



# MWRA Update

Serving Michigan's Waste and Recycling Industry Professionals Since 1996

Winter 2018

## President's Remarks

**Kevin Kendall**

Happy New Year! I am most excited about the year ahead. Much of the work our members have put forth the past two years will come to fruition in 2018. I know it has been a lot of work for a lot of people the past year. All your efforts are most appreciated. I believe we have had a big impact on shaping the changes coming forth with the Part 115 legislation. Our Counting Legislation is up and running. Our efforts are making a difference not only for our industry but for the citizens of Michigan. There is much work yet to do, but I know our team is up for the challenges ahead.

I am most honored to serve again this year as president of our Association. It is a privilege to lead this organization and our members.

For 2018, our leadership team is as follows:

**Vice President:** Chris Phillips

**Secretary/Treasurer:** Russ Boersma

**Legislative Committee Chair:** Tonia Olson

**Technical Standards Committee Chair:** Steve Essling

**Membership Committee Chair:** Chris Phillips

**Transportation Committee Chair:** Joe Kohn

We have three big issues pending that will impact our industry in 2018. The Part 115 legislative changes, fee increases proposed to support clean ups and recycling, and PFAS. You can rest assured MWRA is engaged and advocating on all fronts. Thanks to all the volunteer efforts that have been put forth. More about these three issues is forthcoming in the newsletter.

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## 2018 Leadership

### President

Kevin Kendall  
Republic Services

### Vice President

Chris Phillips  
Landfill Management Company

### Secretary/Treasurer

Russ Boersma  
Arrowaste

### Legislative Chair

Tonia Olson  
Granger

### Technical Standards Chair

Steve Essling  
Waste Management

### Transportation/Haulers Chair

Joe Kohn  
Advanced Disposal

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## Michigan Waste & Recycling Association

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[MWRA Website](#)

## Legislative Committee Report

*Tonia Olson, Chair*

### Part 175 Recycling Reporting

The first report of the MWRA led initiative for comprehensive state recycling reporting is due from MDEQ to the Michigan Legislature by January 31, 2018.

### MI Chamber and Farm Bureau Partner on

### DEQ Transparency Legislation

In November 2017, Senators Casperson, Booher, and Robertson introduced a three-bill package (SB 652-654) that would provide for increased transparency and accountability of the MDEQ. The Michigan Chamber and Michigan Farm Bureau have joined together to support this effort. Below is a summary of the package.

Environmental Rules Committee – Amends Administrative Procedures Act to provide an authoritative body to review, amend, deny and approve DEQ rule promulgation. This is based on a similar body that has operated in Indiana since 1996.

Environmental Permit Appeals Panel – Amends NREPA to develop an appeals board that would upon request serve as a scientific permit review panel similar to the body in environmental remediation (324.20114e) to hear an

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## Technical Standards Committee Report

*Steve Essling, Chair*

### PFAS Primer

Michigan and several other states are dealing with a chemical that has come to the forefront in the past few months. The chemical of concern is known as Per – and polyfluoro-alkyl substances (together, PFASs) are a class of manmade chemicals.

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## Upcoming Events

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### Membership Meeting

Thursday, March 8, 2018  
1:30 p.m.  
MHSA, Lansing

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### Board Meeting

Thursday, March 8, 2018  
3:00 p.m.  
MHSA, Lansing

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## 28th Annual Solid Waste Technical Conference

*Sponsored by MWRA and  
the Engineering Society of  
Detroit*

**April 11-12, 2018**

[Click here](#) for  
information

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**MDEQ**

[Link](#) to website

## ***President's Remarks, Continued***

I encourage your active participation in the year ahead. We need it. It is show time. I look forward to working with all of you to help represent our interests and impact our future. Thanks for everything you did in 2017 and in advance for what you will do in 2018.

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## ***Legislative Committee Report, Continued***

appeal by a permit applicant that has been denied by the DEQ. Final decision-making would reside with the DEQ Director.

Environmental Science Advisory Board – Codify into NREPA to reestablish the body to hear scientific environmental evidence and provide recommendation to the Governor and/or Director of the DEQ. Michigan has operated an environmental science advisory board since the 1980's, but was abolished in 2009 by executive order under Governor Granholm.

### **Part 115 Re-Write Process Continues**

In mid-November we received Draft 2 of legislative language developed from the DEQ stakeholder process to re-write Part 115. Later in November we received Draft 3. Initial comments to the Drafts were due to DEQ by December 28.

MWRA members have engaged in the process throughout. We provided comments as requested and continue to review language for additional comments. MWRA and other stakeholder comments can be found on our website at <https://www.michiganwasteandrecyclingassociation.com/>.

. Part 115 re-write Draft 3 can also be found on our website at <https://www.michiganwasteandrecyclingassociation.com/part-115>.

## **MDEQ Recycling Report Link**

The MDEQ has a web page dedicated to recycling reporting to assist you. It contains relevant forms, tutorials and instructions.

[http://www.michigan.gov/deq/0,4561,7-135-70153\\_69695\\_76895-403858--,00.html](http://www.michigan.gov/deq/0,4561,7-135-70153_69695_76895-403858--,00.html)

## ***Technical Standards Committee Report, Continued***

PFASs are not found naturally in the environment. PFOA and PFOS have been the most extensively produced and studied of these chemicals. Both chemicals are very persistent in the environment and in the human body. The EPA has classified these substances as “an emerging contaminant on the national level.” For more than 50 years, PFAS chemicals have been widely used in industrial and household applications. For example, PFASs were commonly used in firefighting foams, cleaning products, Gore-Tex®, Teflon®, carpets, and food packaging, including certain fast food wrappers and microwave popcorn bags. Until 2002, when the major manufacturer of these compounds implemented a formula change, its stain resistant / water resistant product contained PFOA and PFOS, two substances in the PFAS family.

### PFAS TIMELINE

#### *Late 1990s:*

EPA learns the PFOS was widespread in the blood of the population and expresses concerns regarding its toxicity and persistence in the environment.

#### *2002:*

EPA issues a significant new use rule under section 5 of TSCA for PFAS; rule includes phase out between 2000-2002 of all PFOS (primarily used in Scotchgard and produced since late 1940s).

#### *2006:*

EPA creates a stewardship program for PFOA; eight manufacturers agree to phase out 95% of production by 2010 and eliminate production in 2015.

#### *2013:*

EPA issues new rule under TSCA addressing PFOA use in carpets.

#### *2015:*

EPA issues rule under TSCA requiring notification of EPA of any use of PFOA or related chemicals.

#### *2016:*

EPA issues health advisories for PFOS and PFOA, which address PFOS and PFOA in groundwater.

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## ***Technical Standards Committee Report, Continued***

### **How widespread are these chemicals in the environment?**

PFOA, PFOS and other PFASs are widespread around the globe, primarily due to their current and/or historical manufacturing, processing and use here in the U.S. and internationally. They are widespread in part because they are persistent in the environment – that is, they do not break down when exposed to air, water, or sunlight. As a result, people may become exposed to PFASs manufactured months or years in the past. Due to their persistence, PFASs can travel long distances through air; monitoring in the Arctic has shown levels of PFASs in air, water and living things. As a result, people may become exposed to low levels of PFASs manufactured or emitted from production facilities thousands of miles away. Because these chemicals have been used in an array of consumer products, most people have been exposed to low levels of them. “Studies have found PFOS and PFOA in blood samples of humans and wildlife nationwide. Using data from CDC’s 2003-2004 National Health and Nutrition Examination Survey (NHANES), scientists detected PFASs in over 98% of household blood samples collected during the survey.” In more recent years, blood sampling data indicate that exposures are declining in the U.S population, most likely due to the decline in U.S. manufacturing resulting from the PFOA Stewardship Program.

This issue is significant to the waste industry since this chemical is found in many of the household products used every day. These products are discarded with household, commercial, or industrial waste. These wastes, when properly disposed of, end up in landfills. Studies show that these chemicals may be mobile and may travel with the leachate generated by rainfall/snowmelt that is collected in the liquid collection systems found in modern day landfill facilities. Many landfills dispose of the landfill leachate in municipally-owned waste water treatment plants. The wastewater treatment facility may not process and/or remove all the PFAS chemicals prior to the wastewater treatment plant discharging its effluent to the environment.

An additional factor to consider when studying PFAS chemicals is that some concentrations will settle out in the treatment plants sludge. In some areas, this sludge is spread on farm fields as fertilizer for crops. Thus, spreading it further in the environment. A considerable amount of municipal sewage sludge is disposed of at landfills, potentially increasing the concentrations of PFAS chemicals in those facilities.

The State of Michigan has approved 23 million dollars for upgrading the State Testing Laboratory and providing additional testing for water and the environment. As more testing is completed, more data will be gathered. MWRA will follow this issue closely since the industry is very exposed to this material.

Stay tuned!

