

FACT SHEET

DRAFT HAZARDOUS WASTE MANAGEMENT FACILITY OPERATING LICENSE

**Republic Industrial and Energy Solutions, LLC
Romulus, Michigan**

MIR 000 016 055

December 14, 2022



**MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
MATERIALS MANAGEMENT DIVISION**

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INTRODUCTION

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Materials Management Division (MMD), must consider whether to issue a hazardous waste management facility operating license (License) to Republic Industrial and Energy Solutions, LLC (RIES). The review to date indicates the following:

1. The License application submitted by RIES appears sufficiently detailed for EGLE to evaluate the facility and its impact on human health and the environment.
2. The current facility satisfies all of the technical design, construction, and operating standards under Part 111, Hazardous Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and the administrative rules promulgated thereunder (Part 111 Rules), Michigan Administrative Code Rule (R) 299.9101 *et seq.*
3. RIES has obtained all other federal and state environmental permits required for the facility in accordance with site-specific conditions proposed in the draft License.

The United States Environmental Protection Agency (U.S. EPA) is not proposing to issue a joint federal hazardous waste management permit for the storage and treatment components of the facility, because Michigan is authorized to administer its License requirements in lieu of any federal permit requirements that would apply to this facility's hazardous waste operations.

Prior to making the final decision, EGLE is required to develop a fact sheet on the draft License. The fact sheet must contain a brief description of the facility and activity subject to the License, the types and quantities of hazardous wastes to be managed, reasons why any requested variance or alternatives to minimum standards do or do not apply, and a description of the procedures for reaching a final decision, including: the duration of the public comment period and the address where comments will be received; procedures regarding the public hearing; other procedures by which the public may participate in the final decision; and the name and telephone number of the person to contact for more information. This fact sheet contains all of the required information, plus additional information regarding the state Hazardous Waste Management Program and the review of the RIES project.

After the close of the public comment period and review of the comments received in a timely manner, EGLE will decide whether to issue the License.

BACKGROUND

The management of hazardous waste in Michigan is regulated under Part 111 and Part 111 Rules. In addition, the management of hazardous waste in Michigan and nationwide is regulated under Subtitle C of the federal Solid Waste Disposal Act, as amended, Title 42 of the United States Code, Section 6901 *et seq.*, which is commonly known as the Resource Conservation and Recovery Act of 1976 (RCRA). RCRA was amended substantially by the Hazardous and Solid Waste Amendments of 1984.

Under RCRA, a state may obtain authorization to administer its program in lieu of the federal program. Michigan amended its hazardous waste management administrative rules in 1985 to be equivalent to those under RCRA. Michigan then became authorized in October 1986 to administer the portions of the federal program that were duplicated by the state program. Since that time, Michigan has continued to amend its administrative rules to stay consistent with, and at least as stringent as, those rules under RCRA.

Both RCRA and Part 111 establish a permit (a.k.a. License) system governing the treatment, storage, and disposal of hazardous wastes. Because Michigan is authorized, a state operating license is issued to existing facilities in lieu of a federal permit. In circumstances where Michigan does not yet have equivalent administrative rules or authorization to implement new federal requirements, a federal permit, narrow in scope, may also be required to enforce those portions of the federal program that are not covered by the state License.

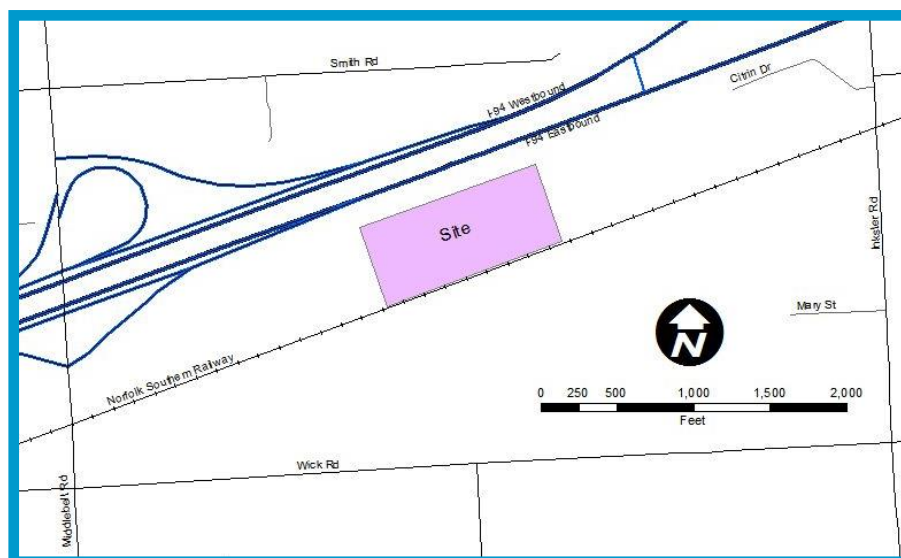
RIES FACILITY

Description of Facility

RIES operates an aboveground hazardous waste storage and treatment facility. The facility accepts a variety of hazardous wastewaters from industries, receiving them via railcars, tanker trucks, and containers. The wastewaters are hazardous because they are corrosive or contain toxic contaminants such as heavy metals. The wastewaters would be treated in tanks to reduce the concentrations of contaminants and render them suitable for disposal via the two on-site injection wells, which are regulated independently of the aboveground hazardous waste operations.

Location

The facility is located at 28470 Citrin Drive in Romulus, Michigan. The 15-acre site is west of Inkster Road, south of the I-94 highway, and northeast of the Detroit Metropolitan Airport.



Environmental Permits

In addition to a License from EGLE, various other permits from EGLE and the U.S. EPA are necessary for both aboveground and below ground operations at the site. The following environmental permits have been obtained by RIES.

1. EGLE Air Quality Permit to Install
2. EGLE National Pollutant Elimination Discharge Permit (NPDES)
3. U.S. EPA Underground Injection Control (UIC) Permits to operate the injection wells

License Application

On April 28, 2021, RIES submitted a renewal operating License application for review. The application covers the surface hazardous waste storage and treatment operations prior to disposal in two onsite injection wells and all aspects of the facility location, design, and operation, except the injection wells themselves. Notice of the application receipt was provided to the public via a notice in the EGLE Calendar, publication of a notice in *The Romulus Roman*, and direct mailings to persons on facility mailing list. Additionally, EGLE held a virtual public meeting on application on December 13, 2021.

EGLE Review

EGLE's review of the application and subsequent revisions resulted in a determination that the application is technically adequate and complies with the technical design, construction, and operating standards under Part 111. EGLE conducted inspections at the facility in conjunction with the application review process.

DRAFT LICENSE

The requirements for the content of Licenses are contained in R 299.9516 and R 299.9521. EGLE has prepared a draft License to satisfy those requirements. The draft License is organized into 6 parts: (1) Standard Conditions; (2) General Operating Conditions; (3) Container Storage Conditions; (4) Tank System Storage and Treatment Conditions; (5) Environmental Monitoring Conditions; and (6) Corrective Action Conditions.

In addition, the following components of the License application are incorporated as attachments to the operating license:

1. Waste Analysis Plan and Standard Operating Procedures.
2. Inspection Requirements.
3. Personnel Training.
4. Contingency Plan.
5. Closure and Postclosure Care Plan.
6. Subpart CC Air Emissions from Tanks, Containers, and Surface Impoundments.
7. Engineering Plans.
8. Truck Route.
9. List of Acceptable Hazardous Wastes.
10. Containers.
11. Tank Systems.
12. Treatment Process.
13. Environmental Monitoring Programs.
14. Corrective Action.

Authorized Capacities and Activities

The draft License authorizes the storage of up to 11,000 gallons of hazardous wastes in containers in the container storage area, up to 92,000 gallons of hazardous waste in rail tanker cars in the railcar storage and unloading area, and up to 240,670 gallons of hazardous waste in tanks.

In addition, the draft License authorizes the treatment of up to 400,000 gallons per day of hazardous wastes in tanks. The treatment methods include, pH adjustment, addition of conditioners and polymers, primary settling, filtration, and sludge dewatering.

The ultimate disposal of the treated wastewaters would be in two underground injection wells at the facility in accordance with separate, independent UIC and Mineral Wells Permits from the U.S. EPA and EGLE, respectively.

Authorized Hazardous Wastes

The draft License authorizes the storage and treatment of aqueous hazardous wastewaters that may be corrosive or contain toxic contaminants. The wastes must be nonignitable, nonreactive, and nonradioactive wastewaters that do not contain regulated polychlorinated biphenyls, pesticides, herbicides, medical wastes, explosives, poisons, greater than 30 milligrams/kilogram reactive cyanides, greater than 200 parts per million reactive sulfides, or more than 10 percent volatile organics by weight.

Environmental Monitoring

Part V of the draft License requires EGLE to conduct monitoring of groundwater, ambient air, and soil at the facility. In addition, RIES is required to comply with any monitoring requirements in its NPDES Permit and those requirements in its their UIC Permits.

Variations or Alternatives to Minimum Standards

RIES did not request, and the draft License does not authorize, any variations or alternatives to minimum design, construction, or operating standards under Part 111.

The facility has an existing variance from EGLE under the Storage and Handling of Flammable and Combustible Liquids (FL/CL) Rules, which were promulgated pursuant to Michigan's Fire Prevention Code, 1941 PA 207, as amended. The variance was necessary because of different emphases under the Hazardous Waste Management and Aboveground Storage Tank Programs. The emphasis of the Hazardous Waste Management Program is prevention and control of releases, so it promotes locating hazardous waste transfer operations within an enclosed structure. The emphasis of the Storage Tank Program is fire prevention and control, so it promotes locating FL/CL transfer operations outside of enclosed structures. While RIES cannot accept flammable liquids, it can accept a limited volume of hazardous wastes that have the potential to be combustible, and those potentially-combustible liquids would be transferred from tanker trucks or rail tanker cars located inside the treatment building. Because it was demonstrated during the construction permitting process that the indoor transfer of hazardous wastes minimized the overall risks associated with the facility and because the treatment building meets equivalent fire prevention criteria, R 29.5203 of the FL/CL Rules provided for a variance from the requirement to conduct the transfer operations outside.

Facility-Specific Conditions

In addition to the standard or “boilerplate” conditions typical of all Licenses, the draft License contains several facility-specific conditions.

1. Condition II.E.3 requires EGT to maintain a looped water supply to the site in accordance with the requirements of the city of Romulus for water at adequate volume and pressure.
2. Condition II.E.4 requires EGT to maintain an alternate emergency access road to the site. This addresses the concern that Citrin Drive would have been the only access road to the site and that access from the north, south, and west is inhibited by the highway and other land uses.
3. Condition II.R.2 addresses equipment that has been removed from the facility but for which the related appurtenances (i.e., connections, hoses, piping) remain such that the facility could replace the pumps or filters that were removed and resume specific operations. Resuming these operations requires prior approval from EGLE. For example, TP-8C, while still shown on some of the drawings in Engineering Plans, Attachment 7, of this license, has been removed from service. The appurtenances associated with TP-8C remain, however. If the licensee wishes to restart the storage and treatment of incompatible wastes in containers, the licensee shall provide written notification to the Division Director certifying the facility’s operational capability for managing these wastes in containers. All operations involving containers of incompatible wastes shall be done in compliance with this license.
4. Condition II.S.1 limits over-the-road hazardous waste deliveries to the facility via tanker truck to no more than 26 tanker trucks per day. An increase in the daily limit of tanker trucks requires a major modification to this license in accordance with the provisions of R 299.9519.
5. Condition II.S.2, requires that the licensee shall advise the drivers of all tanker trucks and other vehicles delivering hazardous waste to the facility that they are required to follow the route designated in Truck Route, Attachment 8, of the license. The Division Director may approve an alternate truck route proposed by the licensee, either on a permanent or temporary basis, if the route designated in Truck Route, Attachment 8, of this license, is blocked or otherwise not available.
6. Condition II.S.3 limits the on-site staging and parking of tanker trucks and other vehicles delivering hazardous wastes to the facility to no more than 16.
7. Condition II.S.4 requires that the licensee shall advise drivers of all tanker trucks and other vehicles delivering hazardous wastes to the facility that the trucks and vehicles are prohibited from parking or staging on Citrin Drive.
8. Condition II.T.1 requires that the licensee shall process all hazardous waste to be disposed in the injection wells through the storage and treatment facility. Direct injection of hazardous waste from tankers or containers is prohibited.
9. Condition II.T.2 requires that the conveyance of filtrate generated from filter press operations to RT-4 or RT-8 for further processing through the facility shall be conducted via dedicated piping in accordance with Engineering Plans, Attachment 7, of this license.

10. Condition II.T.3 requires that the conveyance of filtrate generated from filter press operations to ST-1 or ST-2 for further processing through the facility storage shall be conducted by dedicated piping or flexible hosing in accordance with Engineering Plans, Attachment 7, of this license.
11. Condition II.U stipulates that the licensee shall not use the rinse wastewater vault for the storage or accumulation of hazardous waste.
12. Condition V.A.10 stipulates that in the event that volatile organic compounds are observed in a trip or a method blank and in a field sample at levels above either the reporting or upper tolerance limit and in excess of 10 times the concentration observed in trip or method blanks, the licensee shall conduct verification sampling.

PUBLIC PARTICIPATION

As part of the public participation procedures for License applications, the public now has an opportunity to comment on the draft License. The purpose of public participation is to ensure that the public has knowledge of EGLE's proposed action and to provide an opportunity to comment on that action. In addition, the process ensures that EGLE has the opportunity to benefit from any information that the public might have relative to the proposed action.

Public Comment Procedures

Comments may be submitted in writing to the contact person identified below by February 16, 2023. Comments may also be presented at the public meeting and public hearing described below. The public comment and public hearing procedures are in accordance with R 299.9511, R 299.9514, and R 299.9515.

On February 1, 2023, EGLE will hold an informational meeting at 5:30 p.m. to provide an opportunity to learn about the facility and ask questions. A formal public hearing will follow at 6:45 p.m., to allow interested persons to submit oral and written statements regarding the draft License. Speakers are asked to register at the hearing by 6:45 p.m. and limit their statements to allow time for all who wish to participate. Both events will be held in the Community Rooms at the Romulus Public Library.

Persons needing accommodations for effective participation in meeting or hearing should contact Ronda L. Blayer, Environmental Engineer, Engineering and Program Support Unit, Hazardous Waste Section, MMD, at 517-614-2630; BlayerR@Michigan.gov; or the address below, by January 18, 2023, to request mobility, visual, hearing, or other assistance.

After the close of the public comment period and review of the comments received, EGLE will decide whether to issue the License. EGLE will consider the written comments submitted during the public comment period and the oral testimony presented at the public hearing. Responses to relevant comments will be included in the administrative record supporting the final decision. The final decision will be communicated to the applicant, to each person who commented during the public comment period, and to each person on the facility mailing list.

Locations of Available Information

The draft License and associated application may be reviewed at following locations:

- EGLE, MMD, 525 West Allegan Street, Lansing, Michigan 48909 (contact Vickie Terry at 517-284-6546 or TerryV@Michigan.gov).
- EGLE, MMD, Warren District Office, 27700 Donald Court, Warren, Michigan 48092 (contact Todd Zynda at 586-206-1640 or ZyndaT@Michigan.gov).
- Romulus Public Library, 11121 Wayne Rd, Romulus, Michigan 48174 (call 734-942-7589).

Contact Person

Comments and requests regarding the draft License must be addressed to:

Ronda L. Blayer
Hazardous Waste Section
Materials Management Division
Michigan Department of Environment, Great Lakes, and Energy
P.O. Box 30241
Lansing, Michigan 48909-7741