

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE COMMUNICATION

OPERATIONAL MEMO 115-17

February 7, 2000

TO: All Waste Management Division Supervisors

FROM: Jim Sygo, Chief, Waste Management Division

SUBJECT: Definitions of "Landfill Unit," "Existing Unit,"
"Pre-existing Unit," and "New Unit"

This Operational Memo replaces Operational Memo 115-17 dated April 26, 1999.

R 299.4103(p) of the administrative rules of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 115), defines a "**landfill unit**" as follows:

"Landfill unit" means a discrete area of land which is permitted to receive waste for permanent disposal and which is not a waste pile... . The boundaries of a landfill unit may be increased by lateral extensions consistent with the construction permit or plans approved by the department. A landfill unit may be any of the following: i. a new unit, ii. an existing unit, iii. a pre-existing unit or iv. a closed unit.

R 299.4104(g) of the Part 115 rules defines a "**new unit**" as follows: "New unit' means any landfill unit that has not received solid waste before October 9, 1993." All units at a new disposal area shall be considered new units.

R 299.4102(q) of the Part 115 rules defines an "**existing unit**" as follows: "Existing unit' or 'existing landfill unit' means any landfill unit that receives solid waste as of October 9, 1993. Waste placement in existing landfill units shall be consistent with past operating practices or modified practices to ensure good management."

R 299.4104(q) defines a "**pre-existing unit**" as follows: "Pre-existing unit' means any landfill unit which is or was licensed under the provisions of the act, but which does not receive waste after October 9, 1993."

In order to determine what constitutes a "landfill unit" at a given disposal area, a "discrete area" must be defined. For purposes of implementing the administrative rules of Part 115, a "discrete area" shall consist of all portions of a landfill authorized to receive waste under the same construction permit or engineering plans where waste is or will be contiguous. Contiguous portions may be separated by berms and may contain different liner designs and separate leachate collection systems, provided waste in one

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portion is or will be contiguous with waste in other portions. Figure 1 shows examples of "pre-existing units," "existing units," and "new units" at the same facility.

In order to implement this definition, the following procedures shall be followed:

1. If no portion of an existing disposal area was licensed prior to October 8, 1993, all portions are "new units."
2. If any portion of an existing disposal area was licensed prior to October 8, 1993, all contiguous portions authorized under the same construction permit or approved plans shall be considered part of the same "discrete area" and, therefore, part of the same "existing unit." Portions licensed after October 8, 1993, are "lateral extensions" of the existing unit. (See Figure 2).
3. Any portion of an existing disposal area NOT licensed prior to October 8, 1993, and NOT contiguous to such a portion, is a new unit. (See Figure 3).
4. Horizontal and vertical expansions of existing disposal areas are "new units." (See Figure 4).

Attachments

Figure 1
Disposal Area Depicting Different "Landfill Units"

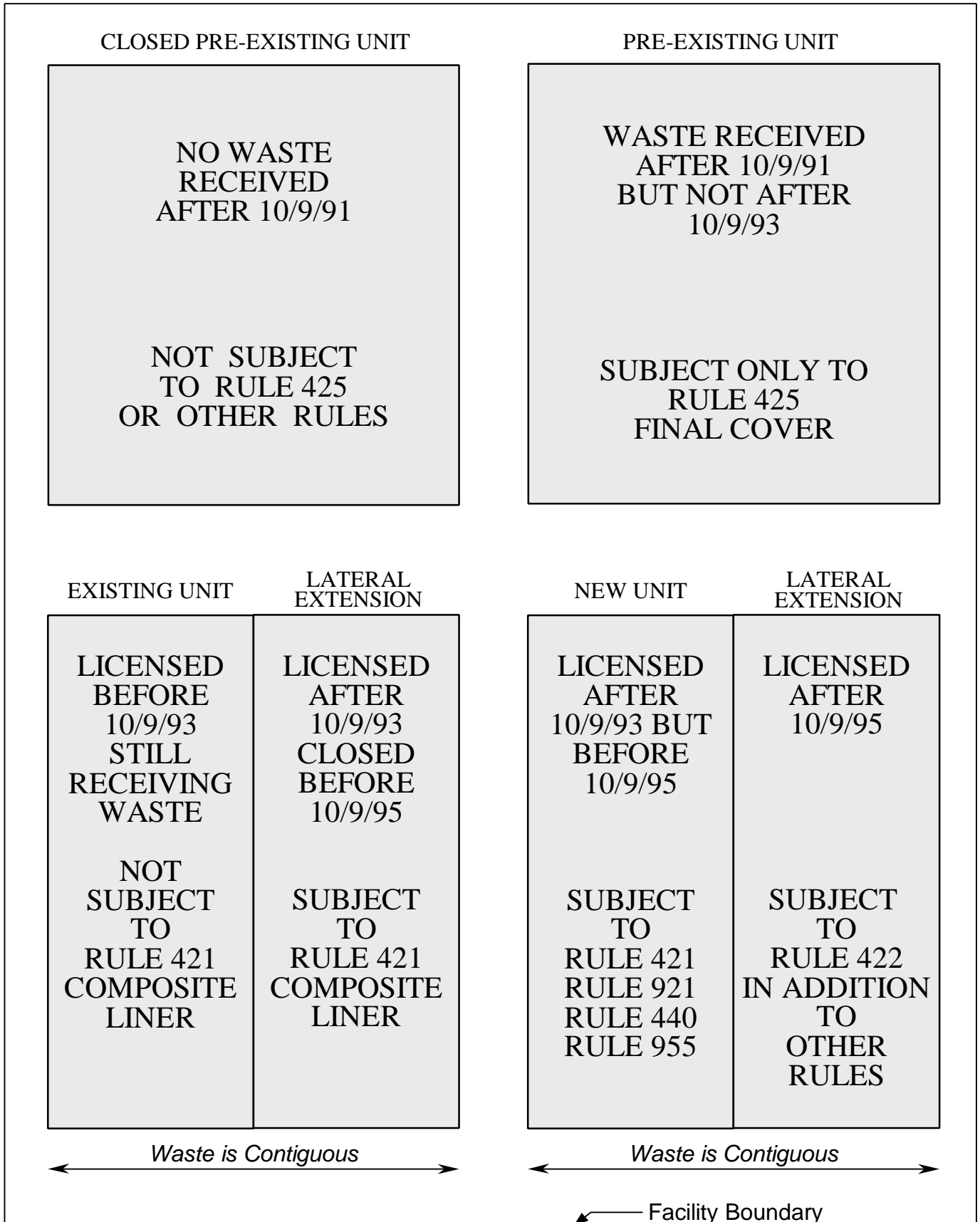
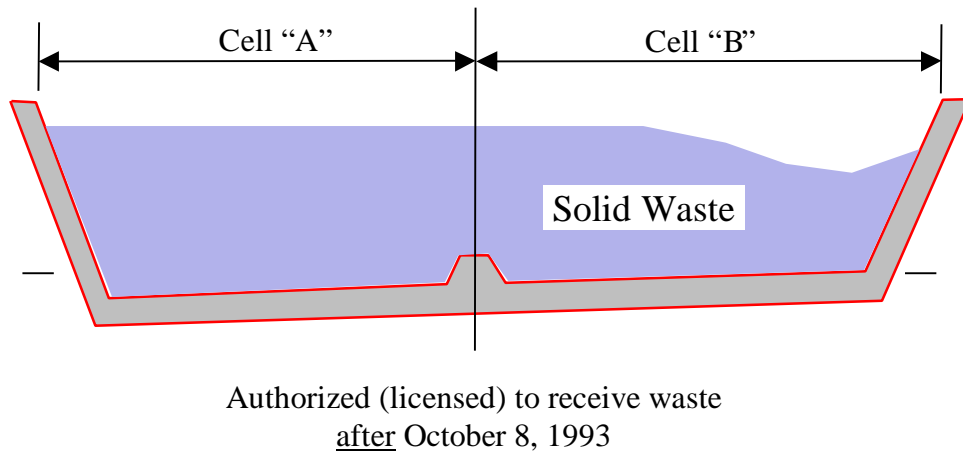
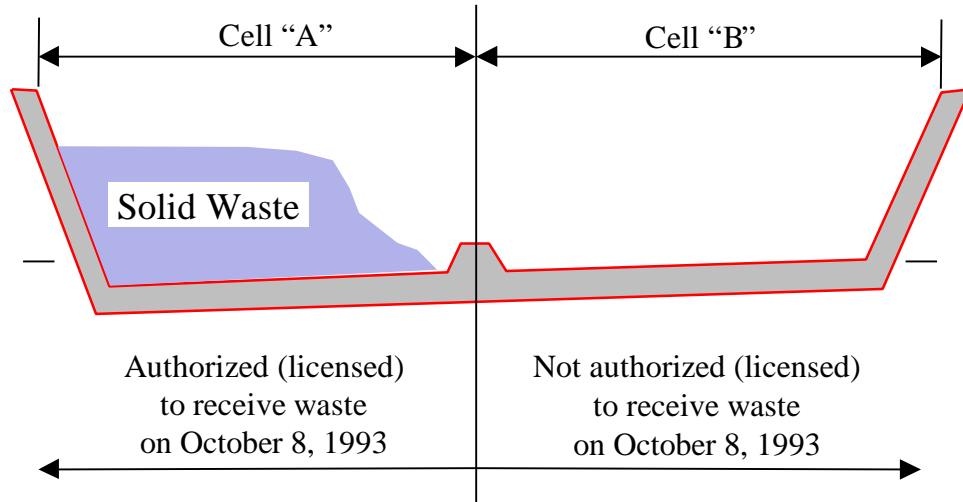
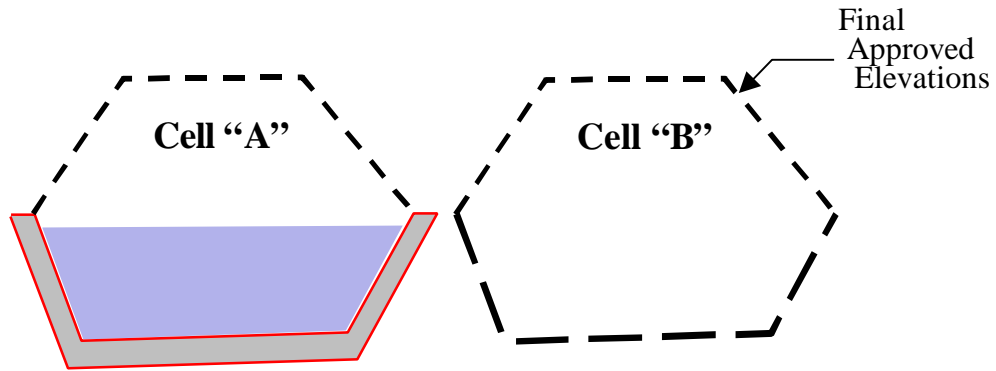


Figure 2
Lateral Extensions at an Existing Disposal Area



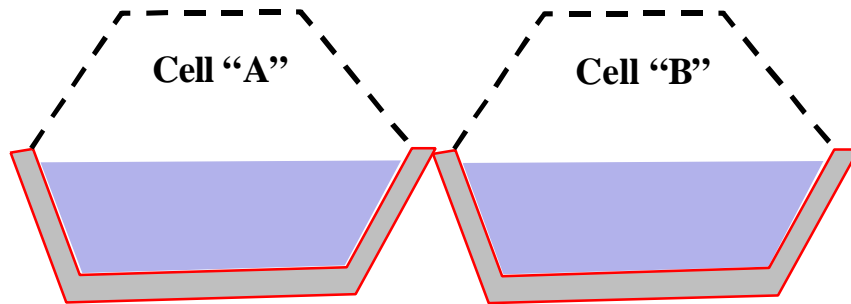
- Cell "A" and Cell "B" are both part of the same "**landfill unit**"
- Cell "A" (*in the upper figure*) is an "**existing unit**"
- Cell "B" (*in the lower figure*) is a lateral extension of an existing unit

Figure 3
New Units at an Existing Disposal Area



Condition as of October 8, 1993

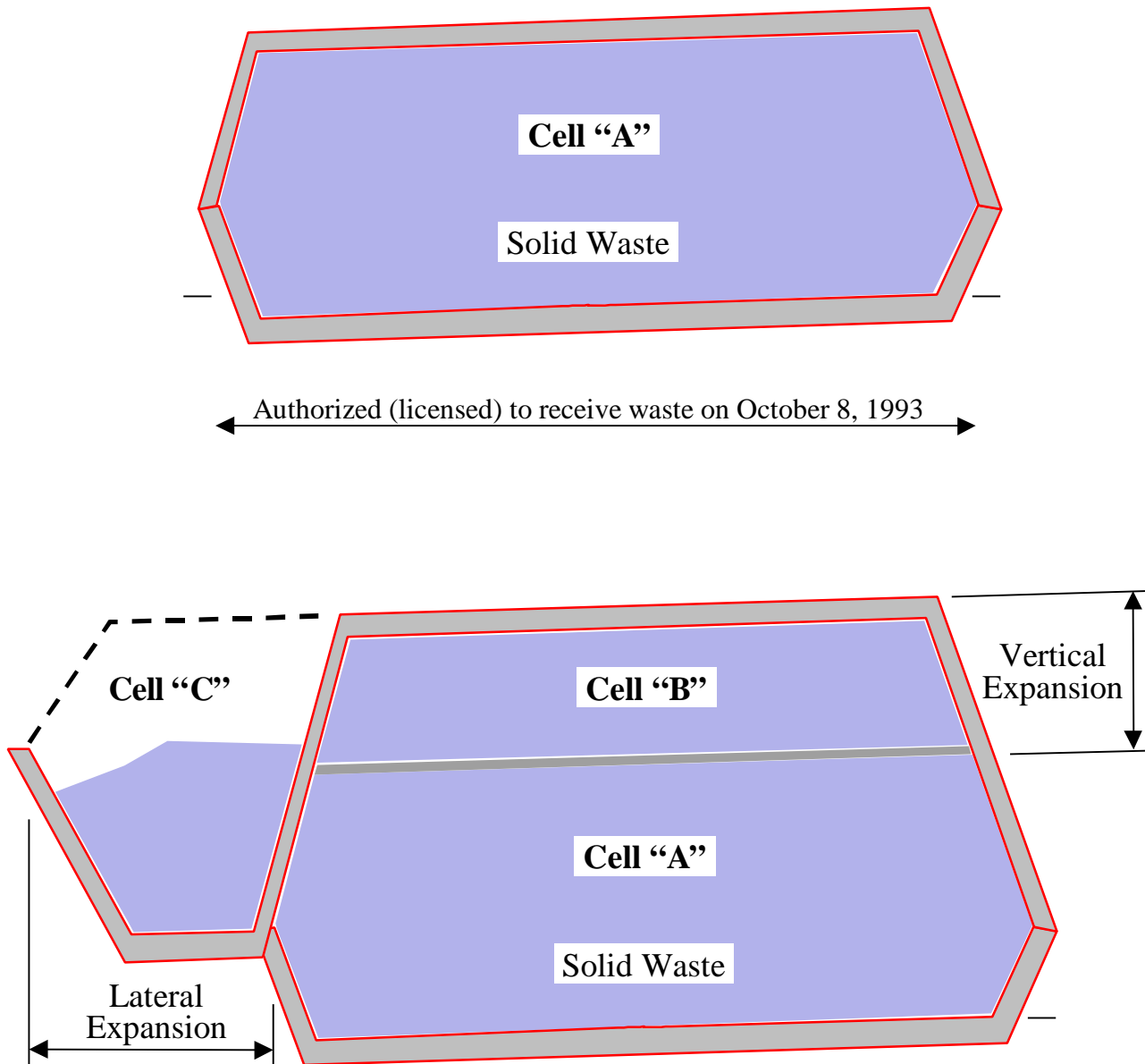
- Cell "A" is an **"existing unit"**
- Cell "B" unconstructed and unlicensed and has not received waste
- Cell B's waste will be physically separate from Cell A's waste



Condition after October 8, 1993

- Cell "B" is a **"new unit"**
 - it did not receive waste before October 9, 1993
 - it is subject to the criteria for new units

Figure 4
Extensions at an Existing Disposal Area



- Cell "A" is an **"existing disposal area"**
- Cell "B" and Cell "C" are separate units
- Cell "B" is a **"vertical expansion"** and a new unit
- Cell "C" is a **"lateral expansion"** and a new unit