



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

From Solid Waste to Materials Management

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AWMA/State Bar of Michigan Environmental Law
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Historical SW Management in Michigan



- In 2022 a total of 51,990,037 cubic yards of waste were disposed of in Michigan landfills.
- An increase of 1,071,575.30 cubic yards or about 2.1 percent over the FY 2021.

Focus changing to Materials Management

- The eight-bill package (HB 4454 to 4461) that passed in December of 2022 and became effective on March 29, 2023, will significantly change the landscape for solid waste in Michigan.
- The changes promote materials management with the goals of reducing overall waste generated, providing for innovative reuse of materials, and increased recycling, waste diversion, and utilization.

Solid Waste Legislation

- Updated Materials Management Planning process.
- Increased education and awareness of disposal options and techniques.
- Provide standards for recycling and composting facilities.
- Update landfill requirements.

Materials Management Planning

- Focus on utilization capacity – not disposal capacity;
- Measurable goals and objectives;
- Benchmark recycling standards;
- No import/export requirements;
- Add siting and development of materials utilization facilities to planning process;
- Promote regional planning and provides for more local control (zoning);
- Incorporates ways to increase recycling access, participation.

MATERIALS MANAGEMENT PLAN (MMP) PARTIES

- County Board of Commissioners (BOC) or elected county executive, as appropriate
- County Approval Agency (CAA)
 - Primarily responsible for all aspects of the MMP
- Designated Planning Agency (DPA)
 - Administers and prepares the MMP through the direction of the MMPC
- Materials Management Planning Committee (Planning Committee/MMPC)
 - Identifies planning area priorities and directs the DPA for MMP preparation



WHAT: YOU NEED TO KNOW

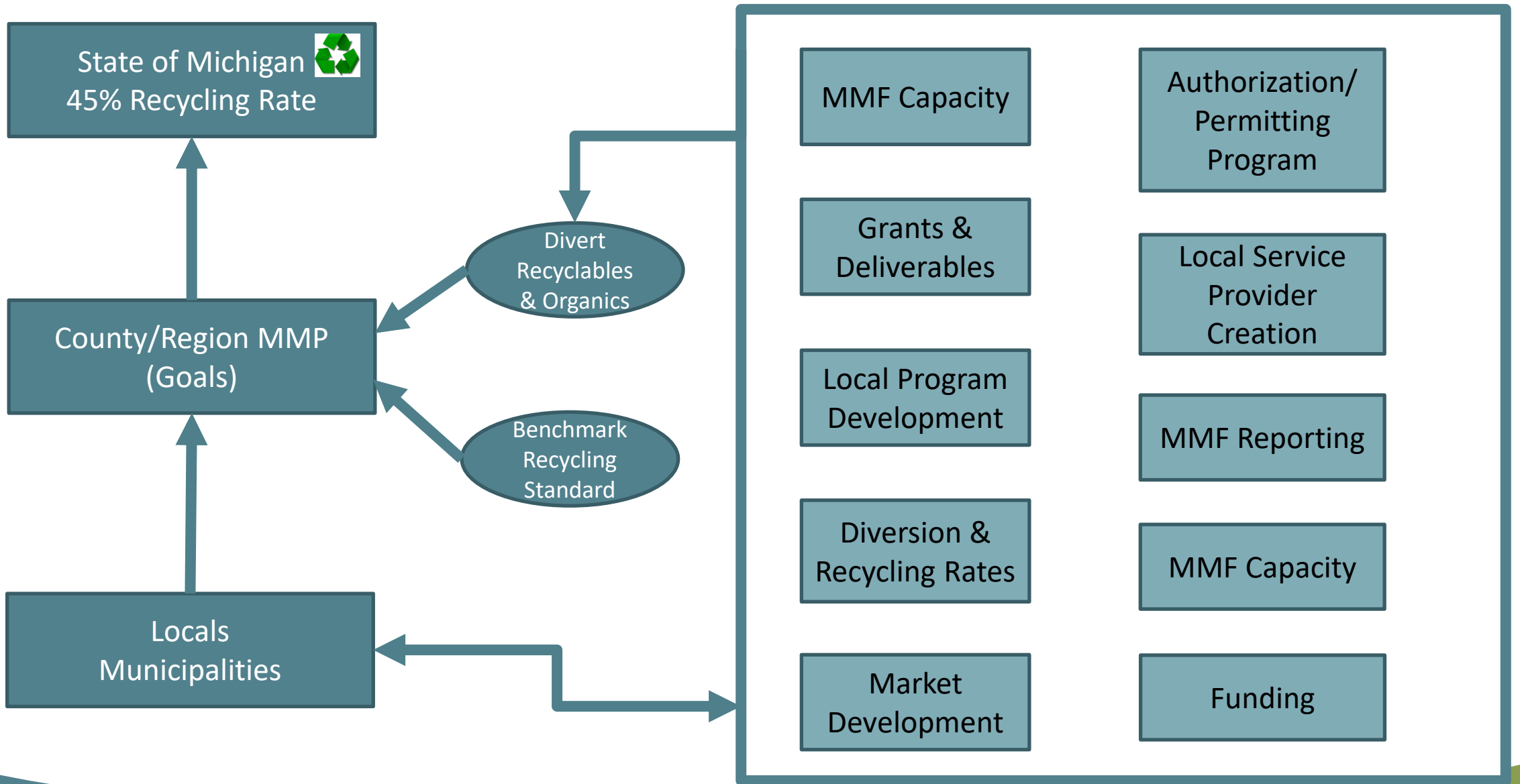
- New laws in effect
- EGLE call for plans soon
- Requires all counties to have an MMP
- Timelines established in law for action
- Counties will have 6 months to file Notice of Intent (NOI)
- Activities required prior to submitting NOI
- MMP is the tool that connects the management of all materials; facility development; mechanisms; etc. within a planning area



WHAT: YOU NEED TO KNOW

- Focus has shifted towards materials management
- Help to set/achieve priorities & the vision for each Planning Area
- Create needed infrastructure & programs for utilization
- Move Michigan forward toward overall goals
- Bring back the personnel resources statewide
- Grant Programs are available
- Until New MMP is approved:
 - Current Solid Waste Management Plans stay in effect
 - Mechanisms & Import/Export stay intact





Benchmark Recycling Standards

- **2025** – 90% of single-family dwellings in urbanized areas have access to curbside recycling
- **2028** – 90% of single-family dwellings in areas with >5,000 residents have access to curbside recycling
- **2031** – In counties with a population <100,000 residents: there is at least 1 drop-off location for every 10,000 residents without access to curbside recycling at their dwelling
- **2031** – In counties with a population >100,000 residents: there is at least 1 drop-off location for every 50,000 residents without access to curbside recycling at their dwelling



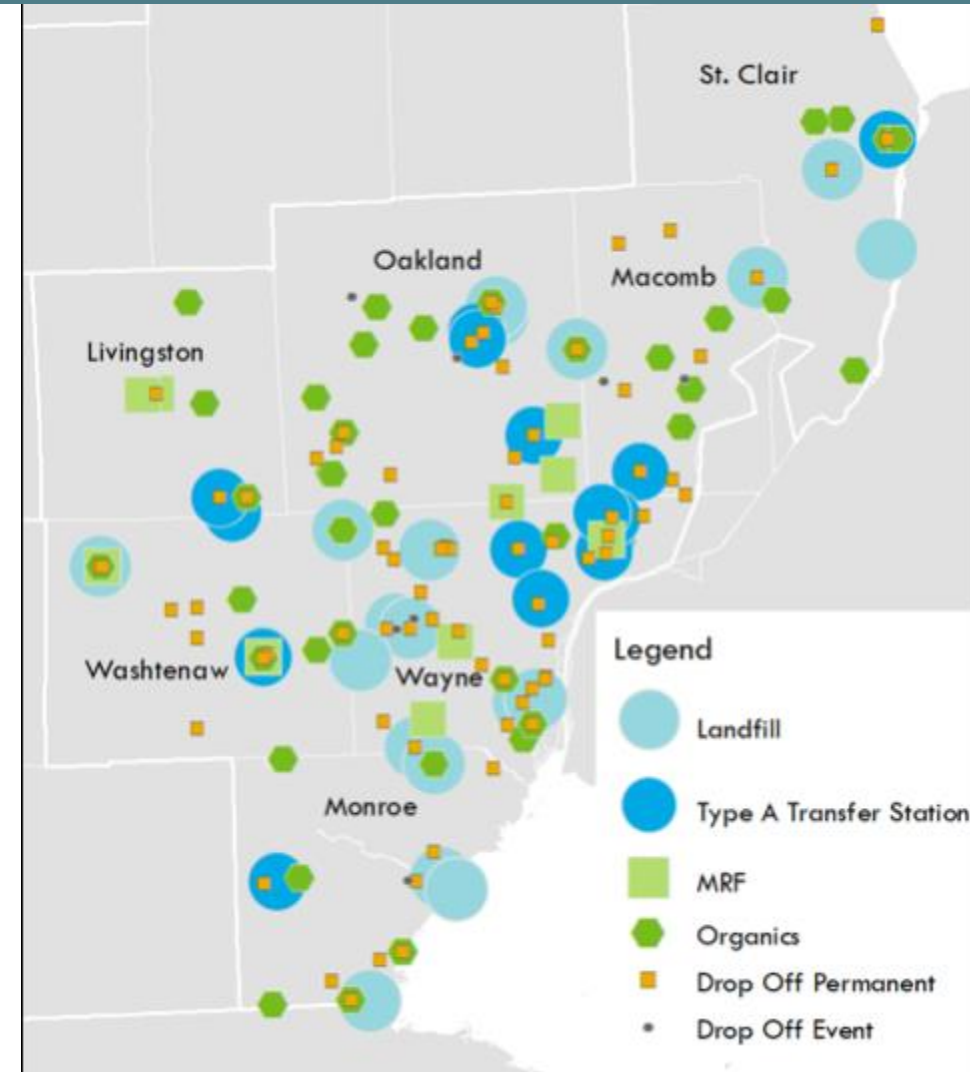
WHY: BENEFITS COLABORATION

- Additional MMP Grant \$\$
- Easier to fill MMPC seats
- Pool resources
- Create/utilize staff with expertise
- Streamlined access to regional facilities
- Similar challenges/opportunities
- Unified education plan = easier to use & market materials
- Increase service options for region
- Economies of scale = improved efficiencies & reduces costs



MEGA DATA

- What will be available to counties:
 - [Final Report \(Summary\)](#)
 - [County Profiles](#)
 - Facility Lists and Maps (example provided)
 - Location and Service Connection by Facility



Materials Management Facility Oversight

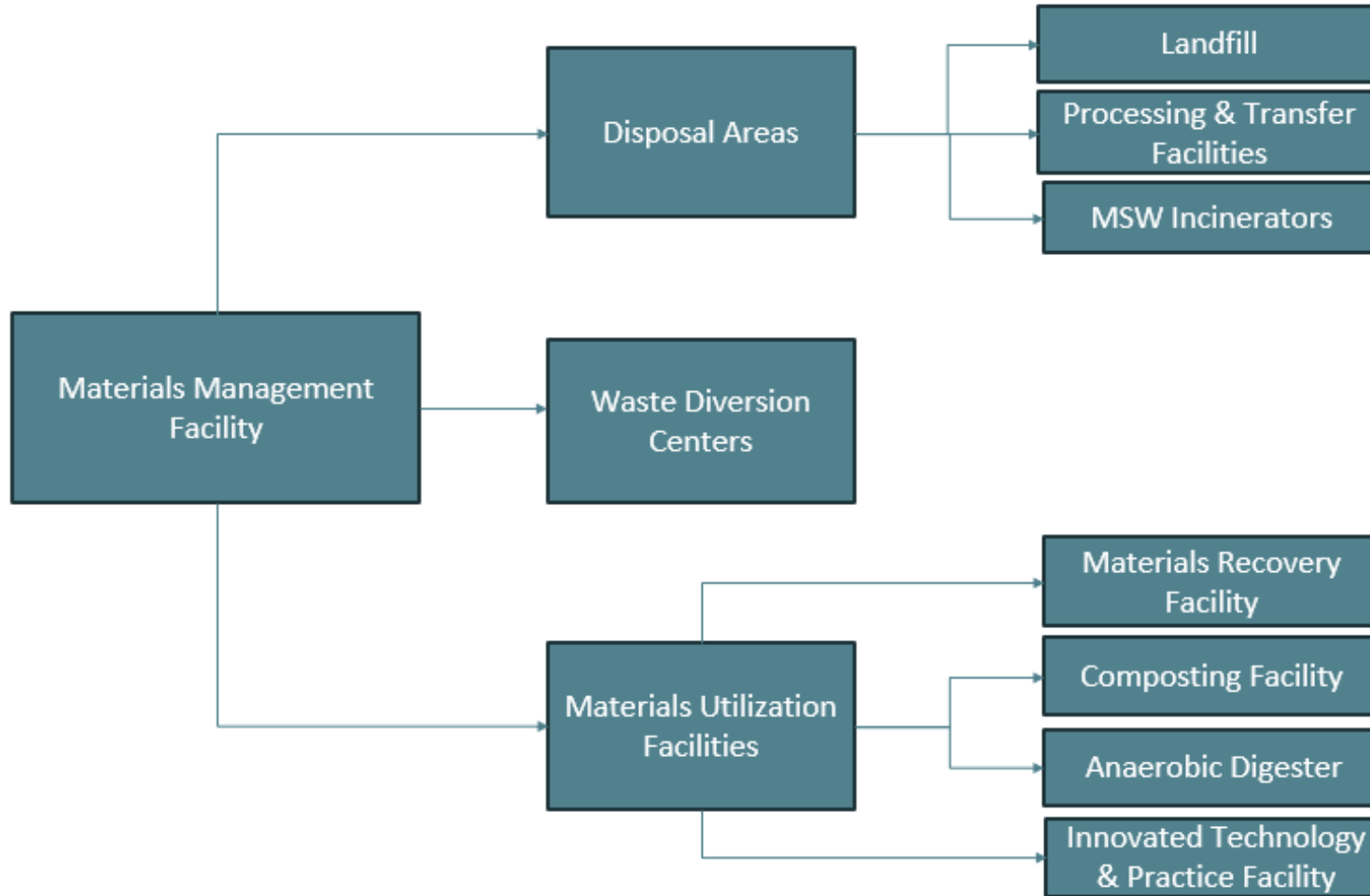


- Different authorization levels for Materials Utilization Facilities
 - Exempt: **Must still comply with local zoning and not violate operational standards**
 - Notification
 - Registration
 - General Permit
 - Disposal Area Construction Permit/Operating License

Facilities Regulated

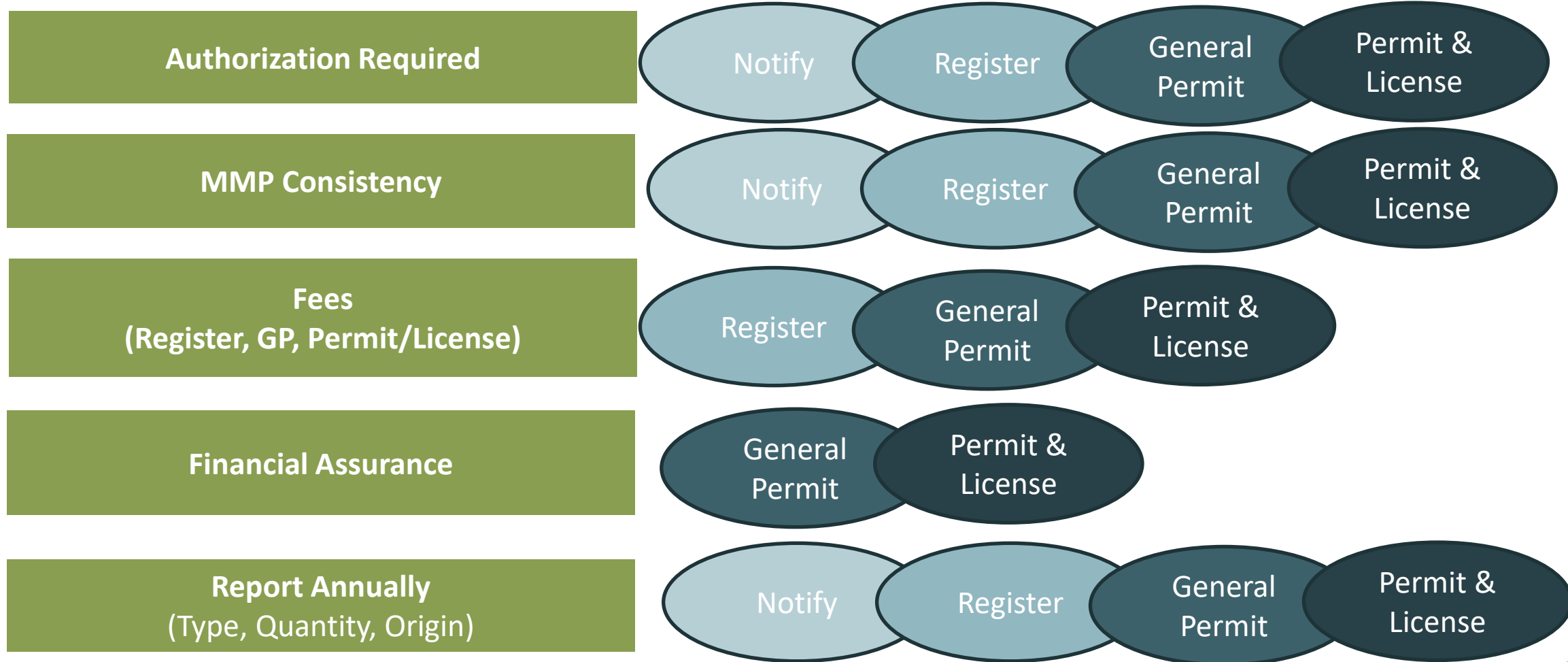
- Solid Waste Landfills
- Solid Waste Processing and Transfer Facilities*
- Municipal Solid Waste Incinerators
- PLUS
 - Materials Recovery Facilities
 - Compost Facilities*
 - Anaerobic Digester Facilities
 - Innovative Technology Facilities
 - Waste Diversion Facilities

NEW FACILITY AUTHORIZATIONS



New Facility Authorization Type and Requirements							Fee	Financial Assurance	Notify	Register	General Permit	Operating License and Construction Permit	Consistency with County Plans
WASTE DIVERSION CENTER									X				X
DISPOSAL AREA													
Solid Waste Processing and Transfer Facility													
Small-Less than 50 cu yds of solid waste on site at any time									X				
Medium- Greater than 50 cu yds but less than 200 cu yds of solid waste on site at any time							X			X			X
Large-More than 200 cu yds on site at any time							X	X				X	X
MATERIALS UTILIZATION FACILITY													
Material Recovery Facility													
Processes less than 100 tons of material per year and less than 100 tons on site at any time													
Processes more than 100 tons of material per year and less than 100 tons on site at any time							X			X			X
Has more than 100 tons on-site at any time							X	X			X		X
Compost Facility													
Small Compost Facility (>500 cy and <1,000 cy of compostable material and <5% is compostable material other than yard waste)									X				X
Medium Compost Facility (>500 cy and <10,000 cy of compostable material and <10% of compostable material is other than yard waste)							X			X			X
Large Compost Facility (>500 cy of compost and does not qualify as a medium site); Any Compost Facility that accepts class 2 materials							X	X			X		X
Anaerobic Digester													
Takes 20% or less of material generated from off-site; Manages organic material for on-site energy production									X				X
Takes more than 20% off site generated material							X			X			X
Manages source separate material generated off-site or manures, bedding, or crop residuals generated on-site; and up to 20% other materials not generated on site							X	X			X		X
New & Innovative Technologies for Waste Utilization							X	X			X		X

NEW OVERALL REQUIREMENTS



Financial Assurance

- Align with third-party costs to the state
- Require from general permit facilities
- Broaden availability of the financial test
- Enable use of state's perpetual care account for facilities with a general permit
- Allow for landfill care fund and risk pooling



Implementation Activities

- Updated the [Materials Management Planning website](#) with Part 115 outreach materials.
- Meeting monthly with planning stakeholders to develop outreach materials, discuss statutory changes, and develop new MMP format/template.
- Developing new MMP grant procedures.
- Letters to the BOCs went out June 23, 2023, identifying preplanning items and giving notice that the MMP process will begin soon.
- Financial assurance documents have been updated and 16 new LCF documents have been created.
- Staff are working on an excel spreadsheet to calculate the solid waste disposal area cost estimates.
- Applications, licenses, permits and instructions have all been updated and revised for combined processing and transfer facilities. They are all posted online.
- Staff are developing a new streamlined application form for Processing and Transfer facilities.
- EGLE has worked with a contractor and developed online authorizations programs and reporting for the new Part 115 facility types (Solid Waste Processing and Transfer Facilities, Materials Recovery Facilities, Waste Diversion Facilities and Anaerobic Digesters) utilizing the online platform ([Re-TRAC](#)) which will allow for greater consistency, and easier access for the regulated community, counties, and regions to properly plan for capacity, and set goals and increase efficiencies. Re-TRAC will be used to notify, register, and report under the new Part 115 regulations.

Implementation Activities (Cont'd)

- Reviewing statute for clarity and addressing any issues or questions that arise.
- EGLE plans to update the Part 115 rules to reconcile the rules with changes in the statute.
- Implementation of the new Landfill Gas regulations are underway. Several deadlines for submitting various workplans are upcoming, and landfills were already asked to provide their gas migration plans for review. EGLE sent a letter to all landfills explaining the upcoming requirements and continues to work with industry on implementation.
- Obtained federal funding.
- Continued to timely issue landfill construction permits and operating licenses and manage financial assurance for facilities.

Non-Disposal Solid Waste Management

- Beneficial Use Projects

- Shingles
- Foundry sands
- Wood waste/biochar
- Incinerator ash
- Street sweepings



- Agricultural Use Approvals (AUAs)
Working alongside Water Resources Division and Michigan Department of Agriculture and Rural Development to ensure proper management of agriculturally beneficial materials.

- Dredge Projects

- Oversight of proper dredge spoils management including;
- Landfill disposal
- Landfill alternative daily cover
- Upland sediment placement w/restriction
- Unrestricted usage of spoils (i.e. uncontaminated)



Scrap Tire Program

- Since 2011 ~2.9 million tires removed



- 85 Market Development projects funded



Electronics Management

- Over 11 million pounds of covered electronics were collected through the program in 2022



Medical Waste

- Over the last several years we have been running a pilot program to fund nine local health departments to conduct inspections of regulated facilities. It is hoped that an update to the Medical Waste Regulatory Act will allow this pilot to become permanent.



The future of waste?

- Focus to date: providing adequate landfill capacity and safe, long-term disposal.
- Focus for the future: a more integrated system, which includes waste minimization, recycling, utilization, sustainability, and promoting “cradle to cradle” manufacturing

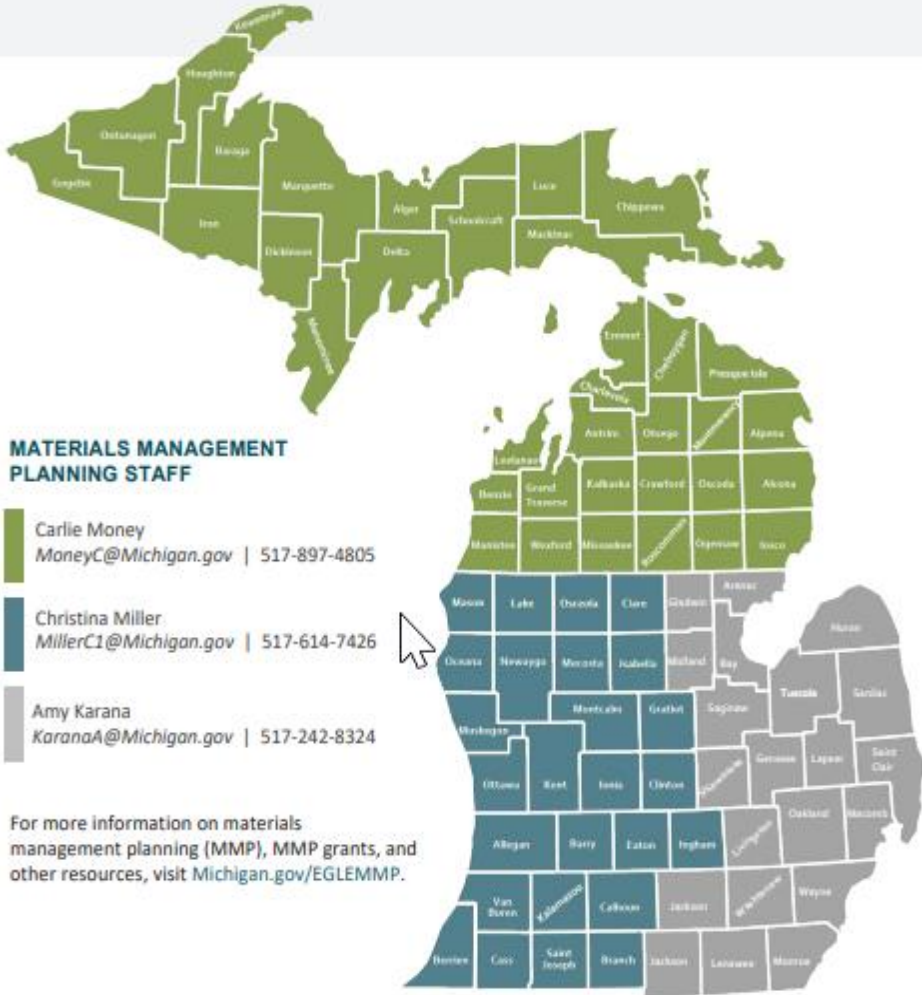


Questions?



- Read the statute <http://www.legislature.mi.gov/documents/mcl/pdf/mcl-451-1994-ii-3-115.pdf>.
- To submit questions about the Part 115 amendments and their implementation email: EGLE-MMD-SW@michigan.gov. EGLE is currently compiling a FAQ for internal use and external publication as well. Submitting questions to the mailbox will help EGLE keep track of the questions and the answers provided. Chances are, if you have a Q, someone else has the same one.
- Information is available on the main EGLE Solid Waste Web Page <https://www.michigan.gov/solid-waste>

- Materials Management In Michigan – what EGLE is doing to support the effort can be found at:
<https://www.michigan.gov/egle/about/organization/materials-management/materials-management-in-michigan>
- Look for more Part 115 GovDelivery messages coming soon! Sign up on EGLE’s Gov Delivery site and subscribe to Waste & Materials Management – Recycling Updates; Materials Management News and Info; Solid Waste Law Amendments and Materials Management Planning
<https://public.govdelivery.com/accounts/MIDEQ/subscriber/new>
- Recordings of [meetings](#) that were held in conjunction with the Michigan Association of Regions, the Michigan Recycling Coalition, and the Solid Waste Association of North America where you can learn even more about the changes to Part 115. Upcoming trainings and engagement opportunities are also listed here.



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For more information on materials management planning (MMP), MMP grants, and other resources, visit Michigan.gov/EGLEMMMP.

Michigan Department of Environment, Great Lakes, and Energy | 800-662-9278 | Michigan.gov/EGLE

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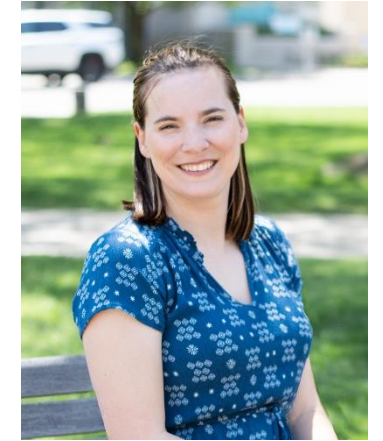
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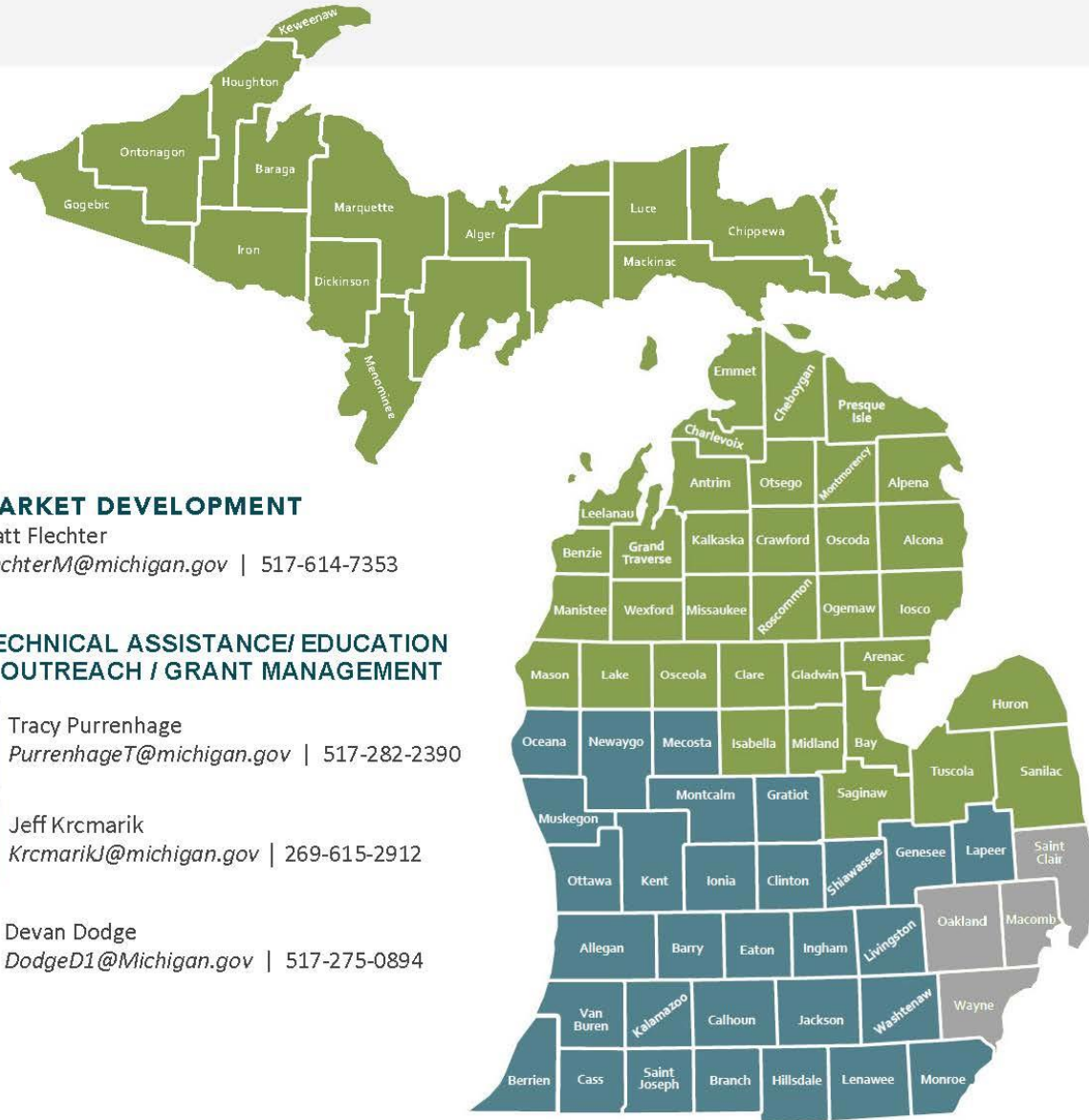
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[Website: Planning Staff Program Map](https://Michigan.gov/EGLEMMMP)

EGLE RECYCLING PROGRAM



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