



## **ENVIRONMENTAL PROTECTION AGENCY**

**[FRL- 13120-01-R5]**

### **Notice of Final Decision to Reissue the Republic Industrial and Energy Solutions, LLC Land-Ban Exemption**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of Final Decision on a Request by Republic Industrial and Energy Solutions, LLC of Romulus, Michigan to Reissue its Exemption from the Hazardous and Solid Waste Amendments of the Resource Conservation and Recovery Act.

**SUMMARY:** Notice is hereby given by the U.S. Environmental Protection Agency (EPA) that an exemption to the land disposal restrictions under the 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA) has been granted to Republic Industrial and Energy Solutions, LLC (RIES) of Romulus, Michigan for two Class I injection wells located in Romulus, Michigan. As required by Title 40 of the Code of Federal Regulations (40 CFR), RIES has demonstrated, to a reasonable degree of certainty, that there will be no migration of hazardous constituents out of the injection zone or into an underground source of drinking water (USDW) for at least 10,000 years. This final decision allows the continued underground injection by RIES of only those hazardous wastes designated by the codes in Table 1 through its two Class I hazardous waste injection wells identified as #1-12 and #2-12. This decision constitutes a final EPA action for which there is no administrative appeal.

**DATES:** This action is effective as of December 23, 2025.

**FOR FURTHER INFORMATION CONTACT:** Kaelyn Quinlan, Lead Petition Reviewer, EPA, Region 5, Water Division, Underground Injection Control Section, WP-16J, 77 W. Jackson

Blvd., Chicago, Illinois 60604-3590; telephone number: (312) 886-7188; email address: quinlan.kaelyn@epa.gov. Copies of the petition and all pertinent information are on file and are part of the Administrative Record. Please contact the lead reviewer if you wish to review the Administrative Record.

**SUPPLEMENTARY INFORMATION:** RIES submitted a request for reissuance of its existing exemption from the land disposal restrictions of hazardous waste on November 20, 2023, as amended on June 16, 2025, June 30, 2025, July 21, 2025, August 25, 2025, and November 5, 2025. EPA reviewed all data pertaining to the petition, including, but not limited to, well construction, well operations, regional and local geology, seismic activity, penetrations of the confining zone, and computational models of the injection zone. EPA has determined that the hydrogeological and geochemical conditions at the site and the nature of the waste streams are such that reliable predictions can be made that fluid movement conditions are such that injected fluids will not migrate out of the injection zone within 10,000 years, as set forth at 40 CFR §148.20(a)(1)(i). The injection zone includes the injection interval into which fluid is directly emplaced and the overlying arrestment interval into which it may diffuse. The injection interval for the RIES facility is composed of the Precambrian wash sediments, Mount Simon Sandstone, Eau Claire Formation, and Franconia-Galesville Formation between 3,937 and 4,537 feet below ground level (bgl). The arrestment interval for the RIES facility is composed of the Trempealeau Formation, Prairie du Chien Group, Glenwood Shale, and lower Black River Formation between 3,356 and 3,924 feet bgl. The confining zone at the RIES facility is composed of the upper Black River Formation, Trenton Limestone, and Utica Shale between 2,351 and 3,356 feet bgl. The confining zone is separated from the lowermost underground source of drinking water (at a depth of 342 feet bgl) by a sequence of permeable and less permeable sedimentary rocks. This sequence provides additional protection from fluid migration into drinking water sources.

EPA issued a draft decision, which described the reasons for granting this exemption in more

detail, a fact sheet, which summarized these reasons, and a public notice on October 1, 2025, pursuant to 40 CFR § 124.10. The public comment period ended on December 17, 2025. EPA received six comments during the comment period. EPA has prepared a response to the comments, which can be viewed at the following URL:

<https://www.epa.gov/node/88753#public-notice>. This document is part of the Administrative Record for this decision.

### Conditions

This exemption is subject to the following conditions. Non-compliance with any of these conditions is grounds for termination of the exemption:

- 1)** The exemption applies to the two existing hazardous waste injection wells, #1-12 and #2-12, located at the RIES facility at 28470 Citrin Drive, Romulus, Michigan;
- 2)** The injection zone for wells #1-12 and #2-12 is at depths of 3,369 to 4,537 ft below ground level (3,937 to 4,550 ft relative to kelly bushing; true vertical depths) and is composed of the Precambrian wash sediments, Mount Simon Sandstone, Eau Claire Formation, Franconia-Galesville Formation, Trempealeau Formation, Prairie du Chien Group, Glenwood Shale, and lower Black River Formation;
- 3)** Injection shall only occur into the injection interval composed of the Precambrian wash sediments, Mount Simon Sandstone, Eau Claire Formation, and Franconia-Galesville Formation from 3,924 to 4,537 ft below ground level (3,937 to 4,550 ft relative to kelly bushing; true vertical depths);
- 4)** The only hazardous waste that can be injected are the hazardous wastes designated by the RCRA waste codes found in Table 1;
- 5)** The specific gravity of the injected waste must be within the range of 0.9 to 1.1 measured at a temperature of 68°F;
- 6)** The combined total injection rate of both wells shall not exceed a monthly average of

130 gpm and a maximum instantaneous rate of 225 gpm;

- 7) The total injection volume shall not exceed 68,374,800 gallons annually into wells #1-12 and #2-12;
- 8) The injection pressure at the well head of wells #1-12 and #2-12 shall not exceed 968 psig;
- 9) Maximum concentrations of chemical contaminants which are hazardous at less than one part in a trillion (1:1,000,000,000,000) shall meet any limits for maximum concentration at the wellhead set in the permits;
- 10) RIES must submit copies of the reports on the annual bottom-hole pressure surveys conducted in wells #1-12, and #2-12 to EPA. The annual reports must include a comparison of reservoir parameters determined from the fall-off test, such as permeability, transmissibility, and long-term shut-in pressure, with parameters used in the approved no migration petition;
- 11) RIES must annually submit copies of a waste sample report and the reports on the annual radioactive tracer surveys and annulus pressure tests for wells #1-12 and #2-12 to EPA;
- 12) RIES shall notify EPA in writing if any injection well loses mechanical integrity and prior to any workover or plugging and shall provide workover or plugging to procedures to EPA prior to commencing the work;
- 13) RIES must fully comply with all requirements set forth in Underground Injection Control Permits MI-163-1W-C010 and MI-163-1W-C011 issued by EPA;
- 14) Upon the expiration, termination, revocation and reissuance, or modification of the permits referenced above, this exemption is subject to review;
- 15) This exemption is granted only while the underlying assumptions presented in the no migration petition submitted by RIES are valid;

**16)** Whenever EPA determines under 40 CFR §§ 148.23 or 148.24 that the basis for approval of a petition may no longer be valid, EPA may terminate this exemption. There are also other causes for terminating an exemption at 40 CFR § 148.24. Whenever EPA determines that the basis for approval of a petition may no longer be valid, EPA will require a new demonstration in accordance with 40 CFR §§ 148.20 and 148.23(b);

**17)** This exemption is only approved for the 20-year modeled injection period, which ends on January 31, 2043. RIES may petition EPA for a reissuance of the exemption beyond that date, provided that a new and complete petition and no-migration demonstration is received at EPA, Region 5, by July 31, 2041.

In addition to the above conditions, this approval of a petition for reissuance of an exemption is contingent on the validity of the information submitted in the RIES petition reissuance request for an exemption to the land disposal restrictions. This final reissuance decision is subject to termination when any of the conditions occur which are listed in 40 CFR § 148.24, including noncompliance, misrepresentation of relevant facts, or a determination that new information shows that the basis for approval is no longer valid.

**Table 1. List of RCRA waste codes approved for injection.**

D002	D004	D005	D006	D007	D008	D009	D010	D011	D012	D013	D014
D015	D016	D017	D018	D019	D020	D021	D022	D023	D024	D025	D026
D027	D028	D029	D030	D031	D032	D033	D034	D035	D036	D037	D038
D039	D040	D041	D042	D043	F001	F002	F003	F004	F005	F006	F007
F008	F009	F010	F011	F012	F019	F024	F025	F032	F034	F035	F037
F038	F039	K001	K002	K003	K004	K005	K006	K007	K008	K009	K010
K011	K013	K014	K015	K016	K017	K018	K019	K020	K021	K022	K023
K024	K025	K026	K027	K028	K029	K030	K031	K032	K033	K036	K037
K038	K039	K040	K041	K042	K043	K044	K045	K046	K047	K048	K049
K050	K051	K052	K060	K061	K062	K069	K071	K073	K083	K084	K085
K086	K087	K088	K093	K094	K095	K096	K097	K098	K099	K100	K101
K102	K103	K104	K105	K106	K107	K108	K109	K110	K111	K112	K113
K114	K115	K116	K117	K118	K123	K124	K125	K126	K131	K132	K136
K141	K142	K143	K144	K145	K147	K148	K149	K150	K151	K156	K157
K158	K159	K161	K169	K170	K171	K172	P001	P002	P003	P004	P005
P006	P007	P008	P009	P010	P011	P012	P013	P014	P015	P016	P017
P018	P020	P021	P022	P023	P024	P026	P027	P028	P029	P030	P031
P033	P034	P036	P037	P038	P039	P040	P041	P042	P043	P044	P045
P046	P047	P048	P049	P050	P051	P054	P056	P057	P058	P059	P060
P062	P063	P064	P065	P066	P067	P068	P069	P070	P071	P072	P073

P074	P075	P076	P077	P078	P081	P082	P084	P085	P087	P088	P089
P092	P093	P094	P095	P096	P097	P098	P099	P101	P102	P103	P104
P105	P106	P108	P109	P110	P111	P112	P113	P114	P115	P116	P118
P119	P120	P121	P122	P123	P127	P128	P185	P188	P189	P190	P191
P192	P194	P196	P197	P198	P199	P201	P202	P203	P204	P205	U001
U002	U003	U004	U005	U006	U007	U008	U009	U010	U011	U012	U014
U015	U016	U017	U018	U019	U020	U021	U022	U023	U024	U025	U026
U027	U028	U029	U030	U031	U032	U033	U034	U035	U036	U037	U038
U039	U041	U042	U043	U044	U045	U046	U047	U048	U049	U050	U051
U052	U053	U055	U056	U057	U058	U059	U060	U061	U062	U063	U064
U066	U067	U068	U069	U070	U071	U072	U073	U074	U075	U076	U077
U078	U079	U080	U081	U082	U083	U084	U085	U086	U087	U088	U089
U090	U091	U092	U093	U094	U095	U096	U097	U098	U099	U101	U102
U103	U105	U106	U107	U108	U109	U110	U111	U112	U113	U114	U115
U116	U117	U118	U119	U120	U121	U122	U123	U124	U125	U126	U127
U128	U129	U130	U131	U132	U133	U134	U135	U136	U137	U138	U140
U141	U142	U143	U144	U145	U146	U147	U148	U149	U150	U151	U152
U153	U154	U155	U156	U157	U158	U159	U160	U161	U162	U163	U164
U165	U166	U167	U168	U169	U170	U171	U172	U173	U174	U176	U177
U178	U179	U180	U181	U182	U183	U184	U185	U186	U187	U188	U189
U190	U191	U192	U193	U194	U196	U197	U200	U201	U202	U203	U204
U205	U206	U207	U208	U209	U210	U211	U213	U214	U215	U216	U217
U218	U219	U220	U221	U222	U223	U225	U226	U227	U228	U234	U235
U236	U237	U238	U239	U240	U243	U244	U246	U247	U248	U249	U271
U278	U279	U280	U328	U353	U359	U364	U367	U372	U373	U387	U389
U394	U395	U404	U409	U410	U411						

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