue to get the most views, followed closely by webinars focused on sustainability.

Details on recorded and live views for EGLE supported virtual events during the second half of FY 2021 are provided in Table 3.3.1.1 in the Tables section of this report.

### **3.3.1.2 Publications**

The publications listed in Table 3.3.1.2 in the Tables section of this report were newly developed or substantially revised during the second half of FY 2021, to help foster compliance and the use of best management practices in managing materials, both from households and non-households, hazardous and non-hazardous. EGLE continues to focus on revising RCRA generator publications to align with Michigan's adoption of the [Generator Improvement Rules](#). Some of the publications initially revised in FY 2020 have undergone further revision to address implementation insights or new U.S. EPA resources, like the Region 7 Contingency Planning Quick Reference Guide Example.

### **3.3.1.3 GovDelivery Activity**

The state of Michigan makes [GovDelivery](#) available to all state agencies for communicating directly with target audiences interested in specific topics. In the second half of FY 2021, EGLE continued to expand use of [GovDelivery](#), which now offers the subscription topics found in Table 3.3.1.3a for getting updates from EGLE on materials management activities. Nearly all subscription lists saw an increase in new subscribers during the reporting period.

Some EGLE communications encompass multiple programs. In those cases, EGLE shares notices with additional GovDelivery subscribers interested in topics, like Air Quality News and Info, Great Lakes and Water News, Remediation and Redevelopment News and Info, and EGLE Classroom. Using GovDelivery allows EGLE to proactively work with stakeholders to keep them informed on important areas of interest. Table 3.3.1.3b, in the Tables section of this report, contains examples of communications shared during the reporting period for the topics detailed in Table 3.3.1.3a.

### **3.3.1.5 Video Activity**

The following new videos were developed during the second half of FY 2021:

1. New – [Generating a Surcharge Report in Re-TRAC Connect](#) – June 2021.
2. New – [EGLE Classroom - Hazardous Waste 101](#) – August 2021

### **3.3.1.6 Program Improvements**

HW 101 Video:

EGLE created an introductory video on hazardous waste, HW 101, as a resource for general education. It could be used prior to meetings as a quick introduction to educate the public on what is a hazardous waste. In addition to being added to several hazardous waste facilities licensing Web pages, it is also available on EGLE's Household Hazardous Waste Website at [Michigan.gov/EGLEHHW](http://Michigan.gov/EGLEHHW).

nSpect Software Program:

As of FY 2021, the nSpect software is fully functional in WDS. The purchase of hardware, and staff training have not been implemented. Once in use, this software program will allow inspection forms and WDS information to be loaded into Microsoft tablets for use during inspections.

Unmanned Aerial Systems (UAS) – Drone Technology Program (Program):  
 During the second half of FY 2021, the MMD flew 14 small UAS missions. Riverbank Management Areas. Other missions were related to training and research, with two new Remote Pilots in Command added in the Radiological Protection Section (RPS) of the MMD.

On October 20, 2020, the EGLE UAS Program submitted a revised department policy to EGLE’s Executive Office. This revision included new sections on privacy, security, pilot status (active/inactive), and inventory inspection/maintenance. The UAS Program has grown to 32 staff and 28 aircrafts.

The MMD has added additional post processing capabilities with a floating license for Pix4Dmapper® (photogrammetry software), as well as a new mapping drone (a DJI M300) in the Water Resources Division. The UAS Program will be adding additional entry level field drones for new staff, as well as air quality and water quality remote sampling equipment.

Phase One of a landfill gas emission study, which ran over the course of six-weeks, was conducted in Southeast Michigan with Air Quality Division, in coordination with the U.S. EPA. The HWS assisted in project management, developing facility mission plans for MMD-related sites, initial sensor testing, as well as actually piloting the drone array for the project. This technology will help assist MMD’s RCRA landfill assessments for fugitive gas emission assessments.

**3.3.2 Coordinated District Office and HWS Inspections Report**

During the second half of FY 2021, EGLE continued to implement strategies that maximize resources and focus work effort in areas that maximize protection of the environment and public health. EGLE focused inspections on the facilities and generators described in the following subsections, 3.3.2.1 through 3.3.2.3.

**3.3.2.1 Treatment Storage and Disposal Facilities (TSDF)**

It is EGLE’s goal to conduct annual Compliance and Enforcement Inspections (CEI) at all active TSDFs at least once per year. EGLE also conducts other inspections, such as a Groundwater Monitoring Evaluation (GME), Operation and Maintenance (O&M), Post-Closure Cap (PC Cap), CA Cover/Cap, CA Maintenance and Monitoring (CMM), or CA Compliance Inspection, as identified in the Work Plan and summarized below.

Planned Inspections FY 2021	
Inspection Type	Number of Inspections
Active operating TSDF CEI	15
O&M	8
PC Cap	7
CA Cover/Cap	0
CMM	6

### 3.3.2.2 Generators

Michigan is implementing Alternative 3, The Straight Trade-off Approach, from the RCRA Compliance Monitoring Strategy, as described the FY 2021 Work Plan. The 2019 Biennial Report (BR) identified 566 LQGs. During FY2021, MMD staff committed to inspect 56 LQGs and 113 Other inspections. Other inspections include SQGs, VSQGs, Used Oil Processors, Liquid Industrial By-Product (LIB) generators and receiving facilities (LIB), Transporters, and complaint inspections.

### 3.3.2.3 Completed Work

During FY 2021, MMD staff completed inspections as summarized in the following table.

Inspection Category	District Staff		HWS Staff	
	FY 2021 Commitment	Inspections Completed	FY 2021 Commitment	Inspections Completed
TSDFs	15	18	21	22
LQGs	56	104		
Other	113	<b>294</b>		
SQGs		84		
VSQGs		54		
Used Oil Processors		2		
Liquid Industrial By-Products		48		
Transporters		21		
Complaints		85		

Specific TSDFs inspected are listed in Table 3.3.2.3a and 3.3.2.3b, District Staff TSDF Inspection Report and HWS Inspection Report tables, respectively.

### 3.3.3 MMD's Enforcement Section

The Enforcement Section cited seven entities as Significant Non-Compliers, in addition to the thirteen cited in FY 2017 through FY 2020. Additionally, three facilities were issued Fast Track Administrative Consent Orders, one facility was issued an Administrative Consent Order, and one facility went through Bankruptcy Proceedings. Details of these Enforcement Section accomplishments can be seen in the Table 3.3.3, of the Tables section of this report.

### 3.3.4 EGLE's RPS Supports the Hazardous Waste Program

During the second half of FY 2021, EGLE's RPS staff supported the HWS through the activities noted below.

- Attended US Ecology quarterly meeting on August 27, 2021.
- Participated in a meeting on May 7, 2021, with Wayne Disposal, Inc., to discuss increasing the limits on technologically enhanced, naturally occurring, radioactive material concentrations according to MCL 324.11104.
- Beginning the week of July 26, 2021, the RPS section secretary has given one to two hours per week to assist with HWS correspondence.

### 3.3.5 Criminal Investigation

In the second half of FY 2021, the Michigan Department of Natural Resources (MDNR), Law Enforcement Division, Environmental Investigation Section, provided non-grant funded support to the HWP through their work to conduct waste hauler vehicle inspections and border patrols along with investigations/prosecutions of hazardous waste/RCRA related cases, as noted below.

FY 2021 Hazardous Waste/RCRA-Related Cases Open		
Case #	Case Name	Initiation Date
16-010	<b>Midland Chemical Laboratory</b> - Warrant still valid – suspect currently out of the country.	2016
18-035	<b>Stoddard Oil Waste</b> - Charges warranted by Grand Traverse County for two employees in April 2021. Case still pending in Grand Traverse County.	06/26/18
21-008	<b>Macomb County Waste Storage</b> - Hazardous waste storage and handling. New case opened and under investigation.	2021

### 3.4 Administrative Controls

<p>U.S. EPA FY 2018–2022 Strategic Plan, Goal 1 – Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety.</p> <p><b>Objective 1.2:</b> <i>Provide for Clean and Safe Water.</i> Ensure waters are clean through improved water infrastructure and, in partnership with states and tribes, sustainably manage programs to support drinking water, aquatic ecosystems, and recreational, economic, and subsistence activities.</p> <p><b>Objective 1.3:</b> <i>Revitalize Land and Prevent Contamination.</i> Provide better leadership and management to properly clean up contaminated sites to revitalize and return the land back to communities.</p>
<p>U.S. EPA FY 2018–2022 Strategic Plan, Goal 3 – Rule of Law and Process: Administer the law, as Congress intended, to refocus the Agency on its statutory obligations under the law.</p> <p><b>Objective 3.4:</b> <i>Streamline and Modernize.</i> Issue permits more quickly and modernize our permitting and reporting systems.</p>

In FY 2020, EGLE established a goal to issue or renew OLs and PC OLs, to process major or minor license modifications, to clean close regulated units, to approve PC plans, and to enter into Corrective Action Consent Orders (CACO), and other legally enforceable agreements, such that the GPRA “approved controls in place” goals are achieved for 100 percent of the GPRA 2020 Permit Baseline.



### **3.4.1 HWS Administrative Controls Work Schedule Commitments**

#### **3.4.1.1 Waste Analysis Plan (WAP) Initiative**

To improve the quality and consistency of the WAPs in the OLs, and to streamline the licensing process, the HWS has initiated a focused WAP review process for three facilities that are in the process of relicensing: Michigan Disposal, Inc., Wayne Disposal Inc., and US Ecology Detroit South.

#### **3.4.1.2 Progress Toward Meeting Administrative Controls Work Plan Commitments**

The summaries below identify the progress made during FY 2021 toward accomplishing the Administrative Controls commitments identified in EGLE's FY 2020 – 2021 RCRA Grant Work Plan.

*U of M Beck Road Facility (MIR000001834) Operating License Application Completeness and Technical Review and License Issuance:* EGLE issued this OL on September 30, 2021.

*US Ecology Detroit North (MID074259565) Operating License Issuance:* EGLE issued this OL on January 29, 2020.

*Michigan Disposal, Inc., Waste Treatment Plant (MID000724831) Operating License Renewal Application Completeness and Technical Adequacy Determinations:* During the second half of FY 2021, EGLE focused on facility compliance issues and review of the WAP and resolving the February 22, 2018, violation notice for the August 7, 2017, fire at the facility. EGLE, in collaboration with U.S. EPA, issued notices of deficiency for the WAP on June 4, 2021, and July 6, 2021.

*EQ Detroit, Inc., dba US Ecology Detroit South (MID980991566) Operating License Renewal Technical Adequacy Determination:* During second half of FY 2021, EGLE continued the technical review of the US Ecology Detroit South (USE-South) OL renewal application and the WAP. EGLE, in collaboration with U.S. EPA, issued notices of deficiency for the WAP on May 26, 2021, and August 13, 2021.

*Ford River Raisin Warehouse (Ford) (MID005057005) Post Closure Operating License Renewal Technical Adequacy Determinations:* On August 9, 2021, EGLE issued a Technical Notice of Deficiency (NOD) for the Ford renewal application. Ford requested two, 30-day extensions to the deadline to respond to the NOD. EGLE granted the requests. Ford's response is due October 29, 2021.



### 3.4.1.3 Non-Commitment Administrative Controls Completions

#### 3.4.1.3.1 Operating License Modifications

License Modification Completions					
Current Site Name	U.S. EPA Site Id	Event Code	Event Description	Comment	Date
Dow	MID000724724	PO231MN	State OP231MN	Sludge Dewatering Facility Cell 1 Restoration Plan	4/7/21
Gage Products Co	MID005338801	PO231MN	State OP231MN	Amendment 3: Physical alteration of stairs	5/19/21
Gage Products Co	MID005338801	PO240OH	State OP240OH	Amendment 3 Physical alteration of stairs	5/19/21
US Ecology - Romulus	MID060975844	PO240OH	State OP240OH	Minor modifications approved to address state hazardous waste that are no longer regulated as hazardous waste, and correct some incorrect license attachment references.	5/6/21
US Ecology Detroit North	MID074259565	PO240OH	State OP240OH	Replacement of Tank 1 and Tank 2.	9/8/21

#### 3.4.1.3.2 Dow (MID000724724), and Dow Salzburg Landfill (MID980617435) Combined Operating License –Work Activities:

During the second half of FY 2021, the HWS spent significant time providing oversight on Dow’s combined Part 111/RCRA hazardous waste TSDF OL, and providing support for the federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Administrative Settlement Agreement and Order on Consent, for the Tittabawassee and Saginaw Rivers and Saginaw Bay Site. Refer to RCRAInfo for data entry on inspection and record review evaluations associated with the Dow OL. Also, HWS staff meet internally on a weekly basis to discuss oversight of Dow’s combined OL and the CERCLA Area of Concern. Since the weekly meetings combine discussions for Dow’s OL and CA work, details are included in Appendix 1B, *FY 2021 Year End Dow CA Events*, to avoid duplication.

### 3.5 Corrective Action

U.S. EPA FY 2018–2022 Strategic Plan, Goal 1 – Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety.

**Objective 1.3:** *Revitalize Land and Prevent Contamination.* Provide better leadership and management to properly clean up contaminated sites and to revitalize and return the land back to communities.

#### 3.5.1 Goal for FY 2021 CA Accomplishments

During the second half of FY 2021, EGLE continued to pursue the listed milestones for the EGLE lead GPRA 2020 CA Universe of facilities. Note that

EGLE’s ability to achieve this goal has become significantly impeded by the U.S. EPA’s budget reductions to the HWP, the need to conduct VIAP evaluations at non-GPRA sites to protect human health, and the state of Michigan’s new PFAS initiative to identify locations impacted by PFAS and initiate appropriate remedial response. In addition, factors beyond EGLE’s control, such as newly identified releases, and/or areas of contamination requiring additional investigative study and/or newly proposed remedies, have the potential to impact EGLE’s ability to meet the Work Plan goals identified below.

- Current Human Exposures Under Control (CA725), at 94 percent of the EGLE-lead sites (EI was achieved at two additional facilities in FY 2020).
- Migration of Contaminated Groundwater Under Control (CA750) at 92 percent of the EGLE-lead sites (EI was achieved at two additional facilities in FY 2020).
- Complete Construction of Final Remedies (CA550) at 62 percent of the EGLE-lead sites (EI was achieved at three additional facilities in FY 2020).
- Achieve Performance Standards Attained (CA900/CA999) at 46 percent of the EGLE-lead sites (EI was achieved at four additional facilities in FY 2020).

**3.5.1.1 GPRA CA725, CA750, CA400, and CA900/CA999 EI Completions**

During the second half of FY 2021, EGLE achieved the following EIs, including RCRA Ready for Anticipated Use (CA800):

Name as Entered in WDS	U.S. EPA Site ID	EI Completions
National Standard Company, LLC – Lake Street	MIT270010549	CA725
MacDermid, Inc.	MID005338371	CA800
Enthone OMI, Inc.	MID056717747	CA800
Granger Grand River Landfill	MID082771700	CA800

As noted previously, U.S. EPA budget reductions and emerging contaminant issues with near term human health risks are having an impact upon the EGLE’s ability to meet these EIs.

**3.5.1.2 HWS CA Work Schedule Commitments Met**

The summaries below identify the work completed to accomplish each respective commitment.

**3.5.1.2.1 CA Oversight (CA001)**

During the second half of FY 2021, EGLE completed CA oversight activities at all facilities listed on the HWS CA Work Plan Schedule. Work activities included meetings, technical reviews, and communications, along with field work. A list of the CA oversight activities completed during the second half of FY 2021 is included in Appendix 1A, *CA Oversight*, Appendix 1B, *2021 Year End Dow CA Events*, Appendix 2, *Non-Commitment CA Accomplishments*, of this report.

**3.5.1.2.2 Enforcement Technical Support (CA085)**

Current Site Name	U.S. EPA Site ID	Responding Agency	Completion Date
Backer Landscaping, Inc	MID006523385	S	9/23/21

Current Site Name	U.S. EPA Site ID	Responding Agency	Completion Date
Chemours Montague	MID000809640	S	8/26/21
Chrysler Introl Division	MID990760100	S	9/14/21
Hayes Lemmerz Tech Svc Inc	MID041803123	S	4/16/21

### 3.5.1.3 Progress Toward Meeting Enforcement Technical Support Work Plan Commitments

**3.5.1.3.1 Safety Kleen Systems, Inc. (MID981000359):** The facility has not yet reached an agreement with the city of Mason to restrict groundwater use at an adjacent property, due to the migration of groundwater contaminants offsite. Safety Kleen Systems, Inc., planned corrective measures have yet to be implemented. However, the facility's PFAS investigation was completed in the first half of FY 2021 and did not show any PFAS contamination present above relevant criteria. Once an agreement is reached that allows the necessary groundwater restriction to be put into place, EGLE intends to refer the site to the Enforcement Section for development of a CA Long-Term Agreement (CALTA) to ensure that the controls that are a part of the facility's final CA remain functional, until such time as they are no longer needed.

**3.5.1.3.2 Lacks Industries, Inc. - Cascade (MID006014666):** EGLE is working to develop an up-to-date CACO. The facility is also evaluating options for long-term institutional controls for the off-site groundwater plume, and it is requesting that EGLE provide resources to achieve the local ordinance.

**3.5.1.3.3 Lacks Industries, Inc. - Saranac (MID080359433):** EGLE is working with the U.S. EPA to assume CA oversight responsibilities, from the U.S. EPA. Work has begun to identify CA milestones completed and work that remains to be done. The MMD is working on digitizing past U.S. EPA CA records to assist in establishing the project status and remaining work, although the pandemic has slowed this effort. HWS staff are working with Enforcement Section staff in creating the first draft of a CACO.

**3.5.1.3.4 Michigan Seamless Tube (MID082767591):** The facility has an existing CACO. It is out-of-date relative to various requirements, and staff have been working to determine necessary revisions. HWS staff have continued coordination with the Enforcement Section to update the CACO.

**3.5.1.3.5 Chrysler Introl Division (MID990760100):** Work on this facility continues. During the first half of FY 2021, HWS and Enforcement Section staff received three parts of the Feasibility Study and continued work on the development of a new CACO with the current owner of the property, in preparation for the time when the funds appropriated from Chrysler's Insurance Company are exhausted; however, a draft version has not yet been shared with the facility. An O&M Inspection of the facility's PC Groundwater Assessment Monitoring Program was completed in FY2021.

### **3.5.2 Non-Commitment CA Oversight**

#### **3.5.2.1 CA Oversight**

**3.5.2.1.1 100 E. Patterson, LLC (MID005049440):** 100 E. Patterson, LLC, formerly known as The Tecumseh Products Company, is a U.S. EPA-lead, GPRA 2020 facility that is undergoing CA. Since the beginning of FY 2016, at the request of the U.S. EPA, the HWS has been providing substantial project support on this U.S. EPA-lead project, primarily in the areas relating to the VIAP and groundwater/surface water interface (GSI) pathway. This work has continued throughout FY 2021. HWS support has included historic document reviews, Corrective Measures Study Report review, Work Plan reviews, Monitoring Plan reviews, progress report reviews, deed restriction reviews, coordination between the U.S. EPA, Remediation and Redevelopment Division (RRD), and other stakeholders, and the development of performance monitoring specifications for the VIAP. The HWS has also participated in numerous technical meetings and conference calls to address overall CA, the VIAP, and GSI pathways.

**3.5.2.1.2 Trex Properties, LLC (MID020906764):** Trex Properties, LLC, located at 312 Ellsworth Avenue SW, Grand Rapids, is a U.S. EPA-lead facility that is undergoing CA. Since the beginning of FY 2020, at the request of the U.S. EPA, the HWS has been providing substantial project support on this U.S. EPA-lead project, for overall CA work. HWS support to the U.S. EPA has included historic document reviews, Work Plan reviews, Monitoring Plan reviews, progress report reviews, and recommendations for further CA, coordination between the U.S. EPA and other stakeholders. The HWS has also participated in numerous technical meetings and conference calls to address overall CA for the site.

**3.5.2.1.3 Other Work Activities:** Refer to Appendix 2, *Non-Commitment Corrective Action Accomplishments*, for a summary of the specific non-commitment CA oversight work activities completed by HWS staff during the second half of FY 2021. As can be seen in the Appendix 2 summary, EGLE continues to provide substantial support to the U.S. EPA on their lead projects, and a high percentage of the non-commitment work is for VI.

#### **3.5.3 EGLE/U.S. EPA Coordination on Approvals for Polychlorinated Biphenyls (PCB) Clean-ups:**

To facilitate PCB clean-ups and eliminate duplication of efforts when PCB remediation is needed at RCRA CA sites, EGLE and the U.S. EPA have been working cooperatively to coordinate approvals pursuant to Title 40 of the Code of Federal Regulations §761 (Toxic Substances Control Act [TSCA]). During FY 2021, EGLE coordinated with the U.S. EPA on TSCA PCB cleanups for:

- The Garden Holdings facility, Garden City
- The Gordie Howe International Bridge site, Detroit
- The RACER Pontiac M1 Concourse site, Pontiac
- The Omnisource facility, Jackson

EGLE also received inquiries and answered questions regarding TSCA applicability and sampling requirements throughout the FY. EGLE is continuing to resolve updated Part 201, Environmental Remediation, Cleanup Criteria, of the NREPA, for PCBs, and a

resolution needs to be reached prior to entering into an EGLE/U.S. EPA TSCA Memorandum of Agreement for formal Coordinated Approvals.

### **3.5.4 The Part 201 Amendments, Criteria Updates, and Criteria Rule Revisions with Potential Impacts on Part 111/RCRA CA in Michigan**

During second half of FY 2021, the U.S. EPA and EGLE continued revise the 2000 Memorandum of Understanding (MOU) to aid in the implementation of RCRA CA requirements at Michigan facilities, recognizing the use of the Part 201 criteria for Part 111 CA, as long as these criteria are not less stringent than would be required by RCRA. On August 17, 2021, staff from the U.S. EPA , EGLE, and the Michigan Department of Attorney General (DAG) met to discuss a comparison of the cleanup criteria used under Michigan’s HWP to the cleanup criteria used under RCRA.

### **3.6 Financial Capability**

U.S. EPA FY 2018–2022 Strategic Plan, Goal 1 – Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety.

**Objective 1.3: Revitalize Land and Prevent Contamination.** Provide better leadership and management to properly clean up contaminated sites and to revitalize and return the land back to communities.

In FY 2021, EGLE committed to completing a financial record review for all 54 facilities that maintain financial assurance in Michigan, and staff entered data into WDS to demonstrate that the review has been completed. To reflect this in WDS, EGLE recorded an “in-compliance” financial record review (FRR) (except when it does not apply) for the active TSDFs in the Compliance, Monitoring, and Enforcement (CME) Module in WDS.

#### **3.6.1 FY 2021 Year-End Accomplishments**

##### **3.6.1.2 Financial Record Reviews**

During the second half of FY 2021, EGLE performed 38 FRRs at 36 of the 54 facilities with financial mechanisms. With these completions, EGLE has accomplished reviews at 67 percent of the facilities providing financial mechanisms for the year. Due to staff resignation, EGLE lost momentum in completing FRR for all 54 facilities. However, multiple reviews were completed for facilities with multiple financial mechanisms. The completed financial reviews are summarized in Appendix 3, *Financial Record Review Accomplishments*.

##### **3.6.1.3 Data Entry**

All written decisions and FRRs completed as of year-end are entered in the CME modules of WDS and RCRAInfo as required.

### **3.7 Management and Reporting**

U.S. EPA FY 2018–2022 Strategic Plan, Goal 1 – Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety.

**Objective 1.3:** *Revitalize Land and Prevent Contamination.* Provide better leadership and management to properly clean up contaminated sites and to revitalize and return the land back to communities.

#### **3.7.1 Database Management and Reporting**

*WDS/RCRAInfo Reporting:* Michigan data for the HWP is entered into WDS and translated to the U.S. EPA national hazardous waste database, RCRAInfo, for handler, permitting, CA, compliance and enforcement, and hazardous waste BR data. Work on translating financial assurance data into RCRAInfo began in FY 2015. There was a delay in the completion due to resource constraints. The work on completing the translation feature was scheduled for late FY 2021. The revised completion schedule is Quarter 4 of FY 2022. Direct entry of financial assurance data into RCRAInfo, in order to address the U.S. EPA data quality of financial assurance data in RCRAInfo, was implemented in July 2016, and that work is continuing. Resources will focus on the translation of financial assurance data into RCRAInfo. Any disruptions in translation or data comparison reports will be communicated to the U.S. EPA, Region 5.

**3.7.2 CME Module:** During FY 2021, EGLE committed to maintain WDS to reflect current CME activities in Michigan. This data continued to be translated into RCRAInfo on a monthly schedule, through the Exchange Network, by submitting XML files. The CME module translation schema update was completed the fourth quarter of FY 2021.

**3.7.3 Handler Module:** During FY 2021, the U.S. EPA identification numbers continued to be issued through WDS, and the identification numbers conform to the required check-digit algorithm. This data continued to be translated into RCRAInfo on a monthly schedule, through the Exchange Network, by submitting XML files. The Handler module translation schema update was completed the fourth quarter of FY 2021.

**3.7.4 Permit Module:** During FY 2021, EGLE committed to maintain WDS to reflect current permitting, closure, and PC activities in Michigan, including facilities listed by the U.S. EPA as high priority, under the federal GPRA. This data continued to be translated into RCRAInfo on a monthly schedule, through the Exchange Network, by submitting XML files. The Permit module translation schema update was partially completed the fourth quarter of FY 2021. The Permit module translation schema will be fully updated the fourth quarter of FY 2022.

**3.7.5 CA Module:** During FY 2021, EGLE committed to maintain WDS to reflect CA activities in Michigan, including facilities listed by the U.S. EPA as high priority, under the federal GPRA. This data continued to be translated into RCRAInfo on a monthly schedule, through the Exchange Network, by submitting XML files. The CA module translation schema update was completed the fourth quarter of FY 2021.

### **3.7.6 Laboratory Support**

The EGLE samples collected during sampling and compliance inspections are analyzed in the EGLE Environmental Laboratory, unless specialized analytical capability is required that is not available through the EGLE Environmental Laboratory. All analyses conducted by EGLE are performed in accordance with standard procedures contained in the quality assurance manual entitled *MMD, Quality Assurance Quality Control Manual for the Sampling and Analysis of Environmental Media, Revision 7*, dated June 30, 2021, (2021 QA/QC Manual).

### **3.7.7 Safety Training**

Notices for the required HAZWOPER training and annual health monitoring continue to be sent to individual MMD staff, as reminders that they are due for their required training and physicals. At year end 21 of 31 MMD staff had completed their annual physical exam for health monitoring (note that MMD receiving documentation of physical exams typically lags several months behind the completion of these exams). The COVID-19 pandemic and associated response activities have had a significant impact on Health and Safety activities and metrics. MMD staff were directed to delay their Annual Health Monitoring examinations until COVID-19 protocols allowed resumption of examinations. The Michigan State Police Training Academy needed to shut down all non-essential activities and all HAZWOPER eight-hour refresher courses have been postponed indefinitely. This required training has been replaced with on-line training provided by EGLE health and safety staff. In 2021, all 59 MMD staff required to have training have completed either their initial HAZWOPER training or eight-hour HAZWOPER annual refresher training. Annual respirator fit testing for FY 2021 for all 19 MMD respirator certified staff was also completed in the second half of the fiscal year.

## **4 WASTE MINIMIZATION**

U.S. EPA FY 2018–2022 Strategic Plan, Goal 1 – Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety.

**Objective 1.3:** *Revitalize Land and Prevent Contamination.* Provide better leadership and management to properly clean up contaminated sites and to revitalize and return the land back to communities.

### **4.1 MMD's Support of Pollution Prevention (P2)**

P2 is a key element in protecting Michigan's environment. The MMD administers MCL 324.11108, which establishes waste reduction fees. Fees are assessed on businesses according to quantities of hazardous waste solidification and/or disposal at TSDFs within Michigan. Fees collected must be used for activities specified in Part 143, Waste Minimization, and Part 145, Waste Reduction Assistance, of the NREPA.

Parts 143 and 145 contain the following major components:

- Provision of P2 assistance including information, technical, and financial assistance to help businesses, institutions, and communities.
- Application of P2 in multi-media compliance assistance to encourage businesses, municipalities, and the public to meet environmental responsibilities in a cost-effective manner.

- Identification of opportunities to encourage P2 through traditional regulatory activities, including permit programs, environmental impact statements, inspections, and enforcement.

Section 3.0, Waste Minimization, of the Work Plan, summarizes the EGLE's FY 2021 commitment to protect the Michigan environment through P2. During the FY, EGLE's Sustainable Development Unit continued to support the HWP through non-grant funded work in the following areas:

- Continued to implement the Fuel Transformation Program and award grants through the Michigan Clean Diesel Grant Program and Volkswagen Settlement Mitigation Trust Agreement.
- Continued voluntary P2 Integrated Assessments.
- Maintained partnerships with business sustainability forums.

In addition, P2 staff continued to maintain the following core programs and partnerships, to encourage waste minimization:

- Clean Corporate Citizen
- Community P2 Grants
- Integrated P2 Assessment
- Clean Marinas
- Michigan Green Communities
- Small Business P2 Loan Program
- Sustainability Conference

Further information about the MMD and its P2 efforts are available at this link:

[Pollution Prevention](#)

#### **4.2 Sustainable Materials Management (SMM)**

EGLE has multiple SMM initiatives spread throughout the agency, which align with the efforts of the U.S. EPA, and fit into Michigan's 2017 Solid Waste Policy, which can be found here: [Michigan's Solid Waste Policy 2017](#)

##### **4.2.1 Recycling**

The Michigan Legislature approved \$15 million in FY 2021 for recycling, through the Renew Michigan Funding. The funding supports local recycling collection, processing, and end-use activities. A special focus on strong planning and recycling market development activities is noted, and it will go toward the following three main areas:

- Materials management planning, including grants to counties, regional planning agencies, municipalities, and other entities responsible for preparing, implementing, and maintaining materials management plans.
- Local recycling programs, including grants to local units of government, nonprofit, and for-profit entities, for recycling infrastructure, local recycling outreach campaigns, and other costs necessary to support increased recycling.



- Market development, including grants to local units of government and nonprofit and for-profit entities for purchasing equipment, research and development, or associated activities, to provide new or increased use of recycled materials to support the development of recycling markets.

In addition to working to amend Michigan's solid waste laws, EGLE is focusing this year's recycling efforts on the following activities:

#### **4.2.2 Market Development**

The Renew Michigan funding has allowed the MMD to offer funding to support the growth of recycling markets in Michigan for FY 2021 Recycling Market Development Grant. It provides support to for-profit, and non-profit businesses and organizations located in Michigan, to encourage recycling market development projects. The grant will support research of new uses for recycled materials, commercialization of technologies to replace materials with recycled content, and increase the demand for recycled materials needed for manufacturing or other uses. To view the Recycling Market Development Grant details, and for more information about the grants program, visit [Michigan.gov/EGLE/0,9429,7-135-70153\\_69695---,00.html](https://Michigan.gov/EGLE/0,9429,7-135-70153_69695---,00.html).

In addition to the Recycling Market Development Grant, EGLE is establishing a Michigan Materials Marketplace [Michigan.MaterialsMarketplace.org/](https://Michigan.MaterialsMarketplace.org/), in collaboration with the Michigan Economic Development Corporation, to connect generators and users of recycled materials. EGLE is also working to update a recycled materials market analysis that will identify market capacity for recycled materials, as well as update economic impact data that describes the economic activity that the recycling industry creates. Lastly, EGLE is working to establish a network of partners to manage agricultural and marine film plastic, to better manage that resource.

#### **4.2.3 Education and Engagement**

EGLE has established a statewide education campaign to improve the quality of recycled materials and increase the quantity of recyclables collected. EGLE is also working with local partners to develop and provide locally specific information on how to correctly recycle.

#### **4.2.4 State Government Recycling**

EGLE is working with the Michigan Department of Transportation and the MDNR to improve state government recycling opportunities at state offices, rest areas, and parks.

#### **4.2.5 Recycling Infrastructure**

In FY 2021, EGLE released a Recycling Infrastructure Grant Request for Proposals, offering grants to support the statewide recycling goals of increasing recycling rates and ensuring convenient access to recycling. Eligible applicants are non-profit organizations, tribal governments, public school districts, public universities/colleges, local health departments, regional planning agencies, cities, villages, townships, charter townships, counties, municipal solid waste authorities, and resource recovery authorities located in Michigan.

#### **4.2.5 Technical Assistance**

During FY 2021, EGLE has continued to provide technical assistance to local recycling programs. EGLE is striving to build partnerships with non-profit, municipal, and for-profit entities to leverage funding and increase investment in Michigan's recycling infrastructure.

#### **4.2.6 Electronics Recycling Program**

During FY 2021, the Sustainable Materials Management Unit (SMMU) continued its implementation of Michigan's electronic waste take-back law, administered under Part 173, Electronics, of the NREPA. The SMMU's focus remained on three areas:

- Compliance assistance for affected entities.
- Establishing/supporting electronics recycling services in rural areas of the state.
- Monitoring and managing uncontrolled waste stockpiles.

Per capita, collection of covered electronic devices, televisions; computers; printers; and monitors (IT) for recycling was negatively impacted by the COVID-19 Pandemic. Collection activities were completely curtailed from March through July of 2020, and severely restricted through the end of 2020. Interest in collection activities increased in early-2021 returning to expected levels by the end of the reporting period. While recycling operations were identified by EGLE as essential services early in the pandemic, many local units of government remained unsure how to properly address worker COVID-19 related personal protective equipment, and recycling facilities continue to operate on reduced schedules due to worker shortages.

The program is seeing increased support from selected large electronics manufacturers, but their efforts are frustrated by the lack of workers and the cost of collecting and recycling electronics. The focus of SMMU efforts continues to be on assuring opportunities to recycle unwanted electronics in the rural areas of the state. Recycling infrastructure in urban areas continues to be strong. EGLE is experiencing collection additional challenges in rural areas. These are directly associated with the high cost of transportation and the lack of workers to assist with the collection of the electronics.

During the manufacturer's annual registration process, we saw a significant drop in per capita recycling rates, which are attributed to the pandemic. Contributing to the issue is Michigan's law, which has non-binding recycling goals for television manufacturers and no goals for IT manufacturers. EGLE expects a double-digit percent decrease in electronics recycling volume as manufacturers shift their resources to states with more stringent goals. Discussions continue with a consortium of electronics manufacturers regarding changing the electronics extended producer responsibility law from a weight-based program to a convenience program. The proposed program is modeled after the current Illinois program but with an advanced fee to support the recycling of hard to recycle items such as monitors and televisions.

The high cost of recycling both cathode ray tubes and flat panel liquid crystal displays continues to be a challenge for both manufacturers and recyclers participating in the program. EGLE's electronics mini-grant program continues to encourage electronics recycling in the rural areas of Michigan and is proving to be successful in getting communities supporting electronics collection activities.

Compliance assistance activities continue to be a primary focus of the SMMU efforts. The focus of the assistance efforts is toward recyclers that are new to the business or new to the state. EGLE is seeing additional businesses entering the electronics recycling sector as the economy improves, the impacts of telework, and remote learning by schools all generate additional electronics needing end of management.

#### **4.2.7 Other SMMU Work**

During the half of FY 2021, the SMMU focused on: increasing markets for scrap tires, other than tire-derived fuels (i.e., rubber modified asphalt, crumb rubber, and rubber modified aggregate); continuing to promote food waste and organics composting, including food security and rescue initiatives; building a more robust composting program; implementing and growing the diverted waste and beneficial use legislation; and participating in the U.S. EPA's SMM efforts.

*Increasing Markets for Scrap Tires:* During FY 2021, 12 eligible Scrap Tire Market Development Grant applications were received requesting \$4,937,655 in funding. Additional FY 2021 funding will be utilized for a research study focused on performance evaluations of historic paving projects that have been funded through the Scrap Tire Market Development Grants Program, and an educational outreach series. Use of scrap tires in road projects have been successful in Michigan and across the United States. Several rubber modified asphalt (RMA) paving and chip seal technologies have years of successful installations on the ground, with supporting research and documentation available. Although this program is always interested in innovation, the focus for using scrap tires in road projects needs to shift toward making agencies aware of the use and availability of scrap tire technologies. The same focus shift is also being applied to Tire Derived Aggregate (TDA) projects. Several of the Scrap Tire Market Development Grant applications received this year not only install material, but are aimed at educating engineers about the use of RMA and TDA, which will lead to increased use of the scrap tire technologies in the future. There were also 70 Scrap Tire Cleanup Grant Program applications received, totaling \$720,370, to fund the cleanup of approximately 385,185 passenger tire equivalents.

*Building Consistency into Compost Operations:* During the second half of FY 2020 and most of FY 2021, the SMMU's ability to complete inspections of various registered composting facilities throughout Michigan's upper and lower peninsulas was hindered by the COVID-19 pandemic and associative travel restrictions. However, these facilities continue to be evaluated for their compliance with statutorily required record keeping, stormwater and groundwater management, accumulated storage of over 5,000 cubic yards of compostable materials on any acre, possible animal vectors, and fire potential. Based upon inspections performed over the last four years and general communication with the industry, the SMMU determined that increased education of composters/compost facilities is needed to improve compliance and to build consistency into compost operations. This educational component is being enacted during these ongoing inspections and regulatory/technical guidance communication with the industry. Going forward, education not only for the composters, but for the public as well, is essential to bring consistency to the program and to grow organics management throughout Michigan.

## **5 MISCELLANEOUS ACTIVITIES**

### **5.1 HWS Technical Reviews and Inspections**

#### **5.1.1 Annual Groundwater Report Reviews**

EGLE received annual groundwater monitoring reports from all 26 of the facilities where submittals were required. In general, annual groundwater monitoring reports, where required, must be submitted by no later than March 1, for the monitoring events completed during the previous calendar year. During the second half of FY 2021, EGLE completed seven reviews and found no violations.

#### **5.1.2 Non-Financial Record Reviews**

During the second half of FY 2021, the HWS completed five non-financial record reviews. Refer to Appendix 4, *2021 YE Non-Financial Records Review Accomplishments*, for additional information. The documents reviewed included environmental monitoring reports, data packages, and letters from facilities responding to EGLE required submittals.

### **5.2 Waste Determinations**

#### **5.2.1 Waste Delisting**

During the second half of FY 2021, EGLE did not receive any new waste delisting petitions.

##### **5.2.1.1 Land Disposal Restriction Treatability Variances**

During the second half of FY 2021, EGLE received new request for a Land Disposal Restriction Treatability Variance. This request was from US Ecology for air pollution control waste from the Owens-Brockway Glass Container of Streator, Illinois. EGLE will review this LDR treatability variance request during FY 2022.

##### **5.2.1.2 Waste Characterization Reviews**

During the second half of FY 2021, the MMD completed 104 requests for waste characterization assistance. Seventy-nine (79) percent of these requests were related to a variety of waste characterization issues. In addition to general requests, assistance regarding hazardous secondary materials (HSM) consisted of about 21 percent of the total. Refer to Appendix 6, *2021 YE Waste Characterization and Hazardous Secondary Material Determinations Accomplishments*, for details regarding waste characterization inquiries, and staff responses during this time period. It should be noted that the total number of waste characterization requests in the second half of FY 2021 is consistent to those received during the second half of FY 2020, and also consistent with the overall increasing trend of waste characterization requests received by EGLE since the agency began tracking this information. The total number of requests for waste characterization assistance in FY 2021 is a 15 percent increase over the total received for FY 2020 and a 45 percent increase over the total received for FY 2019. EGLE anticipates that this trend will continue into the first half of FY 2022 and beyond.

##### **5.2.1.3 HSM Reviews and Determinations**

During the second half of FY 2021, the MMD spent significant time reviewing notifications of HSM activity and legitimacy determinations and issuing determinations as to whether management of the HSM complies with Part 111, and the administrative

rules that took effect in August 2020 pursuant to Part 111. During this time, EGLE received HSM/legitimacy notifications for 10 generators. Refer to Appendix 6 for details regarding the HSM work completed during this time period.

### **5.3 Remediation Advisory Team**

During second half of FY 2021, the MMD's Remediation Advisory Team (RAT), completed the work discussed below:

- D.E. Karn Disposal Area, Essexville, Michigan. The RAT assisted with the review of a feasibility study to select a remedial action that will address exceedances of arsenic from CCR. (April 12, 2021)
- Muskegon County Landfill, Ravenna, Michigan. The RAT assisted MMD district staff with review of the facility's remedial action plan that is to provide a response strategy for PFAS impacted groundwater. (May 26, 2021)
- General Motors Flint Complex, Flint, Michigan. The RAT assisted the U.S. EPA and HWS staff with an evaluation of the investigation to date, an assessment of the conceptual site model and PFAS evaluation. (June 30, 2021)
- Hastings Landfill, Hastings, Michigan. The RAT assisted District staff and the facility with guidance related to PFAS detections and delineation at the landfill. (July 28, 2021)
- Consumers Energy – JH Campbell, West Olive, Michigan. The RAT assisted with the evaluation of a feasibility study for impacted groundwater from Coal Combustion Residuals. (July 28, 2021)

### **5.4 Senior Environmental Employee (SEE) Program**

The work performed by the SEEs is a critical component toward accomplishing the FY2021 Work Plan commitments. During the second half of FY2021, the SEEs processed 1,125 Hazardous Waste Site Identification applications. There were a large number of re-notifications for SQGs due to the new requirement deadline of September 1, 2021. The e-Manifest system went live on June 30, 2018, and manifests are no longer collected by Michigan. The SEEs are now working on obtaining the electronic data from the U.S. EPA's e-Manifest system, by using the RCRAInfo Metabase query application. With this information, EGLE can track waste from generation to disposal. EGLE can also use this data to confirm the status of a generator based upon the quantity of waste manifested. In addition, SEEs addressed all manifest Freedom of Information Act requests, assisted with Hazardous Waste User Charge invoices, and monthly operator reports. Without the SEE Program funding, it would be necessary to redirect HWS staff from Work Plan commitments to perform these key program items.

### **5.5 EGLE Technical and Program Support (TAPS) Teams**

EGLE's RRD formed TAPS teams to provide support and guidance in certain technical areas of the Part 201 Program. In order to keep apprised of Part 201 guidance, and to maintain as much consistency between Part 111 and Part 201 as possible, the HWS assigned representatives to participate on the following TAPS Teams: Non-Aqueous Phase Liquids (NAPL), VI, Institutional Controls (IC), GSI, Soil Background (SB), Incremental Sampling (IS), Groundwater Modeling (GWM), In-Situ Remediation (In-Situ), Aerial Reconnaissance Technology (ART), and the Toxics Steering Group (TSG). The following summarizes the TAPS team activities for FY 2021.

- GSI: The GSI TAPS Team holds bimonthly meetings on an as-needed basis to conduct site-specific reviews. During FY 2021, HWS staff attended GSI TAPS team meetings and spent significant time reviewing project materials prior to the meetings.
- GWM: The GWM TAPS Team holds meetings on an as-needed basis to review potential updates to the guidance document and to conduct site-specific reviews. Several meetings were held for the review of one site during the second half of FY 2021, focusing on the groundwater model provided on the U.S. EPA lead RACER Eckles Road facility.
- SB: During the second half of FY 2021, bi-monthly SB TAPS Team meetings were held to provide technical support to the RRD on the development of a guidance on when background can be applied to fill materials.
- IS: The IS TAPS Team holds monthly meetings on an as-needed basis. During FY 2021, representatives from the HWS attended five meetings to keep current on IS sampling developments, review specific applications, and to remain current with EGLE project examples and EGLE policy and procedure documents. In addition, the HWS team representatives provided IS guidance to MMD staff and projects upon request and used IS protocols in on post-flood soil sampling on the Tittabawassee River flood plain for assessment of dioxin and other contaminants, as well as review of Tittabawassee River Natural Resource Damage Assessment Environmental Characterization reports and the CERCLA Administrative Order on Consent for the Dow Chemical Dioxin Release into the same.
- NAPL: The NAPL TAPS Team holds quarterly meetings along with Part 201 and Part 111 project-specific meetings, as necessary. Prior to meetings, team members are provided agenda materials, often requiring substantial review and subsequent group discussion. Meetings have primarily focused upon preparation of a revised NAPL TAPS standard operating procedure document, as well as a light non-aqueous phase liquid technical resource document. During FY 2021, team members continued to review relevant technical literature and attend trainings to increase expertise in this subject area.
- IC: The IC TAPS Team holds monthly meetings and team members perform information reviews to approve or deny the use of proposed ordinances. During FY 2021, the team also worked on guidance documents to identify the activities and necessary documentation to rely on state laws or local health codes as alternate ICs. The team also continued work on the development of a Website for land and resource use restrictions guidance.
- VI: During FY 2021, the VI TAPS Team held monthly meetings and additional meetings, as necessary. Representatives from the HWS attended meetings to provide input on site-specific project reviews, to keep current on VI sampling developments, and to review RRD policy and procedure documents. In addition, the team representatives provided VI guidance to HWS staff on several Part 111 VI reports and/or work plans. VI TAPS staff is also coordinating updates to the 2013 EGLE Vapor Intrusion Guidance Document, and the HWS is assisting in that effort.
- In-Situ: The In-Situ TAPS Team holds monthly meetings on an as-needed basis. During FY 2021, the HWS TAPS team representative attended three meetings and two on-line webinar trainings from May to October. The HWS representative also provided input on site-specific project reviews, and reviewed relevant technical literature to remain current on In-Situ sampling and treatment technologies.

- ART: The ART TAPS Team has grown into the department's EGLE UAS Program. The UAS Program is administered out of the Information Management Division, by the Drone Program Coordinator, appointed by the Director. The HWS plays a significant role in the EGLE's UAS Program, including reviews of the division status of FAA-certified pilots, equipment, mission planning, and post-processing technologies. Monthly program TEAMS calls are held with EGLE's six divisions and 30 pilots, to discuss the safe, legal, and ethical deployment of UAS/drones in EGLE, as well as a review of previous months flights and training on new approaches to drone use and image processing.
- TSG: The TSG holds meetings on a quarterly basis. The TSG is EGLE's forum for discussion of human health risk assessment issues related to the exposure to chemical contaminants in environmental media. Members of the TSG are risk assessors, toxicologists within EGLE, and toxicologists from other state agencies—the MDHHS, and Department of Agriculture and Rural Development (MDARD) specifically—and other related state experts. Since February 2018, the HWS no longer has a toxicologist on staff; therefore, no HWS toxicologist has participated in the TSG workgroup since that date. However, due to the importance of the work TSG does, other HWS staff represented the MMD during the quarterly meetings. The MMD is in the process of hiring a new toxicologist. This individual will join the TSG workgroup to propose creating a multi-agency agreement between EGLE, MDARD, MDHHS, and MDNR to continue to incorporate the best-available science in the development, review, and application of chemical contaminant criteria developed for the protection of human health, safety, welfare, and the environment. Human health, safety, welfare, and environmental risk assessment issues encountered in these efforts may have department and statewide implications, and any decisions made concerning these issues may have impacts in several programmatic areas. Human health-related issues of concern include, but are not limited to, protection of children's health, assessment of the risks associated with exposures to chemical mixtures, development of indoor air screening levels for the VIAP, and responding to emerging classes of contamination, such as PFAS.

### **5.6 EGLE Quality Management Plan (QMP)**

During FY 2021, the MMD adhered to EGLE's approved QMP, portions of which describe the process of hiring staff. Managers and supervisors ensured that staff adhered to training plans for respective positions. EGLE continued to retain a training database to document staff training. The EGLE Quality Management Team did not meet during FY 2021. An initial meeting of the EGLE Quality Management Team to begin the 2023 update of the QMP is scheduled for November of 2021. A scheduled update and revision of the WMRPD *Quality Assurance/Quality Control (QA/QC) Manual for the Sampling and Analysis of Environmental Media* (the primary component of the MMD portion of the QMP) was completed in FY2021, and a copy was distributed to all MMD field staff on June 30, 2021.

After a request from and consultation with U.S. EPA, Region 5 Quality Staff, MMD staff have drafted a RCRA Part C QAPP for the HWP. The 2021 revision to the QA/QC Manual serves as the most significant attachment to this QAPP. The draft of this QAPP was completed in July 2020 and submitted to the U.S. EPA on August 17, 2021.

## **TABLES**



**Table 3.3.1.1: Training**

Date	Event	Topic	Live Attendees	Recording Views
11/19/19	<a href="#">Waste Gone Wild Dealing with Nuisance Waste Sites and Illegal Dumping in your Community</a>	Michigan's solid waste, scrap tire, and electronic waste regulations, issues, and local strategies to enhance compliance.		7
12/3/19	<a href="#">Michigan Clean Diesel Program Part 1: Funds for New School Buses and Associated Air Quality Benefits</a>	Clean Diesel Program Funding available and air quality benefits associated with the program.		3
1/7/20	<a href="#">Michigan Clean Diesel Program Part 2: Guidelines for Application</a>	Clean Diesel Program Application requirements.		1
1/16/20	<a href="#">Recycling Quality Improvement Grant Opportunity – Informational Webinar</a>	EGLE grants available to improve the quality of recyclables.		2
2/13/20	<a href="#">Petro-Chem Hazardous Waste Facility Clean-up Activities Webinar</a>	Current CA clean-up activities occurring at the Petro-Chem facility.		24
3/25/20	<a href="#">Waste 101</a>	Various types of waste (hazardous waste, liquid industrial by-products, solid waste, PCB waste, medical waste, radiological waste), which is subject to the waste regulations, and what is generally required of waste handlers.		139
4/2/20	<a href="#">Waste Characterization and Generator Status</a>	How to characterize waste and make a hazardous waste generator category determination.		128
4/16/20	<a href="#">Accumulation, Labeling, and Shipping</a>	How to accumulate, label, and ship hazardous waste and liquid industrial by-products in Michigan.		66
5/5/20	<a href="#">Inspection and Recordkeeping</a>	What happens during a hazardous waste inspection and the records that are required to be produced for review.		52
5/11/20	<a href="#">Environmental Emergencies and Natural Disasters</a>	EGLE and the U.S. EPA's roles, processes, and partners available to assist communities in responding to environmental emergencies and natural disasters.		8
5/27/20	<a href="#">Part 111 New Rules</a>	EGLE's adoption of the generator improvement rules, and aerosol cans as a universal waste type.		43

Date	Event	Topic	Live Attendees	Recording Views
6/2/20	<a href="#">PFAS Fire Fighting Foam Treatment and Disposal</a>	EGLE overview of contamination resulting from use of PFAS firefighting foam, and efforts to collect and properly dispose of it from local firefighters.		21
6/3/20	<a href="#">Universal Waste</a>	Universal waste types and benefits, including how to properly accumulate, ship, and dispose of the various universal waste types.		66
6/11/20	How to Administer School Bus Replacement Fuel Transformation Program Grants	How to Administer School Bus Replacement Fuel Transformation Program Grants.		21
6/17/20	<a href="#">What Small Businesses (VSQG) Need to Know about Hazardous Waste</a>	What VSQG must do to maintain their VSQG category and properly handle and dispose of exempted hazardous waste.		37
6/30/20	<a href="#">Household Hazardous Waste and Universal Waste Collection Requirements</a>	Requirements for collecting and properly handling, disposing, or recycling household hazardous waste and universal waste.		24
6/30/20	<a href="#">PFAS Reverse Osmosis Leachate Treatment and Granulated Activated Carbon Technology</a>	Treatment technologies used to remediate PFAS contaminated sites and treat landfill leachate.		6
7/29/20	<a href="#">Creating Planet Goals</a>	How to set, track, and get the most value from sustainability goals.		5
8/27/20	<a href="#">What Happens After the Low-Hanging Fruit Has Been Picked when Implementing Your Energy Reduction Strategy?</a>	How to track energy usage in a building, what to look for when evaluating energy usage data, and how to use that data to resolve issues uncovered through the data collection process.		7
9/16/20	<a href="#">Create the Pathway Toward Emission Reduction: How to Build a Carbon Inventory</a>	How an organization can measure its carbon footprint, track trends and progress, achieve its goals for carbon emission reductions, and publicly report on them.		7
9/21/20	<a href="#">Marijuana Regulatory Panel</a>	EGLE multimedia overview of the regulations that apply to marijuana growers and processors.		14
9/23/20	<a href="#">Part 115 Statutory Changes – Refocusing Michigan’s Solid Waste Program</a>	EGLE overview of solid waste statutory amendments under consideration, and how they will advance a culture that promotes the environmental, social, and economic benefits through managing unwanted materials more sustainably.		12

Date	Event	Topic	Live Attendees	Recording Views
9/23/20	<a href="#">All Things Landfill</a>	EGLE overview of recent multimedia changes in the environmental compliance requirements for landfills.		48
9/23/20	<a href="#">Michigan's Materials Management Approach</a>	Overview of EGLE's initiative to shift the focus from throwing trash in a landfill to managing materials to their highest and best use, including baselining through the Mega Data initiative.		18
9/23/20	<a href="#">EGLE Division Updates</a>	EGLE updates from division directors on program of technical assistance, funding opportunities, and stakeholder engagement offered to businesses, to assist with energy reduction, waste reduction, recycling, and P2.		48
9/23/20	<a href="#">EGLE Energy and Recycling Programs for Businesses</a>	EGLE overview of grants available to businesses for recycling, energy conservation, converting to cleaner energy sources.		5
9/23/20	<a href="#">Did You Just Say... Radioactive?</a>	EGLE staff provide a step-by-step guide to identifying whether a material is naturally occurring radioactive material, technologically enhanced naturally occurring radioactive material, or something greater, and whether the handling of the material is subject to state or federal regulations.		6
10/14/20	<a href="#">Business Sustainability UNCENSORED!</a>	Why businesses may be on the fence when choosing to adopt or not adopt sustainable practices, examples of how to communicate with management and how to craft a stronger voice to become a "sustainability champion".		12
11/10/20	<a href="#">Business and Biodiversity: Achieving Company Objectives through Conservation</a>	How to increase a company's positive environmental impact by implementing meaningful wildlife conservation and environmental education projects on and near the company's lands.		6
11/12/20	<a href="#">MI Business Webinar: How to prepare for an EGLE hazardous waste inspection</a>	How to determine what type of waste you have, how it must be managed, who is typically inspected, why and when, what inspectors want to see, and best practices that can be implemented to ensure a favorable inspection.		8
11/19/20	<a href="#">Catalyst Communities Academy Kick-off Session</a>	Kick-off of a Catalyst Communities Academy to help communities better prepare for increased frequency and		17

Date	Event	Topic	Live Attendees	Recording Views
		ferocity of weather disruptions associated with climate change.		
11/23/20	<a href="#">Tribal Webinar Series, MMD Programs</a>	Various types of waste (hazardous waste, liquid industrial by-products, solid waste, and scrap tires), and how they must be managed under the state requirements.		1
12/7/20	<a href="#">Michigan Disposal, Inc., Waste Treatment Plant License</a>	EGLE license review status for the hazardous waste treatment and storage activities occurring at the Michigan Disposal, Inc., Waste Treatment Plant.		23
12/10/20	<a href="#">US Ecology Detroit South</a>	EGLE license review status for the hazardous waste treatment and storage activities occurring at the US Ecology Detroit South facility.		23
1/5/21	<a href="#">Michigan Clean Diesel Program: Guidelines for Application</a>	Clean Diesel Program Application requirements.		2
2/3/21	<a href="#">Michigan K-12 Public School HVAC Assistance Program: Outline &amp; Guidance</a>	Michigan K-12 HVAC Assistance Program Application requirements.		13
3/24/21	<a href="#">Remanufactured: Sustainable by Definition. Responsible by Design.</a>	How remanufacturing is like-new and the Manufactured Again Certification.		21
3/24/21	<a href="#">West Michigan Air and Waste Management Association Hazardous Waste Workshop</a>	Understanding the new hazardous waste rules and EGLE resources, and inspection protocols during the pandemic.		
4/17/21	Safety Conference: Inspections and Common Violations	The hazardous waste inspection process and common violations observed during inspections.	20	
4/17/21	Safety Conference: Waste Characterization and Generator Status	How to characterize waste and make a hazardous waste generator category determination.	18	
4/17/21	Safety Conference: Newly adopted <a href="#">Federal Hazardous Waste Rules</a> for Generators	EGLE's adoption of the generator improvement rules, and aerosol cans as a universal waste type.	20	
4/26/21	<a href="#">Upper Peninsula (UP) Solid Waste Forum,</a>	The latest solid waste management and recycling issues for solid waste managers in Michigan's UP.	276	10
4/27/21	<a href="#">Day 1 (3 sessions)</a>		222	32
4/28/21	<a href="#">Keeping Food in the Loop with Food Waste Management</a>		218	17
5/24/21	<a href="#">Keeping Food in the Loop with Food Waste Management</a>	How food waste collection programs are growing nationally and a model for process and managing food waste to	254	56

Date	Event	Topic	Live Attendees	Recording Views
		become bagged fertilizer in less than 30-days.		
6/2/21 to 6/4/21	<a href="#">Michigan Sustainability Conference</a>	Tools and resources needed to move from traditional compliance procedures to best practices using science, technology, storytelling, and partnerships to meet the underlying demand for social and environmental sustainability.	379	
6/22/21	<a href="#">Tire Safety: Save Lives, Improve Performance, Help the Environment Webinar</a>	How to properly maintain tires to enhance safety, reduce air emissions, increase fuel efficiency, and extend the longevity of tires.	209	164
6/29/21	<a href="#">Wayne Disposal, Inc., Landfill License Major Modification</a>	EGLE license review status for the hazardous waste landfill activities occurring at the US Ecology, Wayne Disposal, Inc., facility.	24	22
7/12/21	<a href="#">Construction Association of Michigan Waste 101 Webinar</a>	How to evaluate common type of construction wastes, who is responsible for proper management, and what inspectors review during an inspection.	176	43
7/13/21	<a href="#">Fuel Transformation Program Part 1 Grant Application Information</a>	Overview of the Fuel Transformation Program grant application requirements for transitioning Class 4-8 trucks, shuttle and transit buses, and drayage vehicles to cleaner fuels.	143	41
9/24/21	<a href="#">Tools &amp; Resources for Local Government Clean Fleets</a>	Tools, resources, and steps for purchasing clean fuels and vehicles	51	10
		<b>FY 2021 TOTAL</b>	<b>2010</b>	<b>1275</b>

**Table 3.3.1.2: Publications**

Status	Title
Revised	<a href="#">Very Small Quantity Hazardous Waste Generator Guide</a>
Revised	<a href="#">Small Quantity Hazardous Waste Generator Guide</a>
Revised	<a href="#">Landfill Prohibited Materials</a>
New	<a href="#">Vapor Intrusion Frequently Asked Questions</a>
Revised	<a href="#">Stormwater Catch Basin Clean-out Activities</a>
New	<a href="#">Hazardous Waste Common Violations</a>
Revised	<a href="#">Waste Characterization Record Guidance and Optional Form</a> (fillable form)
Revised	<a href="#">Weekly Hazardous Waste Inspection Checklist</a> (fillable form)
New	EGLE Guide

**Table 3.3.1.3a: Gov Delivery Topics – MMD Related**

Status	Name	Subscribers
New	Michigan Indoor Radon Program Updates	117
New	US Ecology Michigan Disposal, Inc., Waste Treatment Plant and Wayne Disposal, Inc., Hazardous Waste Landfill	579
Existing	US Ecology Detroit South	573
Existing	Catalyst Communities	694
New	JB Sims Generating Station and Harbor Island Environmental Investigation	292
Existing	EGLE MI Environment	11374
Existing	Materials Management News and Info	3296
Existing	MPART News and Updates	3059
Existing	Retail Environmental Initiative	2188
Existing	Biennial Reports	1151
Existing	Hazardous Waste Management Program Long List for people interested in Michigan's RCRA rulemaking	2267
Existing	The Former McLouth Property/Riverview-Trenton Railroad North Parcel	1132
Existing	The Former Lacks Cascade Township	1243
Existing	US Ecology Detroit North Hazardous Waste Facility	1594
Existing	Arbor Hills	1662
Existing	Central Sanitary Landfill	1337
Existing	Environmental Network	4964
Existing	Petro-Chem Processing Group of Nortru	922
Existing	Materials Management Planning	1164
Existing	Scrap Tire Program	2253
Existing	Pleasant Peninsulas - Environmental Assistance	2145
Existing	Pleasant Peninsulas - Recycling and Sustainability	1511
Existing	Recycling Directories	2348
Existing	Recycling Reporting	2422
Existing	Recycling Updates	2679
Existing	Recycling Racoons	3543
Existing	Solid Waste Law Amendments	1900
Existing	The DIRT On Michigan Composting	1603
Existing	Diamond Chrome	1090
Existing	Recycling Directories	2348
Existing	Recycling Reporting	2422
Existing	Recycling Updates	2679
Existing	Recycling Racoons	3543
Existing	Solid Waste Law Amendments	1900
Existing	The DIRT On Michigan Composting	1603
Existing	Diamond Chrome	1090

**Table 3.3.1.3b: Gov Delivery Notices – EGLE Related**

Title	Release Date
<a href="#">Reminder Liquid Industrial By-products Reports Due April 30, 2021.</a>	<a href="#">04/21</a>
<a href="#">Cooking more at home? Try composting your food waste*</a>	04/21
<a href="#">After almost two years stretch of county road in the U.P using rubber from scrap tires performing well*</a>	<a href="#">04/21</a>
<a href="#">Expanding composting operations: City of Ann Arbor’s green and food waste recycling program</a>	04/21
<a href="#">51 ideas to celebrate Earth Day*</a>	04/21
<a href="#">Expanding recycling access brought in thousands of new customers to Marquette County Solid Waste Management Authority*</a>	04/21
<a href="#">Sowing the future of food scrap recycling: Best practices from Emmet County’s commercial food scrap program*</a>	05/21
<a href="#">FLOWS Innovation Challenge Track opens for organics material recovery ideas*</a>	<a href="#">05/21</a>
<a href="#">MI Environment features expansion of access to recycling at Marquette County Solid Waste Management Authority</a>	<a href="#">05/21</a>
<a href="#">Recycling curriculum under development - Help get the content you need by completing our brief survey</a>	<a href="#">05/21</a>
<a href="#">Recycling curriculum survey closes May 28, 2021, - Help get the content you need by completing our short survey</a>	<a href="#">05/21</a>
<a href="#">EGLE awards 70 grants to communities to collect and recycle scrap tires</a>	<a href="#">05/21</a>
<a href="#">Last day to submit paper uniform hazardous waste manifests is June 30, 2021.</a>	<a href="#">06/21</a>
<a href="#">Newly planted oak trees in Portland State Game Area will memorialize beloved EGLE colleague*</a>	06/21
<a href="#">Webinar to focus on how tire maintenance keeps you safe, helps the environment*</a>	06/21
<a href="#">Enjoy fireworks safely and dispose of them properly*</a>	07/21
<a href="#">Before summer travel, check your tires to stay safe and protect the environment</a>	07/21
<a href="#">Trash and trees don't mix -- help protect Michigan's forests</a>	07/21
<a href="#">Fast Five with Christine Grossman, winner of national U.S. EPA award for helping small business*</a>	07/21
<a href="#">Reminder: Re-notification for small quantity generators of hazardous waste due by September 1, 2021.</a>	<a href="#">08/21</a>
<a href="#">Deadline to apply for grants to replace qualifying diesel trucks and transit/shuttle buses with cleaner fuel vehicles closing soon</a>	<a href="#">08/21</a>
<a href="#">What you put in the bin, becomes the bin*</a>	08/21
<a href="#">New hazardous waste 101 video joins other EGLE Classroom resources*</a>	08/21



Title	Release Date
<a href="#"><u>At-home pollution prevention tactics can be healthy, reduce energy bills and boost the local economy*</u></a>	09/21
<a href="#"><u>New and improved EGLE Drug Take Back Map</u></a>	09/21
<a href="#"><u>New video and compliance resources available for hazardous waste handlers</u></a>	09/21
<a href="#"><u>JB Sims Generating Station/Harbor Island Environmental Investigation Update</u></a>	09/21

\* EGLE [MIEnvironment Bulletins](#) are issued weekly and distributed broadly to appropriate EGLE GovDelivery subscriber lists, in addition to the EGLE MI Environment topic subscribers.

**Table 3.3.2.3a: District Staff TSDF Inspection Report**

Active TSDF Inspection Schedule with Commitment Number and Completion Dates.

Current Site Name	U.S. EPA Site ID	District CEIs	District
Drug & Laboratory Disposal Inc	MID092947928	12/15/20	Kalamazoo
		9/1/21	
Pharmacia & Upjohn Company, LLC	MID000820381	6/26/21	Kalamazoo
U of M Beck Road Facility	MIR000001834	8/4/21	Jackson
MSU Waste Storage Facility	MID053343976	8/5/21	Lansing
Dow	MID000724724	6/23/21	Bay City
Dow Silicones Corporation	MID000809632	6/30/21	Bay City
Dow Salzburg Landfill	MID980617435	6/23/21	Bay City
Michigan Disposal, Inc., Waste Treatment Plant	MID000724831	10/29/20	Warren
		6/8/21	
US Ecology - Romulus	MID060975844	8/20/21	Warren
Gage Products Co	MID005338801	8/19/21	Warren
Wayne Disposal Inc	MID048090633	10/29/20	Warren
		7/21/21	
US Ecology Detroit North	MID074259565	5/25/21	Warren
PSC Environmental Services	MID980615298	9/2/21	Warren
US Ecology Detroit South	MID980991566	5/11/21	Warren
Republic Industrial and Energy Solutions	MIR000016055	6/22/21	Warren

**Table 3.3.2.3b: HWS Inspection Report**

This table identifies the completion dates and status of the GME/O&M, PC Cap, CA Cap, FCI, and CAMM Work Plan commitments.

Current Site Name	U.S. EPA Site ID	HWS O&M	HWS CAMM	HWS CA Cover/ PC Cap Inspection	HWS CAC /FCI – Other
Dow	MID000724724			09/21/21	
Dow Silicones Corporation	MID000809632				
Dow - Salzburg Landfill	MID980617435	03/25/21			
Pharmacia & Upjohn Company LLC	MID000820381		07/30/21		
Wayne Disposal Inc	MID048090633	09/28/21		09/30/21	
Lacks Industries, Inc – Cascade (Carryover from '20)	MID006014666			09/30/21	
Warner Lambert Co LLC Former Manufacturing Site	MID006013643				05/26/21
Lacks Industries Inc Saranac	MID080359433	09/30/21		09/30/21	
Trex Properties LLC	MID020906764				
Mahle Engine Components USA Inc	MID980499735				08/19/21
Chrysler Introl Division	MID990760100	09/24/21			
Black River Public School	MID006411953				
Access Business Group, LLC	MID006026793				
Safe Spot Business Park	MID096963194				
Solutia, Inc., East Property	MID009708678				
Woodland Meadows Landfill North	MID000810408				
Occidental Chemical Corp	MID006014906				
Barber Steel Foundry Corp	MID006025217				
Ford River Raisin Warehouse	MID005057005			09/27/21	
Racer Coldwater Road Landfill	MID005356860	08/20/21			
MRP Alma Facility	MID005358130	09/23/21			
Granger Grand River Landfill	MID082771700	09/30/21			
RACER Pontiac North Campus	MID005356886				
Wolf Five LLC (Former the Wyckoff Steel Property)	MID004508628	09/30/21	09/30/21		
Intertape Polymer Grp	MID061862926				
RACER Fiero Assembly Plant	MID005356910				
Ford Motor Co Allen Park Clay Mine LF	MID980568711		06/23/21		
Dept/Defense Former Us Air Force KI Sawyer AFB	MI0571924760			09/03/21	
Vassar Acquisitions LLC	MID005513262				
Michigan Seamless Tube	MID082767591			11/12/21	

Current Site Name	U.S. EPA Site ID	HWS O&M	HWS CAMM	HWS CA Cover/ PC Cap Inspection	HWS CAC /FCI – Other
NP Romulus Industrial LLC	MID000809905		07/14/21		
KHI Inc	MID006020895		08/26/21		
Reichhold Inc Ferndale Michigan	MID020087128		09/30/21		

### §3.3.3 Enforcement Section Report Tables

Significant Non-Compliers (SNCs) Reported in Current Fiscal Year			
Current Site Name	U.S. EPA Site ID	SNC Date	SNC Status
Beacon Park Finishing	MID052035425	3/29/21	SNY
Anchor Coupling, Inc.	MID980990618	10/26/20	SNY
Faurecia Interior Systems Saline, LLC	MIK163618183	4/9/21	SNY
Target Corporation	MI0000662205	7/23/21	SNY
Target Corporation	MIK296322837	8/9/21	SNY
Quality Plating Co, Inc	MID006031363	9/16/21	SNY
Wright Coating Technologies	MID097806004	8/20/21	SNY

\*SNY is the RCRAInfo code signifying that a facility owner and/or operator/generator/transporter is an SNC.

SNCs Reported in a Prior Fiscal Year(s)			
Current Site Name	U.S. EPA Site ID	SNC Date	SNC Status
Petrochem Processing Group of Nortru, LLC (Stericycle)	MID980615298	3/10/20	SNY
Target Corporation	MIK338447436	8/19/20	SNY
Orchard Lake Machining	MIK878278044	2/12/19	SNN
Harbor Packaging	MI0000373027	1/3/19	SNY
Dow Chemical Main Plant and Incinerator Complex	MID000724724	4/24/19	SNY
Metro Delivery	MIK837520182	6/19/19	SNN
Kassouni Manufacturing, Inc	MIK196055853	8/27/19	SNN
Diamond Chrome Plating, Inc., Howell	MID005344973	1/28/16	SNY
Electro-Plating Service, Inc., Madison Heights	MID042444687	11/22/16	SNY
Middletons, LLC	MID112838966 and MID074296070	7/10/17	SNY
U.S. Steel Great Lakes (Site B)	MIK438244824	9/8/17	SNY
Michigan Disposal Waste Treatment Plant	MID000724831	9/22/17	SNY
Schawk (LSI/KALA, LLC)	MID004912861	8/28/18	SNY

\*\*SNN is the RCRAInfo code signifying that a facility owner and/or operator, generator, or transporter is no longer a SNC.

Fast Track Administrative Consent Order (FTO)					
Current Site Name	U.S. EPA Site ID	SNC Date	SNC Status	Enforcement Notice Issued and Proposed FTO Offered	Entered
Orchard Lake Machining	MIK878278044	2/12/19	SNN	7/18/19	2/19/21
Niles Aluminum	MIK735736696	2/26/20	SNN	2/23/21	3/5/21
Metro Delivery	MIK837520182	6/19/19	SNN	12/19/19	6/7/21

Administrative Consent Order (CO) or Unilateral Administrative Order					
Current Site Name	U.S. EPA Site ID	SNC Date	SNC Status	Enforcement Notice Issued and Proposed CO Offered	Entered
Kassouni Manufacturing, Inc.	MIK196055853	8/27/19	SNN	9/26/19	12/2/20

Bankruptcy Proceedings					
Current Site Name	U.S. EPA Site ID	SNC Status	Referral to MDAG	EGLE Claim Filed	Court Order Issued
<b>Metavation Vasser, LLC</b> (Tuscola Co.): A Voluntary Chapter 11 bankruptcy petition was filed July 22, 2013. EGLE and Metavation Vassar, LLC, reached an Agreement to settle EGLE's proof of claim in December 2018 that was approved and entered by the Bankruptcy Court on January 2, 2020. EGLE provided for release of the financial assurance mechanism during the 1 <sup>st</sup> Quarter of 2020. EGLE's distribution from the settlement was received on September 22, 2021.	MID005513262	SNN	12/13/13	1/20/14	1/2/20

\*\*\*Not Applicable

CACO/CALTA			
Current Site Name	U.S. EPA Site ID	Proposed CACO or CALTA Offered	CACO or CALTA Entered
<p><b>Five Star Store It Ferndale, LLC, Ferndale:</b> CALTA for the East Area of the former Reichhold, Inc., Ferndale site. EGLE/DAG are continuing to negotiate the final work to be performed and language for the CALTA.</p>	MID020087128	11/24/15	
<p><b>CAI/J&amp;A Holdings, LLC, and Stericycle Specialty Waste Solutions, Inc.</b> (formerly known as Chemical Analytics Inc.): EGLE provided draft CALTA to the respondent on March 8, 2017, that includes measures for restrictive covenant, barrier maintenance, and FA. Owner was not receptive to draft CALTA and has requested that only a restrictive covenant be needed for the facility. Technical meeting between the parties was held on September 28, 2017, which resulted in the respondent performing additional evaluation of contaminants and exposure pathways. Owner provided proposal for corrective measures and financial assurance in April 2018. Since then, Owner has refused to provide financial assurance to maintain/replace the barrier at the facility and refused to agree to EGLE's restrictive covenant language. Owner then filed a lawsuit in the Michigan Court of Claims seeking declaratory ruling that he is not subject to CA. EGLE/DAG defended lawsuit that was dismissed in the Michigan Court of Claims due to lack of controversy. The Owner has filed an appeal.</p>	MID985568021	03/08/17	
<p><b>Lacks Industries, Inc. – Saranac:</b> Engaging with current facility owner regarding CA obligations including PFAS contamination. Intend to draft CACO to replace current U.S. EPA /DOJ Consent Decree</p>	MID080359344		
<p><b>Triair Company (formerly known as Sweepster/Chrysler/Corepoint):</b> Engaging with current facility owner regarding CA obligations including addressing PFAS contamination, and entry of a CACO.</p>	MID000724724		
<p><b>Lacks Industries, Inc – Cascade:</b> Working with historical owner/operator on additional PFAS and VI investigation/remediation. Current enforcement mechanism is a Consent Judgement from the later 1990's. Working toward and updated administrative mechanism to replace the Consent Judgement.</p>	MID006014666		
<p><b>Formerly Hayes Lemmerz:</b> Engaging with current facility owner regarding CA obligations including sources of contamination that may result in VI, and entry of a CACO.</p>	MID041803123		

CACO/CALTA			
Current Site Name	U.S. EPA Site ID	Proposed CACO or CALTA Offered	CACO or CALTA Entered
<b>Chemours – Montague:</b> Received referral from Hazardous Waste Section on May 12, 2021. Drafting of CACO in progress.	MID000809640		
<b>MacDermid, Inc:</b> Received referral from Hazardous Waste Section on June 7, 2021. Drafting of abbreviated CALTA in progress.	MID005338371		