

Smiths Creek Landfill

Frequently Asked Questions

Published December 5, 2023

1. How long will the landfill last?

The current landfill 5-year license expires on June 20, 2024, when a renewal application will be processed. There is no additional horizontal expansion planned for the landfill. Based on current capacity and quantities of solid waste received, the landfill could remain in operation for an estimated 45 years.

2. Has there been communication between the Landfill and EGLE?

Yes, there has been substantial communication between EGLE and the landfill. Weekly communication has happened between landfill staff and EGLE. Four violations have been issued and the landfill has responded to three of the violations in writing. The fourth violation response is due on December 7, 2023.

3. What happens to the value of property in the area?

Valuation of properties is generally determined by sales in the area, improvements to the property, and age of structures. The situation at the landfill could impact sales if the sale amount of housing in the area declines as a result of the landfill odors. You can view your assessment online. If you do not agree with your assessment you can contest it to the March Board of Review.

4. Who provides monitoring and oversight of the landfill?

The Michigan Department of Environment, Great Lakes and Energy provides primary oversight. The landfill is regulated by both the Materials Management Division and Air Quality Division. EGLE reviews and approves landfill engineering and design plans and performs quarterly inspections of operations and maintenance.

5. What are EGLEs enforcement steps?

Outside of quarterly monitoring, EGLE will investigate complaints by performing site visits. The steps would or could involve the following:

- Recognition of a concern
- Investigation
- Issue Violation notices if violations of statutes or rules are determined to have occurred
- Work with the facility to correct issues
- Escalate enforcement as necessary which could include consent orders, stipulated penalties and other enhanced monitoring programs

6. Is there a timeline for landfill fix and air quality data:

The landfill is currently adding additional gas collection lines and has been making continuous improvements since the odors were discovered. Construction of those lines is scheduled to be completed by December 9. Landfill gas emission would be collected by the end of the year. EGLE has issued violation notices with response deadlines. Response deadlines vary but the latest is December 7. The responses submitted by the landfill have documented the measures being taken to correct the odor issue.

EGLE is working on air monitoring stations. Once installed, data will need to be collected. That data will be evaluated by the Michigan Department of Health and Human Services. MDHHS will then prepare a Health Consultation which will review the potential impact. There is not a timeframe available for this yet, but as soon as one has been established it will be shared.

7. Are there any air data results?

EGLE is working on establishing air quality monitors. Until then no data is currently available.

8. Is shutting down the landfill the next step?

This would require several modifications to existing policy. The first would be a modification to the Solid Waste Management Plan which requires that all solid waste generated in St Clair County stay in St Clair County. Additionally, stopping the addition of new solid waste would not, by itself, eliminate the odors as the existing solid waste would continue to break down and create gas.

9. Is a third party conducting water well testing?

Yes. WSP/Golder & Associates does the well testing. The analytical of samples is conducted by a certified lab, currently Pace Analytical Services.

Residents may contact the St Clair County Health Department at 810-987-5300 regarding costs and procedures for testing of the personal wells.

10. Are garbage trucks checked as they come in?

Each load is verified as to the community from which it came. Canadian trash is manifested by the generator. The landfill has a list of prohibited items. Visual inspections are completed. Loads are removed for any non compliance.

11. How far can a landfill be from a body of water?

State and federal law have setback requirements. Requirements can be found in Michigan law.

12. Is there an engineering company?

Yes. CTI & Associates is the landfill engineering firm that designs gas collection, liners, etc. They have been contracted with the landfill for engineering services for the past 18 years.

13. Why the increase in fires at the landfill?

Isolated fires can (and do) happen at landfills. Often, the source cannot be determined, but frequently are caused by batteries. Lithium Ion batteries are of particular concern. Other causes include residential burn barrels or customers that do not adhere to no smoking policies.

14. How do we see documentation of the \$400,000 that the county has spent on the landfill?

The township has added a page with some of this information. We will post more details in the future.

15. Why is the Research, Development and Demonstration Project working?

The Research, Development and Demonstration Project or RDDP at the Smiths Creek Landfill has been in operation since 2008. Results of this project have been documented in annual reports to EGLE as well as numerous technical publications and conferences. Residential septic tank waste from Saint Clair County is injected into the landfill in a controlled, monitored fashion to increase the rate of organic decomposition. The goal is to stabilize the waste in a shorter period of time than in a traditional landfill. The gas given off by this degradation is used to produce renewable electricity. The landfill has a license for the project granted by EGLE. More information on this project can be found from the EPA.

16. What are the health effects of hydrogen sulfide?

There is currently no available air quality data to make a complete assessment. At very low concentrations near the odor threshold, hydrogen sulfide is known to cause reversible health effects, including headaches and nose, throat, and eye irritation. At these concentrations, hydrogen sulfide is removed quickly from the body in urine and does not accumulate. Permanent effects have not been established at these concentrations, and hydrogen sulfide is not known to cause cancer, birth defects, or impact autoimmune diseases.

17. Why are we taking Canadian trash?

Trash is a commodity, protected from restriction in interstate and international trade by the Commerce Clause of the U.S. Constitution. As a result, the landfill cannot refuse Canadian trash. Michigan is a popular location for Canadian waste because of the lower waste surcharge for waste coming into Michigan compared to neighboring states. The County also has negotiated signed agreements with Canadian haulers which reduce their disposal rates. Of the four contracts, three have expired and the fourth expires in March 2024. The Detroit Free Press ran an article on this issue back in 2018.