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GOVERNOR


STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



STEVEN E. CHESTER  
DIRECTOR

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TO: Solid Waste Landfill Owners and Operators

FROM: George W. Bruchmann, Chief, Waste and Hazardous Materials Division 

SUBJECT: Uniform Solid Waste Record and Other Revised Forms to Demonstrate Compliance with Section 11526a(1) of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as Amended

Section 11526a(1), added by 2004 PA 40 (Act 40), states:

Beginning October 1, 2004, in order to protect the public health, safety, and welfare and the environment of this state from the improper disposal of waste that is prohibited from disposal in a landfill, and in recognition that the nature of solid waste collection and transport limits the ability of the state to conduct cost effective inspections to ensure compliance with state law, the owner or operator of a landfill shall not accept for disposal in this state solid waste, including, but not limited to, municipal solid waste incinerator ash, that was generated outside of this state unless 1 or more of the following are met:

- (a) The solid waste is composed of a uniform type of item, material, or substance, other than municipal solid waste incinerator ash, that meets the requirements for disposal in a landfill under this part and the rules promulgated under this part.
- (b) The solid waste was received through a material recovery facility, a transfer station, or other facility that has documented that it has removed from the solid waste being delivered to the landfill those items that are prohibited from disposal in a landfill.
- (c) The country, state, province, or local jurisdiction in which the solid waste was generated is approved by the department for inclusion on the list compiled by the department under section 11526b.

By two memoranda dated September 30, 2004, the Michigan Department of Environmental Quality (MDEQ) provided information to Michigan solid waste landfill owners and operators regarding implementation of 2004 PA 37 (Act 37) and Act 40 amendments to Part 115. One memorandum provided the landfill owners and operators with the initial list compiled by the MDEQ pursuant to Act 37 of jurisdictions outside of Michigan that prohibit or prevent from disposal in a landfill items prohibited from disposal in Michigan landfills and a form, Solid Waste Manifest Record (Form EQP 5223), to be used to document compliance with Section 11526a(1)(c) of Part 115.

The second memorandum provided a form, Prohibited Waste Removal Record (Form EQP 5222), to be used to document compliance with Section 11526a(1)(b).

Form EQP 5222 and Form EQP 5223 have been revised. The previous versions of these forms, attached to the September 30, 2004, memoranda, are obsolete and are replaced by the revised forms. In addition, the MDEQ now offers a new form, the Uniform Solid Waste Record (Form EQP 5224), which may be used to document compliance with Section 11526a(1)(a) of Part 115. Form EQP 5224 documents for each load of solid waste generated outside of the state of Michigan and disposed of in a landfill under Section 11526a(1)(a) that the solid waste is composed of a uniform type of item, material, or substance, other than municipal solid waste incinerator ash, that meets the requirements for disposal in a landfill under Part 115 and the rules promulgated under Part 115. A copy of the revised forms (Form EQP 5222 and Form EQP 5223) and the new form (Form EQP 5224) is attached.

These forms, as well as the most current list of jurisdictions with comparable landfill disposal prohibitions, are also available on the MDEQ Web site at <http://www.michigan.gov/deqprohibitedwaste>. The MDEQ will rely only on the Web site posting to timely notify Michigan landfill owners and operators of list updates.

These forms are provided as a convenience to Michigan landfill owners or operators, solid waste haulers, and jurisdictions outside of Michigan. Landfill owners or operators may use different forms than those offered by the MDEQ, provided they document the same information. Landfill owners or operators are required to maintain records documenting compliance with Sections 11526a(1)(a), (b), or (c) of Part 115 with respect to each load of waste accepted for disposal that was generated outside of Michigan and make such information available at reasonable times for inspection.

Pursuant to Section 11526 of Part 115 as amended by 2004 PA 43, the MDEQ and the Michigan State Police may conduct regular, random inspections of waste being transported for disposal at disposal areas in the state, including inspections of information under Section 11526a(1), to determine compliance with Part 115 and its administrative rules.

Please note that in the matter of the *National Solid Wastes Management Association v Jennifer M. Granholm et al.*, United States District Court for the Eastern District of Michigan (Court), File Number 04-71271, the Court placed a moratorium through October 31, 2004, on the MDEQ's enforcement of the provisions of Act 40.

If you have any questions related to this memorandum, please contact Lonnie C. Lee, Chief, Storage Tank and Solid Waste Section, Waste and Hazardous Materials Division, at 517-373-4735.

Attachments



Department of Environmental Quality, Waste and Hazardous Materials Division

PROHIBITED WASTE REMOVAL RECORD

Completion of this form fulfills the documentation requirements of Section 11526a(1)(b) of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, for certain solid waste generated outside of Michigan to be disposed of in Michigan landfills.

Part 1 of this form shall be completed and signed by the material recovery facility, transfer facility, or other facility documenting the removal of prohibited waste from the solid waste load to be disposed of in Michigan. Part 2 of this form shall be completed by the Michigan landfill to which the solid waste is delivered. The landfill shall retain a copy for their records and make such copy available for inspection.

PART 1: MATERIAL RECOVERY FACILITY, TRANSFER FACILITY, OR OTHER FACILITY (FACILITY) CERTIFICATION		
FACILITY AND HAULER INFORMATION	SOLID WASTE LOAD BEING DOCUMENTED	
FACILITY NAME:	HAULER VEHICLE/TRAILER # OF VEHICLE DELIVERING WASTE TO MICHIGAN:	
FACILITY MAILING ADDRESS:	VOLUME/WEIGHT OF WASTE TO BE TRANSPORTED FOR DISPOSAL IN MICHIGAN:	
CITY: STATE/PROVINCE: ZIP/MAIL CODE:	DATE PROCESSED:	
FACILITY PHYSICAL ADDRESS:	<p>I certify that the above indicated solid waste load did not contain the following items or that the following items were removed prior to transport to the landfill indicated in Part 2, below:</p> <ul style="list-style-type: none"> <li>o <b>Medical waste</b>, unless the medical waste has been decontaminated or properly packaged in accordance with Michigan law.</li> <li>o More than a <i>de minimis</i> amount of <b>used beverage containers, whole motor vehicle tires, or yard clippings.</b></li> <li>o <b>Used oil, lead acid batteries, low-level radioactive waste, hazardous waste, liquid waste, or sewage</b>, as defined in Michigan law and <b>polychlorinated biphenyls (PCBs)</b> as defined in federal regulations.</li> <li>o <b>Asbestos waste</b>, unless the landfill complies with federal regulations.</li> </ul> <p>I also certify that the information contained on this form, to the best of my knowledge and belief, is true.</p>	
CITY: STATE/PROVINCE: ZIP/MAIL CODE:		
TYPE OF FACILITY (CHECK ONE): <input type="checkbox"/> MATERIAL RECOVERY FACILITY <input type="checkbox"/> TRANSFER FACILITY <input type="checkbox"/> OTHER FACILITY (DESCRIBE)		
TELEPHONE NUMBER (INCLUDING AREA CODE):		
NAME OF HAULER DELIVERING WASTE TO LANDFILL:		
HAULER MAILING ADDRESS:		FACILITY AUTHORIZED SIGNATURE: _____
CITY: STATE/PROVINCE: ZIP/MAIL CODE:		PRINT NAME: _____
HAULER TELEPHONE NUMBER (INCLUDING AREA CODE):		DATE: _____
<b>PART 2: LANDFILL INFORMATION</b>		
LANDFILL NAME:		LANDFILL DESIGNATION FOR CERTIFIED LOAD (Receipt #, etc.):
LANDFILL PHYSICAL ADDRESS:	COMMENTS REGARDING LOAD LISTED ABOVE:	
	LANDFILL DISPOSAL DATE:	
CITY: STATE: ZIP CODE:	LANDFILL AUTHORIZED SIGNATURE: _____	
LANDFILL TELEPHONE NUMBER (INCLUDING AREA CODE):	PRINT NAME: _____	

EQP 5222 (Rev. 10/04)

SEE INFORMATION ON BACK REGARDING DEFINITION OF PROHIBITED ITEMS

## WASTES PROHIBITED FROM DISPOSAL IN MICHIGAN LANDFILLS

The following are materials prohibited from disposal in a Michigan landfill:

**Medical Waste** – There are five (5) categories of medical waste. Under certain conditions, each of these categories can legally be disposed of in a Michigan landfill. These categories and stipulations are as follows:

1. Cultures and stocks of infectious agents, primarily laboratory research and production waste, may be disposed of in a landfill if they are packaged in closed, puncture-resistant containers, decontaminated by autoclaving or incineration.
2. Blood, blood products, and body fluids may be disposed of in a landfill if a solidifying agent has been added to the liquid blood or body fluid. No decontamination pretreatment is required.
3. Pathological waste (body parts and organs) may be disposed of in a landfill if the waste is first ground up so it is unrecognizable, then placed in closed, puncture-resistant, properly labeled containers. Properly labeled means it must have a biohazard symbol on the container or the words "medical waste" or "pathological waste" in letters not less than 1 inch in height. The waste cannot be in liquid form.
4. Sharps (syringes and needles, lancets, etc.) may be disposed of in a landfill if the sharps are packed in rigid, puncture-resistant containers that are properly labeled and transported to the landfill in a manner that retains the integrity of the container. No decontamination or treatment is required. A compacting garbage truck is not acceptable for transport.
5. Animal waste contaminated with organisms infectious to humans may be disposed of in a landfill if the waste has been placed in properly labeled, double-lined containers that are leak proof and puncture resistant and are tightly sealed to prevent escape of fluids or material. Contaminated animal organs must be first made unrecognizable (usually by grinding) before packaging and disposing in the landfill.

**Beverage containers** – A beverage container is defined as an airtight metal, glass, paper, or plastic container, or a container composed of a combination of these materials, which, at the time of sale, contains 1 gallon or less of a soft drink, soda water, carbonated natural or mineral water, or other nonalcoholic carbonated drink; beer, ale, or other malt drink of whatever alcoholic content; or a mixed wine drink or a mixed spirit drink. *De minimis* quantities of beverage containers\* and green glass containers are not prohibited.

**Whole motor vehicle tires** – Whole motor vehicle tires are prohibited from disposal in a landfill. Prior to landfill disposal, the tire must be cut in half or otherwise processed into pieces. *De minimis* quantities of whole tires are not prohibited.\*

**Yard clippings** – Yard clippings are defined as leaves, grass clippings, vegetable or other garden debris, shrubbery, or brush or tree trimmings, less than 4 feet in length and 2 inches in diameter, that can be converted to compost humus. *De minimis* quantities of yard clippings are not prohibited.\*

**Used oil** – Used oil is defined as petroleum-based oil that through use, storage, or handling has become unsuitable for its original purpose due to the presence of impurities or loss of original properties.

**Lead acid batteries** – These are defined as a storage battery in which the electrodes are grids of lead containing lead oxides that change in composition during charging and discharging, and the electrolyte is dilute sulfuric acid.

**Low-level radioactive waste** – Low-level radioactive waste (LLRW) includes items that have become contaminated with radioactive material or have become radioactive through exposure to neutron radiation.

**Hazardous waste** – Hazardous wastes are materials that are identified by specific processes or exhibit certain properties that require more stringent controls on disposal, as specified by Michigan law. Household hazardous waste (HHW) including household cleaners, household pesticides, and household chemicals are not prohibited from disposal in a Michigan landfill.

**Liquid waste** – Liquid waste means any waste material that is determined to contain free liquids as defined by Method 9095, the paint filter liquids test. Liquid waste from households is not prohibited.

**Sewage** – Sewage means untreated domestic wastewater. Sewage sludge is not prohibited.

**PCBs** – Means PCBs as defined in 40 CFR 761.3. This includes both PCB items and PCB-contaminated material.

**Asbestos waste** – All asbestos waste regulated by federal regulations is prohibited from disposal in a Michigan landfill unless the landfill complies with 40 CFR 61.154.

\**De minimis* means incidental disposal of small amounts of these materials that are commingled with other solid waste.



Department of Environmental Quality, Waste and Hazardous Materials Division

SOLID WASTE MANIFEST RECORD

Completion of this form fulfills the documentation requirements of Section 11526a(1)(c) of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, for certain solid waste generated outside of Michigan to be disposed of in Michigan landfills. The countries, states, provinces, and local jurisdictions outside of Michigan on the list on the Department of Environmental Quality (DEQ) Web site at: http://www.michigan.gov/deqprohibitedwaste have provided the DEQ with documentation of enforceable solid waste disposal requirements that the DEQ has deemed comparable with the prohibited waste restrictions of Part 115.

Part 1 of this form shall be completed and signed by the hauler transporting the solid waste load to Michigan. Part 2 of this form shall be completed by the Michigan landfill to which the solid waste is delivered. The landfill shall retain a copy for their records and make such copy available for inspection.

PART 1: GENERATING JURISDICTION AND HAULER INFORMATION	
GENERATING STATE, PROVINCE, OR LOCAL JURISDICTION	HAULER INFORMATION AND CERTIFICATION
GENERATING STATE, PROVINCE, OR LOCAL JURISDICTION #1:	NAME OF HAULER DELIVERING WASTE TO LANDFILL:
GENERATING STATE, PROVINCE, OR LOCAL JURISDICTION #2:	HAULER TELEPHONE NUMBER (INCLUDING AREA CODE):
GENERATING STATE, PROVINCE, OR LOCAL JURISDICTION #3:	HAULER MAILING ADDRESS:
GENERATING STATE, PROVINCE, OR LOCAL JURISDICTION #4:	CITY: STATE/PROVINCE: ZIP/MAIL CODE:
GENERATING STATE, PROVINCE, OR LOCAL JURISDICTION #5:	HAULER VEHICLE/TRAILER # OF VEHICLE DELIVERING WASTE TO MICHIGAN:
GENERATING STATE, PROVINCE, OR LOCAL JURISDICTION #6:	I certify that the above indicated solid waste load was generated in the state, province, or local jurisdiction(s) identified at left, such jurisdiction(s) being one of those approved by the Michigan DEQ for inclusion on the list compiled under Section 11526b of Part 115. I certify that the solid waste was not commingled with solid waste from other jurisdictions not so identified prior to transport to the landfill identified in Part 2, below. I also certify that the information contained on this form, to the best of my knowledge and belief, is true.
GENERATING STATE, PROVINCE, OR LOCAL JURISDICTION #7:	
GENERATING STATE, PROVINCE, OR LOCAL JURISDICTION #8:	
TOTAL VOLUME/WEIGHT OF WASTE TRANSPORTED FOR DISPOSAL IN MICHIGAN:	HAULER AUTHORIZED SIGNATURE: _____ PRINT NAME: _____ DATE: _____
PART 2: LANDFILL INFORMATION	
LANDFILL NAME:	LANDFILL DESIGNATION FOR CERTIFIED LOAD (Receipt #, etc.):
LANDFILL PHYSICAL ADDRESS:	COMMENTS REGARDING LOAD LISTED ABOVE:
	LANDFILL DISPOSAL DATE:
CITY: STATE: ZIP CODE:	LANDFILL AUTHORIZED SIGNATURE: _____ PRINT NAME: _____
LANDFILL TELEPHONE NUMBER (INCLUDING AREA CODE):	



Department of Environmental Quality, Waste and Hazardous Materials Division

UNIFORM SOLID WASTE RECORD

Completion of this form fulfills the documentation requirements of Section 11526a(1)(a) of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, for certain solid waste generated outside of Michigan to be disposed of in Michigan landfills.

Part 1 of this form shall be completed by the generator or the hauler of the solid waste load to be disposed of in Michigan. Part 2 of this form shall be completed by the Michigan landfill to which the solid waste is delivered. The landfill shall retain a copy for their records and make such copy available for inspection.

PART 1: GENERATOR, HAULER, AND WASTE INFORMATION	
GENERATOR AND HAULER INFORMATION	SOLID WASTE LOAD BEING DOCUMENTED
GENERATOR NAME:	HAULER VEHICLE/TRAILER # OF VEHICLE DELIVERING WASTE TO MICHIGAN:
GENERATOR MAILING ADDRESS:	VOLUME/WEIGHT OF WASTE TO BE TRANSPORTED FOR DISPOSAL IN MICHIGAN:
CITY: STATE/PROVINCE: ZIP/MAIL CODE:	DESCRIPTION OF WASTE:
GENERATOR PHYSICAL ADDRESS:	
CITY: STATE/PROVINCE: ZIP/MAIL CODE:	
GENERATOR TELEPHONE NUMBER (INCLUDING AREA CODE):	
NAME OF HAULER DELIVERING WASTE TO LANDFILL:	<p>I certify that the above indicated solid waste load is composed of a uniform type of item, material, or substance, other than municipal solid waste incinerator ash, that meets the requirements for disposal in a Michigan landfill. I also certify that the information contained on this form, to the best of my knowledge and belief, is true.</p> <p>GENERATOR AUTHORIZED SIGNATURE: _____</p> <p>PRINT NAME: _____</p> <p>DATE: _____</p>
HAULER MAILING ADDRESS:	
CITY: STATE/PROVINCE: ZIP/MAIL CODE:	
HAULER TELEPHONE NUMBER (INCLUDING AREA CODE):	
<b>PART 2: LANDFILL INFORMATION</b>	
LANDFILL NAME:	LANDFILL DESIGNATION FOR CERTIFIED LOAD (Receipt #, etc.):
LANDFILL PHYSICAL ADDRESS:	COMMENTS REGARDING LOAD LISTED ABOVE:
	LANDFILL DISPOSAL DATE:
CITY: STATE: ZIP CODE:	LANDFILL AUTHORIZED SIGNATURE: _____
LANDFILL TELEPHONE NUMBER (INCLUDING AREA CODE):	