State of Michigan
Department of Environment, Great Lakes, and Energy
HAZARDOUS WASTE MANAGEMENT FACILITY OPERATING LICENSE

NAME OF LICENSEE: Wayne Disposal, Inc.

NAME OF FACILITY OWNER: Wayne Disposal, Inc.

NAME OF FACILITY OPERATOR: Wayne Disposal, Inc.

NAME OF TITLEHOLDER OF LAND: Wayne Disposal, Inc.

FACILITY NAME: Wayne Disposal, Inc.

FACILITY LOCATION: 49350 North I-94 Service Drive
Belleville, Michigan 48111

EFFECTIVE DATE: January 29, 2026

EPA IDENTIFICATION (ID) NUMBER: MID 048 090 633

FIVE-YEAR REVIEW DATE: January 29, 2031

REAPPLICATION DATE: July 29, 2035

EXPIRATION DATE: January 29, 2036

AUTHORIZED ACTIVITIES

Pursuant to Part 111, Hazardous Waste Management, of Michigan's Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), being §§324.11101 to 324.11153 of the Michigan Compiled Laws, and the hazardous waste management administrative rules (hereafter called the "rules") promulgated thereunder, being R 299.9101 *et. seq.* of the Michigan Administrative Code, by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), an operating license (hereafter called the "license") is issued to Wayne Disposal, Inc. (hereafter called the "licensee") to operate a hazardous waste management facility (hereafter called the "facility") located at latitude 42.22518 and longitude -83.51787. The licensee is authorized to conduct the following hazardous waste management activities:

☒ STORAGE	☐ TREATMENT	☒ DISPOSAL	☒ POSTCLOSURE
☒ Container	☐ Container	☒ Landfill	☐ Tank
☐ Tank	☐ Tank	☐ Land Application	☐ Surface Impoundment
☐ Waste Pile	☐ Surface Impoundment	☐ Surface Impoundment	☒ Landfill
☐ Surface Impoundment	☐ Incinerator		☐ Waste Pile
☐ Drip Pad	☐ Other:		

APPLICABLE REGULATIONS AND LICENSE APPROVAL

The conditions of this license were developed in accordance with the applicable provisions of the rules, effective May 5, 2025. The licensee shall comply with all terms and conditions of this license, Part 111, and its rules. This license consists of the 42 pages of conditions attached hereto as well as those in Attachments 1 through 18, and the applicable rules contained in R 299.9101 through R 299.11008, as specified in the license. For purposes of compliance with this license, applicable rules are those that are in effect on the date of issuance of this license in accordance with R 299.9521(3)(a).

This license is based on the information in the license application submitted on November 5, 2021 and any subsequent amendments (hereafter referred to as the "application"). Pursuant to R 299.9519(11)(c), the license may be revoked if the licensee fails, in the application or during the license issuance process, to disclose fully all relevant facts or, at any time, misrepresents any relevant facts. As specified in R 299.9519(1), the facility shall be constructed, operated, and maintained in accordance with Part 111 of Act 451, the rules, and this license.

This license is effective on the date of issuance and shall remain in effect for 10 years from the date of issuance, unless revoked pursuant to R 299.9519 or continued in effect as provided by the Michigan Administrative Procedures Act, 1969 PA 306, as amended (Act 306). Pursuant to R 299.9516(3), this license shall be reviewed by EGLE 5 years after the date of issuance and shall be modified as necessary in accordance with the provisions of R 299.9519 and R 299.9520.

Issued this 29th day of January, 2026

By: TKecskemeti

Tracy Kecskemeti, Acting Director
Materials Management Division

HAZARDOUS WASTE MANAGEMENT FACILITY OPERATING LICENSE
FOR

Wayne Disposal, Inc.
MID 048 090 633

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PART I
STANDARD CONDITIONS

A. TERMINOLOGY AND REFERENCES

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

B. EFFECT OF LICENSE

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

C. SEVERABILITY

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

D. RESPONSIBILITIES

1. The licensee shall comply with Part 111 of Act 451, the rules, and all conditions of this license, except to the extent authorized by EGLE pursuant to the terms of an emergency operating license. Any license noncompliance, except to the extent authorized by EGLE pursuant to the terms of an emergency operating license, constitutes a violation of Part 111 of Act 451 and is grounds for enforcement action, license revocation, license modification, or denial of a license renewal application. (§§11148, 11150, and 11151 of Act 451; R 299.9521(1)(a) and 40 CFR §270.30(a).)

2. If the licensee wishes to continue an activity regulated by this license after the expiration date of this license, the licensee shall submit a complete application for a new license to the Division Director at least 180 days before this license expires,

July 29, 2035, unless an extension is granted pursuant to R 299.9510(5). To the extent the licensee makes a timely and sufficient application for renewal of this license, this license and all conditions herein will remain in effect beyond the license expiration date and shall not expire until a decision on the application is finally made by EGLE, and if the application is denied or the terms of the new license are limited, until the last day for applying for judicial review of the new license or a later date fixed by order of the reviewing court consistent with §91(2) of Act 306. (40 CFR §270.30(b).

3. The licensee shall comply with the conditions specified in R 299.9521(1) and (3).

4. The licensee shall give notice to the Division Director as soon as possible prior to any planned physical alterations or additions to the licensed facility. (R 299.9501(1), R 299.9519(1), and Part 6 of the Part 111 Rules.)

E. SUBMITTAL DEADLINES

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

PART II
GENERAL OPERATING CONDITIONS

A. GENERAL WASTE ANALYSIS

1. The licensee shall ensure that any waste managed at the facility has been properly characterized pursuant to R 299.9302 and comply with the procedures described in the attached Waste Analysis Plan, Attachment 1, of this license. (R 299.9605(1), and 40 CFR §264.13.)

2. The licensee shall not accept any TENORM waste unless it complies with the criteria in Appendix B of the Waste Analysis Plan, Attachment 1, of this license.

3. The licensee shall provide 14-day prior notice to the Division Director of any modification of or deviation from the approved Standard Operating Procedures (SOP) in the Waste Analysis Plan, Attachment 1, of this license. The notice shall include a copy of the revised SOP. The Division Director may require the licensee to submit a license modification if the revisions constitute a modification pursuant to R 299.9519. (R 299.9605(1), R 299.9519, and 40 CFR §264.13.)

B. SECURITY

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

C. GENERAL INSPECTION REQUIREMENTS

1. The licensee shall inspect the facility in accordance with the Inspection Schedule, Attachment 2, of this license, and comply with the inspection requirements of R 299.9605(1) and 40 CFR §264.15.

2. The licensee shall comply with the requirements of R 299.9605(2) regarding transport vehicles and other containers leaving the facility.

D. PERSONNEL TRAINING

The licensee shall comply with the personnel training requirements of R 299.9605 and 40 CFR §264.16. The Personnel Training Program, Attachment 3, of this license, shall, at a minimum, cover all items in R 299.9605 and 40 CFR §264.16.

E. PREPAREDNESS AND PREVENTION

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

F. CONTINGENCY PLAN

The licensee shall comply with the contingency plan requirements of R 299.9607 and 40 CFR Part 264, Subpart D. The Contingency Plan, Attachment 4 of this license, and the

prescribed emergency procedures shall be immediately implemented by the licensee whenever there is a fire, explosion, or other release of hazardous waste or hazardous waste constituents that threatens or could threaten human health or the environment, or if the licensee has knowledge that a spill has reached surface water or groundwater.

G. DUTY TO MITIGATE

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

H. MANIFEST SYSTEM

The licensee shall comply with the manifest requirements of Part 3 of the Part 111 Rules and R 299.9608.

I. RECORD KEEPING AND REPORTING

1. The licensee shall comply with the written operating record and quarterly operating report (EQP 5142 form) requirements of R 299.9609 and 40 CFR §264.73 and Part 264, Appendix I, and R 299.9610(3), respectively. The quarterly operating report shall be submitted on EQP 5142 form provided by the Division Director, or an equivalent form that has been approved by the Division Director.

2. The licensee shall comply with the biennial report requirements of R 299.9610(1).

3. The licensee shall submit the results of all environmental monitoring required by this license and any additional environmental sampling or analysis conducted beyond that required by this license to the Division Director within 60 days of the date of completion of the sampling or collection event. The information shall be provided electronically in the form of an Environmental Monitoring Report, using a format approved by the Division Director. The Report shall include, at a minimum, the laboratory report in pdf format and the data in an electronic spreadsheet format. (R 299.9611(6), R 299.9629(10), and 40 CFR §270.30(l)(4).)

4. The licensee shall provide environmental monitoring information or data that is required pursuant to this license, to an authorized representative of an environmental or emergency response department of the township of Van Buren or county of Wayne, who requests such information or data and that has jurisdiction over the facility. Such information or data shall be made available on the same day the licensee forwards this information to the Division Director.

5. The licensee shall immediately report to the Division Director any noncompliance with the license that may endanger human health or the environment by doing both of the following:

(a) The licensee shall immediately notify the Hazardous Waste Section at 517-284-6546, if the noncompliance occurs Monday through Friday during the period of 8:00 a.m. to 5:00 p.m., except state holidays, or by calling EGLE's Pollution Emergency Alerting System (PEAS) at 1-800-292-4706 during all other times. This notice shall include the following:

(i) Information concerning the fire, explosion, release, or discharge of any hazardous waste or hazardous waste constituent that could threaten human health or the environment, that has reached surface water or groundwater, or that may endanger public drinking water supplies or the environment; and

(ii) A description of the occurrence and its cause, including all of the information outlined in R 299.9607(2)(a)-(i).

(b) The licensee shall also follow up the verbal notice by providing a written report to the Division Director within five days of the time the licensee becomes aware of the circumstances. The written report shall contain all of the information in Condition II.I.5.(a)(i)-(ii) of this license along with a description of the noncompliance and its cause; the periods of noncompliance (including exact dates and times); whether the noncompliance has been corrected and, if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance and when those activities occurred or will occur. The Division Director may waive the 5-day written notice requirement in favor of submittal of a written report within 15 days of the time the licensee becomes aware of the circumstances.

(R 299.9521(1)(a), R 299.9607, and 40 CFR §270.30(l)(6).)

6. The licensee shall report all other instances of noncompliance with this license, Part 111 of Act 451, the Part 111 Rules, and any other applicable environmental laws or rules that apply to the licensed facility, at the time monitoring reports required by this license are submitted or within 30 days, whichever is sooner. The reports shall contain the information listed in Condition II.I.5. of this license. (R 299.9521(1)(a) and 40 CFR §270.30(l)(10).)

7. The licensee may make minor modifications to the forms contained in the attachments to this license. The modifications may include changing the format, updating existing references and information, adding necessary information, and changing certification and notification information in accordance with Part 111 of Act 451 and the Part 111 Rules and RCRA and its regulations. The licensee shall submit the modifications to the Division Director prior to implementing the use of the modified form(s).

J. CLOSURE

1. The licensee shall comply with the closure requirements of R 299.9613. The licensee shall close the facility in accordance with the Closure and Postclosure Plan,

Attachment 5, of this license, all other applicable requirements of this license, and all other applicable laws. (R 299.9613 and 40 CFR Part 264, Subpart G, except 40 CFR §§264.112(d)(1), 264.115, and 264.120.)

2. The licensee may not install final cover during final closure until receiving Division Director approval of a report documenting that all detectable levels of PCBs in soil and/or sediments have been:

   (a) Removed from Area A (Figure 1 of Attachment 11 of this license) and paved areas;

   (b) Remediated to meet EGLE approved site specific cleanup criteria established pursuant to Part 201, Environmental Remediation, of Act 451 in soils and/or sediments in Area A and paved areas; and

   (c) Compliant with the requirement of Part 31, Water Resources Protection, of Act 451, for the untreated discharge of storm water form Area A and paved areas.

3. Within 60 days of issuance of this license, the licensee shall submit to the Division Director a revised Closure and Postclosure Plan that require:

   (a) The following areas be investigated during closure to determine whether the structures require decontamination or remediation:

      (i) Storm sewer system

      (ii) Sedimentation basins

      (iii) Lined pond

   (b) During closure, the licensee shall collect a sufficient number of soil and groundwater samples, as approved by EGLE, to fully characterize and delineate all contamination.

   (c) Procedures for abandoning the extraction wells around the lined pond that comply the requirements of R 299.9612(1)(b).

K. POSTCLOSURE

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

L. **FINANCIAL ASSURANCE FOR CLOSURE**

1. On the effective date of this license, the facility closure cost estimate is $42,265,303. The licensee shall keep this estimate current as required under R 299.9702 and 40 CFR §264.142.

2. Within 60 days of license issuance, the licensee shall update the closure cost estimate to account for costs associated with Conditions II.J.2.

3. The licensee shall continuously maintain financial assurance for the current closure cost estimate as required under R 299.9703.

M. **FINANCIAL ASSURANCE FOR POSTCLOSURE**

1. On the effective date of this license, the facility postclosure cost estimate is $10,020,644. The licensee shall keep this estimate current as required under R 299.9702 and 40 CFR §264.144.

2. The licensee shall continuously maintain financial assurance for the current postclosure cost estimate as required under R 299.9703.

N. **FINANCIAL ASSURANCE FOR CORRECTIVE ACTION**

On the effective date of this license, the cost of performing any corrective action at the facility is currently unknown. If at any time during the operation, closure, or postclosure of the facility it is determined that corrective action work is needed, then at each phase of the corrective action process as defined in Part VI of this License, the facility must develop and maintain current financial assurance for corrective action as required under R 299.9712 and R 299.9713.

O. **FINANCIAL RESPONSIBILITY FOR LIABILITY COVERAGE**

The licensee shall continuously maintain liability coverage for sudden and accidental occurrences and non-sudden accidental occurrences, as required by R 299.9710.

P. **WASTE MINIMIZATION**

The licensee shall certify, at least annually, that the licensee has a hazardous waste minimization program in place. (R 299.9609(1)(a) and 40 CFR §264.73(b)(9).)

Q. **LAND DISPOSAL RESTRICTIONS**

The licensee shall comply with all of the requirements of 40 CFR Part 268. (R 299.9627 and 40 CFR Part 268.)

R. **AIR EMISSION STANDARDS**

1. The licensee shall comply with the requirements of 40 CFR Part 264, Subpart CC, regarding air emission standards from containers. (R 299.9634 and 40 CFR Part 264, Subpart CC, which is adopted by reference in R 299.11003.)

2. The licensee shall notify the Division Director of any hazardous waste management unit or equipment that becomes subject to the requirements of 40 CFR Part 264, Subparts AA, BB, and/or CC within 30 days of the start of the regulated activity. If any hazardous waste management unit or equipment becomes subject to the requirements of 40 CFR, Part 264, Subparts AA, BB, and/or CC, the licensee shall request modification of this license, as appropriate.

(R 299.9630, R 299.9631, R 299.9634, and 40 CFR Part 264, Subparts AA, BB, and CC.)

S. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The licensee shall maintain at the facility the following documents and amendments required by this license, until closure/postclosure is completed, certified by an independent registered professional engineer, and the facility is released from financial assurance requirements for closure/postclosure by the Director:

1. Waste Analysis Plan, including Quality Assurance/Quality Control (QA/QC) Plans.

2. Inspection Schedules and records.

3. Personnel Training Program documents and records.

4. Contingency Plan.

5. Closure and Postclosure Plan.

6. Cost estimates for facility closure, postclosure, and corrective action and copies of related financial assurance documents.

7. Operating record.

8. Site Security Plan.

9. Facility engineering plans and specifications.

10. Record keeping procedures.

11. Environmental monitoring plans, including Sampling and Analysis Plans and QA/QC Plans.

12. Environmental monitoring data and statistical records.

13. Preventative procedures (Personnel Protection Plan).

14. Hazardous waste minimization program certification.

(R 299.9521(3)(a).)

T. ENGINEERING PLANS

1. The licensee shall construct, operate, and maintain the facility in accordance with the Engineering Plans, Attachment 6 of this license, and any modifications to those plans shall be made in accordance with this license.

2. The licensee shall provide quarterly progress reports, or another method approved by the Division Director, during construction regarding progress of construction activities, updated timelines, and in-field deviations from approved engineering plans and specifications. The first report shall be submitted to the Division Director within 90 days of issuance of this license and then every 90 days thereafter until submission of the final as-built plans and construction certification documents. The licensee shall provide documentation regarding completion of the engineering modifications approved under this license, including a report, as-built drawings, equipment specifications, and updated certifications of construction and capability, to the Division Director for review and approval in accordance with Condition IV.C. of this license. (R 299.9621.)

PART III
CONTAINER STORAGE CONDITIONS

A. COVERAGE OF LICENSE

The hazardous waste container storage areas at the facility shown in Figure 1 are covered by this license. Any expansion or enlargement beyond the facility boundary shown in Figure 1 or beyond the 1,626 cubic yards storage design capacity requires a new operating license for the expansion, enlargement, or alteration of an existing facility from the Director. Figure 1 is incorporated into this license as part of Use and Management of Containers, Attachment 8. (R 299.9521(1)(b).)

B. WASTE IDENTIFICATION AND QUANTITY

1. The licensee may store no more than a total volume of 1,626 cubic yards of the hazardous wastes listed in the Acceptable Hazardous Waste Types, Attachment 7, of this license in containers at the facility, subject to the terms of this license. (R 299.9521(2)(d).)

2. The licensee shall only store solid hazardous waste, subject to Conditions III.C.5., III.C.6, and III.C.7., of this license, in the following areas:

Name	Maximum Capacity (cubic yards)	Storage Maximum (55-gallon drums)
Non-Bulk Container Storage Area	706	2594
Bulk Container Storage Area	920	46, twenty cubic yard containers

C. USE AND MANAGEMENT OF CONTAINERS

1. The licensee shall manage all containers in compliance with R 299.9614 and R 299.9627 and 40 CFR §§264.171, 264.172, 264.173, and 268.50(a)(2)(i) and the Use and Management of Containers, Attachment 8, of this license.

2. The licensee shall stack 55-gallon drums no greater than two high or other containers no higher than nine feet in the hazardous waste container storage areas referenced in Condition III.A. of this license.

3. The licensee shall only place containers into the hazardous waste container storage areas referenced in Condition III.A. of this license in accordance with the typical configuration shown in Figure 1 in Attachment 8 of this license or an alternate configuration approved by the Division Director.

4. The licensee shall maintain a minimum of two feet of aisle space between each row of containers. (R 299.9606 and 40 CFR §264.35.)

5. The licensee shall remove containers with waste codes: F020, F021, F022, F023, F026, and F027, from the Non-Bulk Container Storage Area or Bulk Container Storage Area by the end of each working day.

6. The licensee shall remove any containers of nonconforming waste containing free liquids from the Non-Bulk Container Storage Area or Bulk Container Storage Area by the end of each working day unless the non-conforming waste has passed the free liquids test in Table B.2 in the Waste Analysis Plan, Attachment 1, of this license.

7. The licensee shall remove containers with TSCA polychlorinated biphenyl (PCB) waste subject to storage requirements set forth in 40 CFR 761.65 from the Non-Bulk Container Storage Area or Bulk Container Storage Area by the end of each working day.

D. PROHIBITION ON STORAGE OF IGNITABLE OR REACTIVE WASTES

The licensee is prohibited from storing ignitable or reactive wastes in the hazardous waste container storage areas referenced in Condition III.A. of this license. (R 299.9521(2)(d).)

E. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES OR MATERIALS

The licensee shall separate containers of incompatible wastes as indicated in the procedures contained in Attachment 1 of this license. (R 299.9614 and 40 CFR §264.177(c).)

PART IV
LANDFILL DISPOSAL CONDITIONS

A. COVERAGE OF LICENSE

The hazardous waste landfill and related appurtenances (piping, pumps, operation and maintenance buildings, etc.) at the facility shown in Drawings 1 through 21 are covered by this license. Any expansion or enlargement beyond the design capacity of 27,893,701 cubic yards or beyond the area shown in Drawings 1 through 21 requires a new operating license for the expansion, enlargement, or alteration of an existing facility from the Director. Drawings 1 through 21 and the attached plans and specifications are incorporated into this license as Attachment 6. (R 299.9521(1)(b).)

B. WASTE IDENTIFICATION AND QUANTITY

1. The licensee, except to the extent prohibited under Condition IV.B.2. below, may dispose of hazardous and compatible nonhazardous waste in the landfill, subject to the terms of this license. The license shall not dispose of any hazardous waste not listed in Attachment 7 of this license, unless the Division Director approves the disposal of such waste types through a modification to this license. (R 299.9521(2)(d).)

2. Acceptance of PCB wastes regulated under the Toxic Substances Control Act (TSCA) is authorized only to the extent such wastes are eligible for disposal in a hazardous waste landfill under applicable TSCA regulations. Wastes requiring approval under TSCA, including approval under 40 CFR § 761.75 or other applicable TSCA provisions, shall not be accepted unless the facility has obtained and complies with all required TSCA approvals and conditions. Nothing in this license authorizes acceptance of TSCA regulated wastes in a manner inconsistent with TSCA.

3. The licensee shall not accept for disposal any hazardous waste not listed in Attachment 7 of this license; any incompatible nonhazardous wastes; or materials that meet any of the following criteria (R 299.9521(2)(d)):

   (a) Ignitable wastes as described in R 299.9212(1). (R 299.9619.)

   (b) Reactive wastes as described in R 299.9212(3). (R 299.9619.)

   (c) Bulk or noncontainerized liquid waste or waste containing free liquids, except for waste allowed under 40 CFR § 761.60. (R 299.9619(2) and 40 CFR §264.314(b).)

   (d) Containers holding free liquids. (R 299.9619(5) and 40 CFR §264.314(d) and 264.314(c).)

   (e) Waste that will:

      (i) Adversely affect the permeability of the clay or geosynthetic clay liner (GCL). (R 299.9619, R 299.9620, and 40 CFR §264.301.)

(ii) Produce a leachate that is incompatible with the clay or GCL, leachate collection system piping, or the off-site sewer system. (R 299.9619, R 299.9620(3) and (4), and 40 CFR §264.301.)

(iii) Generate gases that will adversely affect the permeability of the landfill cap or create a violation of Part 55 of Act 451. (R 299.9602 and R 299.9619(6)(c).)

4. The licensee shall provide a written notification to the transportation companies that deliver to the facility that:

(a) Wastes shipped to the facility must be placed in closed containers or otherwise totally contained or covered during transportation.

(b) All trucks transporting hazardous waste to or from the facility shall use Rawsonville Road to enter and exit the facility.

(c) Trucks transporting hazardous waste to or from the facility shall not park or stand on the I-94 Service Drive.

5. All containers on site shall be closed or otherwise totally contained or covered unless they are being sampled and/or visually inspected or in the process of being filled or emptied.

C. DESIGN AND RUN-ON, RUNOFF, AND CONTAMINANT CONTROL

1. The licensee shall construct and maintain a liner system in accordance with the engineering plans and specifications in Attachment 6 of this license and R 299.9619, R 299.9620, R 299.9621, and R299.9622. (R 299.9619, R 299.9620, R 299.9621, R 299.9622, and 40 CFR §§264.301 and 264.303.)

2. The licensee shall submit a certification for each phase of the construction of MCs VI F and G. No waste shall be placed in a newly-constructed portion of MCs VI F and G until the certification is approved by the Hazardous Waste Section Manager.

3. The licensee shall construct each phase of construction of MCs VI F and G in accordance with the approved Construction Quality Assurance Plan.

4. The licensee shall submit post construction documentation to the Division Director following construction of each phase of the expanded facility pursuant to § 11125 of Part 111 of Act 451.

5. The licensee shall ensure that all uncovered portions of the constructed liners, leak detection systems, and leachate collection systems are adequately protected from vegetation, desiccation, clogging, freeze-thaw effects, weathering, and all other deterioration processes. (R 299.9619, R 299.9620, and 40 CFR §§264.301 and 264.303.)

6. The licensee shall have a licensed professional engineer inspect any portions of the natural or recompacted clay not protected from weathering for more than 90 days and the leachate collection system not protected from clogging and weathering for more than 90 days. If repair is necessary the engineer shall specify repair of any areas in accordance with the approved plans and specifications where he or she determines by visual inspection that desiccation, erosion, clogging, or weathering has occurred to the extent that the design specifications are no longer met. The results of these inspections shall be maintained in accordance with Condition II.I. of this license. (R 299.9619, R 299.9620, R 299.9621, R 299.9622, and 40 CFR §§264.301 and 264.303.)

7. All areas repaired in accordance with Condition IV.C.5. of this license must be recertified by a licensed professional engineer. The licensee shall submit the recertification to the Division Director. (R 299.9619, R 299.9620, R 299.9621, R 299.9622, and 40 CFR §§264.301 and 264.303.)

8. The licensee shall operate and maintain a run-on control system capable of preventing storm water flow onto the active portions of the landfill during peak discharge from at least a 24-hour, 25-year storm, as specified in the approved Storm Water Management System Evaluation Report and in accordance with the Storm Water Management SOP approved by the Hazardous Waste Section Manager and as depicted in Figures 2A and 2B of that report. (R 299.9604(1)(a).)

9. The licensee shall operate and maintain a runoff management system to collect and control the storm water volume resulting from at least a 24-hour, 100-year storm, as specified in the approved Storm Water Management System Evaluation Report and in accordance with the Storm Water Management SOP approved by the Hazardous Waste Section Manager and as depicted in Figures 2A and 2B of that report. (R 299.9604(1)(b).)

10. The licensee shall take all necessary actions to prevent the discharge of untreated stormwater to waters of the state. Within seven days of any storm event that exceeds the 24-hour, 100-year storm, the licensee shall submit to the Division Director a report that summarizes all actions taken to prevent the discharge of untreated stormwater to waters of the state. Nothing in this license should be construed by the licensee to authorize any violation of Part 31 of Act 451.

11. The licensee may not install interim or final cover or other structures in the course of normal landfill operations until receiving:

    (a) A license modification authorizing a change or changes in the storm water runoff management system.

    (R 299.9602 and R 299.9604.)

12. The licensee shall maintain an effective National Pollutant Discharge Elimination System (NPDES) permit for the storm water discharge that requires the treatment of

Area A and Area B (Figure 1 of Attachment 11 of this license) storm water to remove any PCBs prior to discharge to Quirk Drain. The licensee shall notify the Division Director at least 60 days in advance of any proposal to remove the requirement to treat the Area A and/or Area B storm water to remove any PCBs prior to discharge to Quirk Drain. Concurrently, the licensee shall submit a license modification request to the Division Director establishing alternate systems to prevent PCBs from the Area A and/or Area B watersheds from being discharged uncontrolled to off-site surface waters. Nothing in this license should be construed by the licensee to authorize any violation of Part 31 of Act 451.

13. The licensee shall notify the Division Director at least 60 days in advance of any proposal to remove any sediment or surface water sampling locations from the Pollution Minimization Plan (PMP) enforceable under the effective NPDES permit. Concurrently, the licensee shall submit a license modification to the Division Director requesting that the license be revised to incorporate any sampling locations removed from the PMP into the appropriate monitoring programs of this license as a minor modification.

14. The licensee shall expeditiously empty or otherwise manage collection and holding facilities (e.g., tanks or catch basins) associated with run-on and runoff control systems after storms to maintain the design capacity of the system. (R 299.9619 and 40 CFR §264.301(h).)

15. The licensee shall cover or otherwise manage the landfill to control dispersal of particulate matter in accordance with a Fugitive Dust SOP approved by the Hazardous Waste Section Manager. The daily cover shall consist of at least 15 centimeters of clean soil, ConCover 180, and ProGuardSB2. Use of any alternative materials requires approval by the Hazardous Waste Section Manager. (R 299.9619(1) and 40 CFR §264.301(j).)

16. The licensee shall monitor wind speed and direct the placement of waste in accordance with a Wind Speed SOP approved by the Hazardous Waste Section Manager.

17. The licensee shall operate and maintain a vehicle wash facility. The licensee shall ensure that all vehicles traveling on active portions of the site are cleaned and decontaminated at this facility before leaving the active area. (R 299.9604(c).)

18. The licensee shall operate all vehicles in a manner that will minimize the contamination of internal haul roads in accordance with a Trackout SOP approved by the Hazardous Waste Section Manager. (R 299.9604(c).)

19. The licensee shall operate and maintain a leachate collection and removal system in accordance with R 299.9619, 40 CFR §264.301(a)(2), and the plans and specifications in Attachment 6 of this license. The leachate captured by this system shall be treated as necessary and discharged to the municipal sewer system in accordance with the applicable pretreatment standards or properly managed off-site. The licensee shall request a minor modification in accordance with R 299.9519 for any equipment

replacement or upgrading with functionally equivalent elements of the system that is not being performed as part of routine maintenance of the system.

20. The licensee shall operate and maintain a contact water collection and removal system in accordance with the plans and specifications in Attachment 6 of this license. The contact water captured by this system shall be treated as necessary and discharged to the municipal sewer system in accordance with the applicable pretreatment standards or properly managed off-site. The licensee shall request a minor modification in accordance with R 299.9519 for any equipment replacement or upgrading with functionally equivalent elements of the system that is not being performed as part of routine maintenance of the system.

21. Within 60 days of license issuance, the licensee shall submit a Contact Water System SOP for approval by the Hazardous Waste Section Manager.

22. The licensee shall maintain the contact water collection and removal system in accordance with a Contact Water System SOP approved by the Hazardous Waste Section Manager pursuant to Condition IV.C.20.

23. The licensee shall conduct all construction and maintenance activities in accordance with an Earthwork Clearance SOP approved by the Hazardous Waste Section Manager.

24. The licensee shall maintain the leak detection and collection system (LDCRS) in accordance with LDCRS Riser Maintenance SOP approved by the Hazardous Waste Section Manager.

25. With the initiation of construction on each new phase of MCs VI F and G, or more frequently, if necessary, the licensee shall evaluate each of the following SOPs to determine if they require revisions to reflect the current landfill operation: Stormwater Management, Fugitive Dust, Wind Speed, Trackout, Contact Water System, LDCRS Riser Maintenance, and Earthwork Clearance. If any SOP requires revision, the licensee shall submit the revised SOP to the Hazardous Waste Section Manager for approval within 60 days of initiating construction.

26. The licensee shall comply with all state and federal laws prior to and during construction, and during operations of the new landfill cells.

D. WASTE PLACEMENT

1. The licensee shall ensure that the placement of all hazardous waste in the landfill is conducted in accordance with 40 CFR §§264.17(b), 264.313, 264.315, and 264.316. If containers of hazardous waste are crushed at the facility, the containers shall be crushed only inside the active landfill cell.

2. The licensee shall record the contents, quantity, and location of each daily waste deposit and place this documentation in the operating record. This information shall be recorded on a map or diagram of the landfill and shall include cross references to

specific manifest document numbers, if the waste was accompanied by a manifest. (R 299.9609, R 299.9619, and 40 CFR §§264.73(b)(2) and 264.309.)

3. The licensee shall only place macroencapsulated waste in the landfill in accordance with burial procedures approved in writing by the Division Director.

4. The licensee shall only place technologically enhanced naturally occurring radioactive material (TENORM) waste in the landfill at least 10 feet below the final grade.

E. CLOSURE

1. The licensee shall complete closure in accordance with the engineering plans and specifications in Attachment 6, of this license, and the approved Construction Quality Assurance Plan. (R 299.9613, R 299.9619(1) and (6), R 299.9621, and 40 CFR §264.310.)

2. The licensee shall notify the Division's Warren District staff and Hazardous Waste Section staff, at least one week in advance of key events, to enable staff to be present to observe and/or take samples during the closure activities. Key events include environmental sampling, inspection and/or decontamination of equipment and infrastructure, leveling layer construction, placement and seaming of synthetic liners, placement of drainage media, and placement of protective soil and topsoil. (R 299.9521(1)(a) and (3)(a) and 40 CFR §270.30(i).).

3. After completion of the final cover, the licensee shall survey the benchmarks and final cover once every two years. A contour map of the final cover shall be submitted to the Division within 30 days of the completion of the survey. (R 299.9619 and 40 CFR §264.310(b)(1), (5) and (6).)

F. ADDITIONAL REPORTING

1. The licensee shall submit an annual inspection and maintenance summary report to the Division Director by March 1st of each year during the active life of the landfill and the postclosure care period. The annual inspection and maintenance report shall include a summary of all maintenance activities performed by the licensee to maintain the integrity of the active landfill and the final cover such as mowing, fertilization, and liming, a copy of the associated inspection logs, and the report from the leachate line jetting. (R 299.9521(2)(a) and (b) and 40 CFR §270.31.)

2. The licensee shall submit an annual report to the Division Director by March 15th of each year during the active life of the landfill. The annual report shall include:

   (a) An annual survey and record of the elevations of waste in the cells to ensure that final grades as shown in Drawings 8 and 9 in the Engineering Plans, Attachment 6, of this License are not exceeded.

   (b) The remaining capacity of the landfill;

(c) Approximate years of capacity remaining;

(d) Total waste disposed during the previous calendar year; and

(e) Total hazardous waste surcharge paid for the previous calendar year.

(R 299.9521(1)(b) and (3)(a).)

PART V
ENVIRONMENTAL MONITORING CONDITIONS

A. GROUNDWATER MONITORING PROGRAM

1. The licensee shall conduct a detection monitoring program in the glacial sand and bedrock aquifers for primary, secondary, tertiary, and field parameters. Under this program, the licensee shall operate and maintain a groundwater monitoring system in accordance with the Groundwater Monitoring Program Sampling and Analysis Plan (GWMP SAP), Attachment 9, of this license. (R 299.9611(2)(a) and (b) and (6), R 299.9612, R 299.9629, and 40 CFR Part 264, Subpart F, excluding 40 CFR §§264.94(a)(2) and (3), 264.94(b) and (c), 264.100, and 264.101.)

2. With the initiation of construction on each new phase of MCs VI F and G, or more frequently, if necessary, the licensee shall evaluate the monitoring locations specified in the GWMP SAP to determine if any additional monitoring wells are required to be installed or any existing monitoring wells need to be decommissioned. Within 60 days of initiation of the construction, the licensee shall submit the evaluation report and if revisions are needed, the updated GWMP SAP, to the Hazardous Waste Section Manager for approval as a minor license modification.

3. All new monitoring wells shall be installed and constructed in accordance with American Society of Testing and Materials (ASTM) standard D5092-90 or a plan approved by the Director. Any monitoring well that must be decommissioned shall be done in accordance with ASTM standard D5299-92 or a plan approved by the Director. (R 299.9612(1)(b).)

4. Water removed from each monitoring well shall be managed as specified in Section VI of Attachment 9 of this license.

5. The licensee shall submit an annual groundwater report to the Division Director no later than March 1st of each year for the previous calendar year's activities. At a minimum, the report shall include the following information:

   (a) A narrative summary of the previous calendar year’s sampling events, including sampling event dates, the identification of any significant problems with respect to GWMP SAP procedures, a summary of newly-installed and/or decommissioned monitoring wells, and copies of field log sheets.

   (b) A determination of the groundwater flow rate and direction in the monitored zones (drift aquifer and bedrock aquifer), including the preparation of a groundwater level contour map from this data.

   (c) A summary of groundwater quality data results, including a narrative, tabular, and graphical summaries of results and trends of primary, secondary, and tertiary parameters, and a summary of current background concentrations of applicable parameters.

(d) A presentation of the statistical analysis of the data and the identification of any statistically significant increases (and/or pH decreases) pursuant to Condition V.A.7 of this license.

(e) An analysis and discussion of laboratory and field related QA/QC information. This shall include results of equipment, field, and trip blanks, and discussion and evaluation of the adequacy of the data with respect to GWMP SAP specifications and requirements.

(R 299.9612(1) and 40 CFR §264.97(j).)

6. The licensee shall establish background groundwater quality values at monitoring wells as specified in Section 3.0 of Attachment L of Attachment 9 of this license. (R 299.9612(1)(c), (d), and (e) and 40 CFR §264.97(a) and (g).)

7. Within 60 days of each sampling of each monitoring well, the licensee shall determine if a statistically significant increase (or change in pH) has occurred compared to background levels for each primary and secondary parameter listed in Table H of Attachment 9 of this license. For the primary parameters, any occurrence above the laboratory detection limit(s) for the parameter(s) shall be considered statistically significant. (R 299.9612(1)(c) and (e) and 40 CFR §264.97(h) and (i).)

8. If a statistically significant increase (or change in pH) is detected for any primary or secondary parameter, the licensee shall notify the Hazardous Waste Section project staff, by telephone or electronic communication, within one working day and arrange a resampling as soon as possible to confirm if a statistically significant increase (or change in pH) exists. Resampling must include not less than four replicate samples at the affected well(s) for the parameter(s) in question. For the primary and any other nonnaturally occurring parameters, a statistically significant increase shall be confirmed if at least two of the four resample results are detected above the laboratory detection limit(s) for the parameter(s), or if at least one of the resample results is detected at five times the laboratory detection limit. For naturally occurring secondary parameters, a statistically significant increase shall be confirmed using the average concentration of the four confirmation samples as the analytical result in the statistical procedures specified in Attachment L of Attachment 9 of this license. (R 299.9612 and 40 CFR §264.97(g).)

9. If the licensee determines pursuant to Conditions V.A.7. and V.A.8. of this license that a statistically significant increase (or change in pH) has occurred for any primary parameters, the licensee shall address the increase (or change in pH) in accordance with R 299.9612 and 40 CFR §264.98(f) and (g) and:

(a) Within one working day, notify the Hazardous Waste Section project staff by telephone. Within seven calendar days after the determination, submit written notification of the statistically significant increase (or change in pH) to the Division Director. The notification shall be signed and certified in accordance with Condition I.D.3. of this license.

(b) Immediately take steps to determine the cause of the contamination and eliminate the source of discharge.

(c) Prior to license modification requiring a compliance monitoring and corrective action, the licensee shall provide the Division Director, or his or her designee, with weekly telephone updates and written reports every two weeks regarding the progress to date regarding the investigation required by Condition V.A.9.(b). The written report shall include the results of all samples from environmental monitoring conducted by the licensee.

(d) Within 90 days after the confirmation of a statistically significant increase, submit to the Division Director an application for a license modification to establish a compliance monitoring or corrective action meeting the requirements of R 299.9612 and 40 CFR §264.98(g)(4).

(e) Within 180 days after the determination, submit to the Division Director a detailed description of corrective actions that shall achieve compliance with applicable laws and rules, including a schedule of implementation. Corrective action shall also meet the requirements of R 299.9629 and include a plan for a groundwater monitoring program that shall demonstrate the effectiveness of the corrective action. Such a groundwater monitoring program may be based on a compliance monitoring program developed to meet the requirements of 40 CFR §264.99.

(f) If the licensee determines pursuant to Conditions V.A.7. and V.A.8. of this license that a statistically significant increase in primary parameters has been confirmed in groundwater, the licensee may demonstrate that a source other than the licensed facility or an error in sampling, analysis, or evaluation solely caused the identification of a statistically significant increase. While the licensee may make a demonstration under this condition in addition to, or in lieu of, submitting a license modification application and implementing corrective action within the time specified in Conditions V.A.9.(d) and V.A.9.(e) of this license, the licensee is not relieved of the requirement to submit a license modification application and implement corrective action within the time specified, unless the EGLE finds that the demonstration made under this condition successfully shows that a source other than the licensed facility caused the statistically significant increase or that the statistically significant increase resulted from an error in sampling, analysis, or evaluation. In making a demonstration under this condition, the licensee shall:

(i) Notify the Division Director in writing within seven days of determining a statistically significant increase pursuant to Condition V.A.9. of this license that it intends to make a demonstration under this condition.

(ii) Within 60 days after determining that a statistically significant increase has occurred pursuant to Conditions V.A.7. and V.A.8. of this license, submit a report to the Division Director that demonstrates a source other than the licensed facility solely caused the statistically significant

increase, or that the statistically significant increase was caused by an error in sampling, analysis, or evaluation.

(iii) Continue to monitor groundwater in compliance with this license.

10. If the licensee determines pursuant to Conditions V.A.7. and V.A.8. of this license that a statistically significant increase (or change in pH) has occurred for any secondary parameter, the licensee shall address the increase (or change in pH) in accordance with R 299.9612 and:

(a) Within one working day, notify the Hazardous Waste Section project staff by telephone. Within seven calendar days after the determination, submit written notification of the statistically significant increase (or change in pH) to the Division Director. The notification shall be signed and certified in accordance with Condition I.D.3. of this license.

(b) If confirmed, the licensee shall immediately take steps to determine the cause of contamination and eliminate the source of the discharge. A report that explains the chronology of events, investigative methods, all laboratory analyses, calculations, field activities, and findings, related to this determination shall be submitted within 60 days of a statistically significant determination under Condition V.A.7. of this license.

(c) The licensee may demonstrate that a source other than the licensed facility, or an error in sampling, analysis, or evaluation solely caused the increase. In making that demonstration under this condition, the licensee shall:

(i) Notify the Division Director in writing within seven days of determining a statistically significant increase pursuant to Condition V.A.9. of this license that it intends to make a demonstration under this condition.

(ii) Within 60 days after determining that a statistically significant increase has occurred pursuant to Conditions V.A.9. and V.A.8. of this license, submit a report to the Division Director that demonstrates a source other than the licensed facility solely caused the statistically significant increase, or that the statistically significant increase was caused by an error in sampling, analysis, or evaluation.

(iii) Continue to monitor groundwater in compliance with this license.

11. In the event that the Division Director determines from the findings of Conditions V.A.7. and V.A.8. of this license that a statistically significant increase (or change in pH) in hazardous constituents has occurred in the groundwater and the Division Director finds, in accordance with §11148 of Act 451, that the increase (or change in pH) may present an imminent and substantial hazard to the health of persons or to the natural resources, or is endangering or causing damage to public health or the environment, the licensee shall immediately comply with an order issued by the Director pursuant to §11148(1) of Act 451 to cease waste receipt and storage at the affected units and

conduct other activities as required by the Director to eliminate the said endangerment. (R 299.9612(1)(g).)

12. The licensee shall report all groundwater detection monitoring and hydraulic monitoring results as required by Condition II.I.3 of this license. This information shall be signed and certified in accordance with Condition I.D.3. of this license.

13. The licensee shall provide all statistical calculations and analysis performed with each groundwater monitoring report in a format agreed upon by the Division. (R 299.9611(2)(a) and (6).)

B. AMBIENT AIR MONITORING PROGRAM

1. The licensee shall conduct ambient air monitoring in accordance with the Ambient Air Monitoring Program Sampling and Analysis Plan (AAMP SAP), Attachment 10 of this license. (R 299.9611(2)(c).)

2. The licensee shall report ambient air monitoring results as required under Condition II.I.3. of this license. This information shall be signed and certified in accordance with Condition I.D.3. of this license. (R 299.9611(6).)

3. The licensee shall provide a proposed plan with a compliance schedule for upgrades to the AAMP SAP within 90 days of issuance of this license for approval by the Division Director. The plan shall include but not be limited to a proposal to conduct a root cause analysis and remedy nonconformance with data quality objectives, monitoring of volatile organic compounds (VOCs), and 1,4-dicholorobenzene, and measures to reduce moisture interference in samples.

4. With the initiation of construction on each new phase of MCs VI F and G, or more frequently if necessary, the licensee shall evaluate the monitoring locations specified in the AAMP SAP to determine if any additional or alternative air monitoring locations are required to be added or removed. Additionally, the licensee shall submit a workplan for determining the optimal locations for air monitors to sample radionuclides, PCBs, metals, and VOCs for current and future facility operations within 90 days of issuance of this license for approval by the Division Director.

5. The licensee shall use the established PCB risk-based screening levels (RBSL) of 0.025 ug/m^3 Residential Scenario for monitoring stations to the South and East of the facility, and 0.11 ug/m^3 Offsite Industrial Worker Scenario for monitoring stations to the North and West of the facility. Any RBSL exceedance will trigger tiered corrective actions in PCB disposal procedures to reduce further PCB emissions.

6. The licensee shall monitor for total Aroclors 1242, 1254, and 1260. The combined Aroclor laboratory practical qualification limits (PQLs) must be at or below the RBSLs.

7. For any RBSL exceedance, the licensee shall take actions when managing, unloading and placement of PCB wastes as indicated in the Wind Speed SOP for a Level 1 exceedance and any other actions necessary as specified in the Fugitive Dust SOP in

order to significantly reduce or eliminate airborne PCBs. These actions shall occur until the next ambient air monitoring sampling results show no exceedance above RBSLs in any PCB air monitor.

8. The licensee may calculate/model site-specific PCB protective ambient air concentrations at the AAMP SAP monitoring stations based on human health risk levels through direct and indirect pathways and request a modification to the operating license to incorporate these concentrations pending EGLE and EPA's review and approval. The licensee may use EPA's RSL guidance for developing site-specific PCB screening levels or another air dispersion and risk model as approved by EPA and EGLE. The licensee may also request a modification to this approval for the actions stated in Condition V.B.7. of this license. (R 299.9611(2)(c), 40 CFR § 761.77(a)(1)(ii)(B), and 40 CFR § 270.32(b)(2).)

C. SOIL MONITORING PROGRAM

1. The licensee shall conduct a semiannual corrective action soil monitoring program for PCBs in Area A and a detection soil monitoring program for PCBs in Area B as specified in the Soil Monitoring Program Sampling and Analysis Plan (SM SAP), Attachment 11, of this license. (R 299.9611(2)(d) and (6).)

2. With the initiation of construction on each new phase of MCs VI F and G, or more frequently, if necessary, the licensee shall evaluate the soil monitoring locations specified in the SM SAP to determine if any additional soil monitoring locations are required to be added or removed. Within 60 days of initiation of the construction, the licensee shall submit the evaluation report and if revisions are needed, the updated SM SAP, to the Hazardous Waste Section Manager for approval as a minor license modification. (R 299.9611(2)(d).)

3. Within 60 days of the completion of each soil sampling or collection event, the licensee shall determine if an apparent threshold limit exceedance (ATLE) for PCBs has occurred. An ATLE for Area A is defined as total PCBs at or above 0.75 mg/kg and Area B is defined as a total PCBs at or above 0.1 mg/kg, the method detection limit for the PCB analyses. Due to the location of SM-17, the ATLE is defined as 0.75 mg/kg.

4. If an ATLE for PCBs is detected, the licensee shall notify the Hazardous Waste Section project staff, by telephone or electronic communication, within one working day and collect verification samples within seven working days to determine if a confirmed threshold limit exceedance (CTLE) for PCBs has occurred. A CTLE for both Area A and Area B is defined as a repeat of an ATLE, respectively, in the verification sample.

5. If it is determined that a CTLE for PCBs has occurred pursuant to Conditions V.C.3. and V.C.4. of this license, the licensee shall:

   (a) Within one working day, notify the Hazardous Waste Section project staff by telephone.

(b) Take immediate steps to eliminate the source of the contamination and prevent further releases.

(c) Within seven days after the determination, submit a written report to the Division Director, that includes the findings from the resampling and a map showing the proposed locations for collecting delineation phase samples as specified in Section 8.0 of Attachment 11 of the license. The report shall be signed and certified in accordance with Condition I.D.3. of this license.

(d) Within 14 days after the determination, collect the first phase of delineation samples to determine the extent of the areas exceeding the CTLE as specified in Section 8.0 of Attachment 11 of this license.

(e) Within 14 days after receiving the delineation phase sampling results, evaluate the data and submit a plan to remove soils/sediments and to determine the source(s) or expected source(s) of the PCBs to the Division Director, as specified in Section 8.0 of Attachment 11 of this license.

(f) Contaminated soils/sediments shall be properly characterized and managed as waste in accordance with Part 3 of the Part 111 Rules, and cleanup to the levels, 1.0 mg/kg in Area A and method detection limit in Area B, shall be verified by soil sampling. Any nonhazardous soils/sediments that meet the definition of PCB remediation waste shall be remediated and disposed of in accordance with 40 CFR §761.61 or if the PCBs in soil/sediment are from a recent spill and cleanup commences within 72 hours, then the soil/sediment may be remediated and disposed in accordance with the PCB Spill Cleanup Policy at 40 CFR §761, Subpart G. The waste characterization records shall be maintained for a minimum of 3 years from the date of disposal. The licensee shall maintain a log at the facility for any soil/sediments that are disposed of in a hazardous waste disposal cell providing the date and amount excavated, the date and location within the cell where they were disposed, and sufficient information to locate the waste characterization data maintained by the licensee.

(g) Within 60 calendar days after determining that a CTLE has occurred, implement the plan required in Condition V.C.5(e) and submit a final report to the Division Director that includes:

(i) The chronology of events.

(ii) Investigative methods.

(iii) All laboratory analyses.

(iv) Calculations.

(v) Field activities related to the determination.

(vi) The corrective measures/remedies.

6. The licensee shall report all soil monitoring results as required by Condition II.I.3 of this license. This information shall be signed and certified in accordance with Condition I.D.3. of this license.

7. Within 60 days of issuance, the licensee shall revise the SM SAP, Attachment 11, of this license with the following items: the delineation between Area A and Area B threshold limits in Section 7.0, the delineation and verification sampling within Area A and Area B in Section 8.0, reevaluate the nomenclature or location of sampling locations SM-3 and SM-34 in Figure 1, and to add 1 sampling location to the east of the Non-Bulk Container Storage Area, and 3 sampling locations around the Bulk Container Storage Area (1 to the east, south, and west respectively).

D. SURFACE WATER MONITORING PROGRAM

1. The licensee shall conduct a quarterly surface water detection monitoring program as described in the Surface Water Monitoring Program Sampling and Analysis Plan (SW SAP), Attachment 12, of this license.

2. With the initiation of construction on each new phase of MCs VI F and G, or more frequently, if necessary, the licensee shall evaluate the surface water monitoring locations specified in the SW SAP to determine if any additional surface water monitoring locations are required to be added or removed. Within 60 days of initiation of the construction, the licensee shall submit the evaluation report and if revisions are needed, the updated SW SAP, to the Hazardous Waste Section Manager for approval as a minor license modification. (R 299.9611(5).)

3. Within 60 days of each sampling, the licensee shall determine if an apparent statistically significant increase (ASSI) has occurred as specified in Section 7.0 of Attachment 12 of this license.

4. Duplicate samples shall be collected on a quarterly basis from each sampling location for volatile organics, inorganics, PCBs, and metals. Initially, the licensee is required to analyze only one of the two samples. The licensee shall hold the duplicate sample pending the results of the initial sample. The duplicate sample for PCBs shall be extracted when it arrives at the laboratory and the extract held in case a confirmation analysis is required. If a statistically significant increase is detected in a monitoring parameter(s), the duplicate sample shall be analyzed for confirmation purposes.

5. If an ASSI is detected, the licensee shall notify the Hazardous Waste Section project staff, by telephone or electronic communication within one working day, and determine if a confirmed statistically significant increase (CSSI) has occurred as specified in Section 8.0 of Attachment 12, of this license.

6. If a CSSI has been determined pursuant to Condition V.D.5., within one working day, notify the Hazardous Waste Section project staff by telephone. Within seven calendar days after the determination, submit written notification of the CSSI to the Division

Director. The notification shall be signed and certified in accordance with Condition I.D.3. of this license.

7. Within 30 days of the determination that a CSSI has occurred pursuant to Conditions V.D.3. and V.D.5. of this license, the licensee shall determine whether a discharge to surface waters is occurring, determine the source, and take immediate steps to eliminate and prevent any such discharge. If a discharge of PCBs to off-site surface water occurs at concentrations not in compliance with the licensee's NPDES permit water quality-based effluent limitation, the licensee shall notify the Division Director and EPA within 24 hours of discovery that the discharge exceeds PCBs concentrations specified in the licensee's NPDES permit.

8. Within 60 days of a determination that a CSSI has occurred pursuant to Conditions V.D.3. and V.D.5. of this license, the licensee shall submit a written report to the Division Director documenting the investigation, response, and any proposed actions to prevent future releases.

9. The licensee shall report surface water monitoring results as required by Condition II.I.3. of this license. This information shall be signed and certified in accordance with Condition I.D.3. of this license. The licensee shall provide all statistical calculations and analysis performed with each surface water monitoring report.

10. Within 60 days of issuance, the licensee shall submit a workplan to calculate new background that is used in the sign test for surface water monitoring.

11. Within 60 days of issuance, the licensee shall submit a report to evaluate the non-parametric prediction limit (NPPL) for 1,1-Dichloroethane (DCA) at SS-2 of 280 microgram per liter (µg/L) and determine if it is an outlier. Provide a new NPPL if it is an outlier. The report shall include the full statistical evaluation.

12. Within 90 days of issuance, the licensee shall submit an updated SW SAP to update Table 2 of Attachment A in the SW SAP with the results from Condition V.D.9. and include a new sampling location in the southeast corner of MC X.

(R 299.9611(5) and (6).

E. LEACHATE MONITORING PROGRAM

1. The licensee shall conduct a leachate monitoring program as described in the Leachate Monitoring Program Sampling and Analysis Plan (LMP SAP), Attachment 13 of this license.

2. With construction on each new phase of MCs VI F and G, the licensee shall include additional leachate monitoring location as defined in the LMP SAP as new cells are certified and approved for disposal by the Hazardous Waste Section Manager. The revision of the LMP SAP shall be submitted at the time of the construction certification to the Hazardous Waste Section Manager.

3. The licensee shall measure the leachate level in each collection sump on a weekly basis and verify that the leachate pump and glow meter are operating properly during that field event. The procedures for conducting the inspection are specified in Section 3.0 of the LMP SAP, Attachment 13, of this license.

4. The licensee shall inspect the leachate collection sumps on a weekly basis for deterioration and/or damage and monitor the total monthly volume of leachate pumped from each collection sump and record this information on the operating record for the facility. (R 299.9609(1)(b) and R 299.9619(4)(c)(iii).)

5. The licensee shall jet out the leachate collection system through the leachate clean-out pipes once every two years, or more frequently if needed, to minimize blockage that could cause leachate to build up on the base of the disposal cells.

6. The licensee shall conduct an annual leachate monitoring program on each of the constructed and certified leachate collection sumps within MCs V, VI, and VII as described in the LMP SAP, Attachment 13, of this license.

   (a) Samples shall be collected in accordance with the procedures specified in the LMP SAP, Attachment 13, of this license, and they shall be analyzed for the parameters listed on Figure 7 of Attachment 13 of this license.

   (b) In addition to monitoring the leachate for the parameters identified in Condition V.E.6.(a), above, the licensee shall collect annual samples from two of the constructed and certified sump locations in MCs V, VI, and VII and analyze the samples for a modified 40 CFR Part 264, Appendix IX – Ground-Water Monitoring List parameters specified in Figure 8 of the Attachment 13 of this license. Following completion of the initial approximately eight year cycle, the Appendix IX sampling shall continue on this schedule for each open cell.

   (c) If, based on the results of the modified Appendix IX monitoring required by Condition V.E.6.(b), it is determined that the leachate contains organic constituents other than those that are routinely monitored under Condition V.E.6.(a) of this license, the licensee shall submit a written report to the Division stating whether or not the parameter should be added to the leachate program. If, upon review of the report, the Division determines that the parameter is present in significant concentrations in the leachate and/or may pose a serious environmental hazard due to the nature of the constituent, the licensee shall be required to add the parameter to the annual leachate monitoring list, and it shall become a routine leachate indicator. In addition, any such parameters shall also be added to the groundwater, lysimeter, surface water, and leak detection monitoring programs as specified in Condition V.E.7.(b), below.

7. The licensee shall submit an annual leachate monitoring report to the Division and South Huron Valley Utility Authority, by March 1st of each year during the active life of the landfill and the postclosure care period. The annual leachate monitoring report shall include:

(a) The annual leachate monitoring report shall be signed and certified in accordance with Condition I.D.3. of this license.

(b) During the active life of the landfill, the annual leachate monitoring report shall summarize the results of the leachate analytical data that was collected at the facility and recommend any refinements deemed necessary to the leachate, groundwater, leak detection, surface water, and lysimeter monitoring programs. If the licensee determines that organic chemicals are newly present or present at increased concentrations in the leachate and a determination is made to add the parameter(s) to the leachate monitoring program, the parameters shall also be added to the groundwater, leak detection, surface water, and lysimeter monitoring programs, and they shall be sampled on at least an annual basis.

(c) During the active life of the landfill and during the postclosure care period, the annual leachate monitoring report shall include:

(i) Leachate volume calculations.

(ii) A graphical presentation of the monthly and yearly quantities of leachate being generated and pumped from the landfill.

(iii) A graphical comparison between leachate quantities pumped/generated during the reported year and the leachate quantities pumped/generated from previous years.

(iv) Reasons for increases/decreases in leachate quantities. If there is an increase in leachate quantities, the source shall be indicated in the leachate monitoring report.

8. The licensee shall report leachate monitoring results as required by Condition II.I.3. of this license. This information shall be signed and certified in accordance with Condition I.D.3. of this license.

(R 299.9611(5) and (6).)

F. LEAK DETECTION SYSTEM MONITORING PROGRAM

1. With the construction on each new phase of MCs VI F and G, the licensee shall include additional leak detection monitoring locations as defined in the Leak Detection Monitoring Program Sampling and Analysis Plan (LDMP SAP) as new cells are certified and approved for disposal by the Hazardous Waste Section Manager. The revision of the LDMP SAP shall be submitted at the time of the construction certification to the Hazardous Waste Section Manager for approval as a minor license modification.

2. The licensee shall conduct a quarterly leak detection monitoring program as specified in the LDMP SAP, Attachment 14, of this license. In addition, the licensee shall:

(a) Inspect each of the constructed and certified leak detection system sumps in MC VI on a weekly basis to confirm that the pump system is operating properly and that there is no evidence of damage or tampering that could allow waste or waste constituents to have entered the system. Information from this inspection shall be reported on the weekly/after storm inspection form required by Condition II.C.1. of this license.

(b) Record the volume of liquid withdrawn from each of the constructed and certified leak detection system sumps in MC VI on a weekly frequency and analyze in the field the liquid from each of the leak detection system sumps in MC VI on a monthly frequency for pH and specific conductivity. This information shall be reported on the form found in Attachment B of the LDMP SAP, Attachment 14 of this license.

(c) If any sump yields volume measurements above the maximum expected volume, calculated in accordance with Section 7.1 of the LDMP SAP, Attachment 14 of this license, or conductance values exceed the mean plus three standard deviations, as calculated from the last eight conductance values, samples shall be collected from the affected sump and analyzed as soon as practicable for the full list of quarterly parameters specified in Condition V.F.3. of this license.

3. The licensee shall collect samples from the constructed and certified sump locations in MC VI on a quarterly basis and analyze the samples for the parameters listed in Attachment D of the LDMP SAP, Attachment 14 of this license.

4. If additional parameters must be added to the leak detection monitoring program in accordance with Condition V.E.6 of this license, the licensee must provide written notification to the Division Director requesting modification to the program. If background has not already been established for these additional parameters, the notification must include a proposed plan to determine background for these constituents on an accelerated schedule.

5. The licensee shall provide written notification to the Division Director requesting any changes that need to be made to the approved LDMP SAP, Attachment 14, of this license and obtain written approval prior to implementation.

6. The licensee shall, within 60 calendar days of the completion of the sampling or collection event, submit to the Division Director in electronic format the laboratory data and the results from the statistical evaluation performed in accordance with the LDMP SAP, Attachment 14, of this license. The report shall include all statistical calculations and analysis performed in a format agreed upon by the Division.

7. If a statistically significant increase is detected in any of the monitored parameters, the licensee shall notify the Hazardous Waste Section project staff, by telephone or electronic communication within one working day, that this situation has occurred and arrange for a resampling as soon as possible to confirm if the statistical increase exists. If adequate water can be obtained from the system, confirmation samples shall be

collected in quadruplicate.

8. If the licensee confirms that a statistically significant increase in a monitored parameter has occurred, the following actions must be taken:

   (a) Within one working day, notify the Hazardous Waste Section project staff by telephone. Within seven calendar days after the determination, submit written notification of the statistically significant increase to the Division Director. The notification shall be signed and certified in accordance with Condition I.D.3. of this license.

   (b) Begin immediate action to implement the current contingency plan, as appropriate.

   (c) Determine, within 30 calendar days of notification, whether a failure in the liner system has occurred.

   (d) Provide the Division Director, or his or her designee, with weekly telephone updates and written reports at the frequency approved by the Division Director, regarding the progress to date in determining the cause of contamination and the results of all samples from environmental monitoring conducted by the licensee.

10. If the determinations made pursuant to Condition V.F.9.(d) of this license, indicate a release of contaminants from the MC VI primary liner system, the licensee shall do either of the following:

   (a) Begin immediate action to repair failures in the liner system or otherwise correct the problem and demonstrate to the Division Director within 72 hours that the action being taken will contain the release of contaminants and maintain the capability of the system to detect contaminants that may enter the leak detection system. The licensee shall complete the repair and corrective activities pursuant to a schedule approved by the Division Director and shall obtain the certification of a registered professional engineer that, to the best of his or her knowledge or opinion, the remedial actions have been completed. If the Division Director determines that the failure cannot be corrected on a schedule that ensures the protection of human health and the environment, the licensee shall comply with Condition V.F.10.(b) of this license.

   (b) Cease placing waste into the affected area in MC VI and take action to prevent the migration of hazardous waste and hazardous waste constituents from the affected area on a schedule approved by the Division Director and propose a plan to address any environmental damage that may have occurred as a result of the failure.

11. If the licensee determines pursuant to Conditions V.F.8. and V.F.9. of this license that a statistically significant increase in hazardous constituents has occurred in the leak detection system, it may demonstrate that a source other than the licensed facility

caused the increase or that the increase resulted from an error in sampling, analysis, or evaluation. In making a demonstration under this condition, the licensee shall:

(a) Notify the Division Director within seven days of the determination that it intends to make a demonstration under this condition.

(b) Within 60 days of the determination, submit a report to the Division Director that demonstrates that a source other than the licensed facility solely caused the increase or that the increase was caused by error in sampling, analysis, or evaluation. The report shall be signed and certified in accordance with Condition I.D.3. of this license.

(c) Continue to monitor the leak detection system in compliance with this license.

12. The licensee shall provide the Division Director with a written annual report by March 1 of each year summarizing the data and the monitoring program results from the previous calendar year. The annual report shall include graphical presentations summarizing volume pumped from the leak detection system per month and volume pumped from the leak detection system versus volume pumped from the leachate collection system. The annual report shall reference and be part of the annual leachate monitoring report required in Condition V.E.7. of this license.

13. The licensee shall report leak detection monitoring results as required by Condition II.I.3. of this license. This information shall be signed and certified in accordance with Condition I.D.3. of this license.

(R 299.9611(5) and (6).)

G. LYSIMETER MONITORING PROGRAM

1. The licensee shall conduct a semiannual detection monitoring program as specified in the Lysimeter Monitoring Program Sampling and Analysis Plan (LM SAP), Attachment 15, of this license.

2. If additional parameters must be added to the lysimeter monitoring program in accordance with Condition V.E.6 of this license, the licensee must provide written notification to the Division Director requesting modification to the program. If background has not already been established for these additional parameters, the notification must include a proposed plan to determine background for these constituents on an accelerated schedule.

3. The licensee shall provide written notification to the Division Director requesting any changes that need to be made to the approved LM SAP, Attachment 15, of this license and obtain written approval prior to implementation.

4. The licensee shall, within 60 calendar days of the sampling, report in writing to the Division Director the laboratory data and the results from the statistical evaluation

performed in accordance with LM SAP, Attachment 15 of this license. The report shall include all statistical calculations and analysis performed.

5. If a statistically significant increase is detected in any of the monitored parameters, the licensee shall notify the Hazardous Waste Section project staff, by telephone or electronic communication, within one working day, that this situation has occurred and arrange for a resampling as soon as possible to confirm if the statistical increase exists. If adequate water can be obtained from the system, confirmation samples shall be collected in quadruplicate.

6. If the licensee confirms that a statistically significant increase in a monitored parameter has occurred, the following actions must be taken:

   (a) Within one working day, notify the Hazardous Waste Section project staff by telephone. Within seven calendar days after the determination, submit written notification of the statistically significant increase to the Division Director. The notification shall be signed and certified in accordance with Condition I.D.3. of this license.

   (b) Begin immediate action to implement the current Contingency Plan, as appropriate.

   (c) Determine, within 30 calendar days of notification, whether a failure in the liner system has occurred.

   (d) Provide the Division Director, or his or her designee, with weekly telephone updates and written reports every two weeks regarding the progress to date in determining the cause of contamination and the results of all samples from environmental monitoring conducted by the licensee.

7. If the determinations made pursuant to Condition V.G.7.(d) of this license indicates a release of contaminants from MCs V or VII, the licensee shall do the following:

   (a) Begin immediate action to repair or otherwise correct the problem and demonstrate to the Division Director within 72 hours that the action being taken will correct the release of contaminants and clean up contaminants that may have leaked from the system. The licensee shall complete the repair and cleanup activities pursuant to a schedule approved by the Division Director and shall obtain the certification of a registered professional engineer that, to the best of his or her knowledge or opinion, the remedial actions have been completed.

8. If the licensee determines pursuant to Conditions V.G.7. and V.G.8. of this license that a statistically significant increase in hazardous constituents has occurred in the lysimeter monitoring program, it may demonstrate that a source other than the licensed facility caused the increase or that the increase resulted from error in sampling, analysis, or evaluation. In making a demonstration under this condition, the licensee

shall:

(a) Notify the Division Director within 7 days of the determination that it intends to make a demonstration under this condition.

(b) Within 90 days of the determination, submit a report to the Division Director that demonstrates that a source other than the licensed facility solely caused the increase or that the increase was caused by error in sampling, analysis, or evaluation. The report shall be signed and certified in accordance with Condition I.D.3. of this license.

(c) Continue to monitor the lysimeter system in compliance with this license.

9. The licensee shall report lysimeter monitoring results as required by Condition II.I.3 of this license. In addition to these requirements, the licensee shall provide the Division Director with a written annual report by March 1st of each year summarizing the data and the monitoring program results from the previous calendar year. The annual report shall reference and be part of the annual leachate monitoring report required in Condition V.E.6. of this license. All monitoring reports shall be signed and certified in accordance with the requirements in Condition I.D.3. of this license.

10. The licensee shall report lysimeter monitoring results as required by Condition II.I.3 of this license. This information shall be signed and certified in accordance with Condition I.D.3. of this license.

(R 299.9611(5).)

H. SEDIMENTATION BASIN MONITORING PROGRAM

1. The licensee shall conduct an annual sedimentation basin monitoring program for the north sedimentation basin (NSB), south sedimentation basin (SSB), the north sedimentation basin extension (NSBE), and the south sedimentation basin extension (SSBE) as specified in the Sedimentation Basin Monitoring Program Sampling and Analysis Plan (SB SAP), Attachment 16, of this license.

2. Within 60 days of each sampling, the licensee shall determine if an ASSI has occurred as specified in Section 7.0 of Attachment 16 of this license.

3. If an ASSI is detected, the licensee shall notify the Hazardous Waste Section project staff, by telephone or electronic communication, within one working day and collect verification samples within seven working days to determine if a CSSI has occurred as specified in Attachment 16 of this license.

4. If the licensee determines pursuant to Conditions V.H.2. and V.H.3. of this license that a CSSI has occurred, the licensee shall:

(a) Within one working day, notify the Hazardous Waste Section project staff by telephone. Within seven calendar days after the determination, submit written

notification of the CSSI to the Division Director. The notification shall be signed and certified in accordance with Condition I.D.3. of this license.

(b) Take immediate steps to eliminate the source of the contamination and prevent further releases.

(c) In addition, within 30 days after the determination, implement the response actions defined in Section 8.0 of Attachment 16, of this license depending upon the CSSI location and parameter.

5. The licensee shall report sedimentation basin monitoring results as required by Condition II.I.3. of this license and as specified in Section 9.0. of Attachment 16 of this license. This information shall be signed and certified in accordance with Condition I.D.3. of this license. The report shall include all statistical calculations and analysis performed with each sedimentation basin monitoring report.

(R 299.9611(5).)

I. RADIOLOGICAL MONITORING PROGRAM

1. The licensee shall conduct a radiological monitoring program in accordance with the Radiological Monitoring Program, Attachment 17, of this license.

2. The licensee shall comply with the environmental sampling locations detailed in Figure 1 of the Environmental Radiological Monitoring Program (ERMP) in Attachment 17, of this license.

3. Within 60 days of the completion of each sampling or collection event, any detections over the monitoring thresholds located in Table 1, of the ERMP in Attachment 17, of this license shall be reported to the Division Director for gamma, groundwater, and ambient air monitoring.

PART VI
CORRECTIVE ACTION CONDITIONS

A. CORRECTIVE ACTION AT THE FACILITY

1. The licensee shall implement corrective action for all releases of a contaminant from any waste management unit (WMU) at the facility, regardless of when the contaminant may have been placed in or released from the WMU, as outlined in Corrective Action, Attachment 18 of this license. For the purposes of this license, the term "corrective action" means an action determined by the Division Director to be necessary to protect the public health, safety, welfare, or the environment, and includes, but is not limited to, investigation, evaluation, cleanup, removal, remediation, monitoring, containment, isolation, treatment, storage, management, the temporary relocation of people, and the provision of alternative water supplies, or any corrective action allowed under Title II of the federal Solid Waste Disposal Act, PL 89-272, as amended, or regulations promulgated pursuant to that act. For the purposes of this license, the environmental protection standards adopted in R 299.9629 shall be used to satisfy the corrective action obligations under this license. (§§11102 and 11115a of Act 451 and R 299.9629.)

2. To the extent that a release of a hazardous substance, as defined in §20101(x) of Act 451, that is not also a contaminant, as defined in §11102(2) of Act 451, is discovered while performing corrective action under this license, the licensee shall take concurrent actions as necessary to address the Part 201, Environmental Remediation, of Act 451 remedial obligations for that release.

B. CORRECTIVE ACTION BEYOND THE FACILITY BOUNDARY

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

C. IDENTIFICATION OF WASTE MANAGEMENT UNITS

The WMUs at the facility are identified below and shown on Figure 6 and Drawing 2 in Attachment 18, and Figure 1 in Attachment 8, of this license.

1. The following WMU, identified in the Draft Report on RCRA Facility Investigation Release Assessment for Wayne Disposal Site #1 Landfill, October 7, 1992, require further corrective action at this time that includes, at a minimum, further investigation to determine if a release of a contaminant has occurred and, if a release has occurred, the nature and extent of the release.

   - WMU 1 Site #1 Landfill

2. The following WMUs do not require corrective action at this time:

   (a) The following WMU, identified in the RCRA Corrective Action Plan RFI Phase 1 Environmental Monitoring Report for Wayne Disposal Site #2 Landfill, July 17, 1990, is currently operating pursuant to the act and its rules with no evidence of

a release of any contaminants. Corrective action may be required when the unit undergoes final closure.

- WMU 2 Site #2 Landfill

(b) The following WMU, identified in Figure 1, in Attachment 8, because the units are currently operating pursuant to the act and its rules with no evidence of a release of any contaminants. Corrective action may be required when the units undergo final closure.

- WMU 3 Bulk Container Storage Area
- WMU 4 Non-bulk Container Storage Area

(§§11102 and 11115a of Act 451 and R 299.9629.)

3. Within 30 days of discovery of a new WMU or a release of a contaminant from a new WMU, the licensee shall provide written notification to the Division Director. The written notification shall include all of the following information:

(a) The location of the unit on the facility topographic map.

(b) The designation of the type of unit.

(c) The general dimensions and structural description, including any available drawings of the unit.

(d) The date the unit was operated.

(e) Specification of all waste(s) that have been managed in the unit.

(f) All available information pertaining to any release of a contaminant from the unit.

4. Based on a review of all of the information provided in Condition VI.C.3 of this license, the Division Director may require corrective action for the newly identified WMU. The licensee shall submit a written Investigation Work Plan to the Division Director within 60 days of written notification by the Division Director that corrective action for the unit is required.

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

D. CORRECTIVE ACTION INVESTIGATION

The licensee shall conduct a Corrective Action Investigation to determine if a release of a contaminant(s) from any of the WMU identified in Condition VI.C of this license has occurred and, if a release(s) has occurred, evaluate the nature and extent of the release(s). The licensee shall submit a written Corrective Action Investigation Work Plan, Corrective Action

Investigation Final Report documenting compliance with the approved Work Plan and supporting further corrective action at the facility, and Corrective Action Investigation progress reports to the Division Director for review and approval in accordance with Condition VI.K of this license. The Division Director will approve, modify and approve, or provide a Notice of Deficiency (NOD) for the Work Plan and Final Report. Upon approval, the Work Plan and Final Report become enforceable conditions of this license. (§§11102 and 11115a of Act 451 and R 299.9629.)

E. INTERIM MEASURES

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

F. DETERMINATION OF NO FURTHER ACTION

1. The licensee shall continue corrective action measures to the extent necessary to ensure that the applicable environmental protection standards adopted in Part 111 of Act 451, are met, if the limits are not less stringent than allowed pursuant to the provisions of RCRA.

2. Based on the results of the Corrective Action Investigation and other relevant information, the licensee shall submit a written request for a license minor modification to the Division Director if the licensee wishes to terminate corrective action for a specific WMU identified in Condition VI.C. of this license. The licensee must demonstrate that there have been no releases of a contaminant(s) from the WMU and that the WMU does not pose a threat to public health, safety, welfare, or the environment.

3. Based on the results of the Corrective Action Investigation and other relevant information, the licensee shall submit a written request for a license major modification to the Division Director if the licensee wishes to terminate facility-wide corrective action. The licensee must conclusively demonstrate that there have been no releases of a contaminant(s) from any of the WMUs at the facility and that none of the WMUs pose a threat to public health, safety, welfare, or the environment.

4. If, based upon a review of the licensee's request for a license modification pursuant to Condition VI.F.2. or VI.F.3. of this license, the results of the completed Corrective Action Investigation, and other relevant information, the Division Director determines

that the releases or suspected releases of a contaminant(s) do not exist and that the WMU(s) do not pose a threat to public health, safety, welfare, or the environment, the Division Director will approve the requested modification, subject to Conditions VI.F.5. and VI.F.6., below.

5. A determination of no further action shall not preclude the Division Director from requiring continued or periodic monitoring of air, soil, groundwater, or surface water, if necessary to protect public health, safety, welfare, or the environment, when facility-specific circumstances indicate that potential or actual releases of a contaminant(s) may occur.

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

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

G. CORRECTIVE MEASURES STUDY

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

H. CORRECTIVE MEASURES IMPLEMENTATION PLAN

1. The licensee shall conduct final corrective measures based on the CMS Final Report approved by the Division Director. The licensee shall submit a written Corrective Measures Implementation (CMI) Work Plan to the Division Director for review and approval. The licensee shall also submit a written CMI Final Report documenting the compliance with the approved CMI Work Plan and providing justification that the corrective actions may cease, and CMI progress reports to the Division Director for review and approval in accordance with Condition VI.K. of this license. The Division Director will approve, modify and approve, or provide a NOD for the Work Plan and

Final Report. Upon approval, the Work Plan and Final Report become enforceable conditions of this license.

2. The Division will provide notice of its draft decision on the CMI Work Plan to persons on the facility mailing list and provide an opportunity for a public hearing.

3. The licensee shall implement the approved CMI Work Plan within 60 days of receipt of the Division Director's written approval of the Work Plan.

(§§11102 and 11115a of Act 451 and R 299.9629.)

I. CORRECTIVE ACTION MANAGEMENT UNITS

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

J. TEMPORARY UNITS

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

K. SUMMARY OF CORRECTIVE ACTION SUBMITTALS

The licensee shall submit the required documents in accordance with Conditions VI.D., VI.E, VI.G, and VI.H. of this license and the schedule below.

Document	Submittal Deadline
Written notification of a new release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 30 days of discovery
Corrective Action Investigation Work Plan for a newly identified release of a contaminant from an existing WMU, a new WMU, or a release of a contaminant from a new WMU	Within 60 days of receipt of notification that a Corrective Action Investigation is required
Revised Corrective Action Investigation Work Plan for WMUs and contaminant releases	Within 60 days of receipt of Corrective Action Work Plan NOD
Corrective Action Investigation progress reports	Within 90 days of initiation of the Corrective Action Investigation and every 90 days thereafter, unless otherwise approved

Document	Submittal Deadline
Corrective Action Investigation Final Report for WMUs and contaminant releases	Within 60 days of completion of Corrective Action investigation
Revised Corrective Action Investigation Final Report for WMUs and contaminant releases	Within 60 days of receipt of Corrective Action Investigation Final Report NOD
IM Work Plan for WMUs and contaminant releases	Within 60 days of receipt of notification that IM Work Plan is required
Revised IM Work Plan for WMUs and contaminant releases	Within 60 days of receipt of IM Work Plan NOD
IM progress reports	Within 90 days of initiation of the IM and every 90 days thereafter, unless otherwise approved
IM Final Report for WMUs and contaminant releases	Within 60 days of completion of the IM
Revised IM Final Report for WMUs and contaminant releases	Within 60 days of receipt of IM Final Report NOD
CMS Work Plan for WMUs and contaminant releases	Within 60 days of receipt of notification that CMS is required
Revised CMS Work Plan for WMUs and contaminant releases	Within 60 days of receipt of CMS Work Plan NOD
CMS progress reports	Within 90 days of initiation of the CMS and every 90 days thereafter, unless otherwise approved
CMS Final Report for WMUs and contaminant releases	Within 60 days of completion of the CMS
Revised CMS Final Report for WMUs and contaminant releases	Within 60 days of receipt of CMS Final Report NOD
CMI Work Plan for WMUs and contaminant releases	Within 60 days of approval of the CMS Final Report
Revised CMI Work Plan for WMUs and contaminant releases	Within 60 days of receipt of CMI Work Plan NOD
CMI progress reports	Within 90 days of implementation of the CMI Work Plan and every 90 days thereafter, unless otherwise approved
CMI Final Report for remediated WMUs and contaminant releases	Within 60 days of the remedial actions have been completed and cleanup criteria have been met
Revised CMI Final Report for WMUs and contaminant releases	Within 60 days of receipt of CMI Final Report NOD

L. CORRECTIVE ACTION DOCUMENTS RETENTION

The licensee shall maintain all corrective action documents required by this license at the facility. The documents shall be maintained for the operating life of the facility or until the facility is released from financial assurance requirements for corrective action by the Division Director, whichever is longer. The licensee shall offer such documents to the Division Director prior to discarding those documents. (§§11102 and 11115a of Act 451 and R 299.9629.)