ARBOR HILLS LANDFILL

EGLE tracks noncompliance through monitoring, not violation notices

According to a November 6, 2026 letter from the Michigan Attorney General's office: EGLE knows Arbor Hills has not complied with Paragraph 5.12, tracks that through monitoring results, and has not assessed stipulated penalties because Arbor Hills has been cooperating.

OUT OF COMPLIANCE

"EGLE is aware that **Arbor Hills has not obtained compliance with Paragraph 5.12** and that methane concentration exceedances continue to be observed at the gas probes monitored under the consent judgment."

DOCUMENTED BY MONITORING, NOT BY VIOLATION NOTICES

"You express concern that Arbor Hills' noncompliance is not documented because EGLE has not issued violations notices or stipulated penalties. **EGLE uses the monitoring results that record methane exceedances to track and document Arbor Hills' noncompliance** with the consent judgment's requirements."

NO STIPULATED PENALTIES, BECAUSE OF COOPERATION

"**Because Arbor Hills has been working cooperatively with EGLE** to address the methane exceedances, **EGLE has not assessed stipulated penalties.** However, if Arbor Hills stops cooperating with EGLE or discontinues actions to comply with the consent judgment's requirements, EGLE will not hesitate to assess stipulated penalties or take other steps to enforce the consent judgment and Michigan's environmental laws."

NOT FINISHED

"The most recent work plan was approved by EGLE in February 2025. As your letter indicates, **Arbor Hills still has not obtained compliance with Paragraph 5.12.** EGLE continues to require Arbor Hills to take additional steps to address the methane exceedances." … "EGLE will not agree to terminate the requirements in Paragraph 5.12 until compliance is achieved."

A SEPARATE MATTER: THE OPERATOR'S AUG. 26, 2025 REQUEST TO ITS SEWER AUTHORITY (YCUA) FOR A CONSENT ORDER ON NEW LEACHATE LIMITS (ARSENIC, PFOA, PFOS)

"If you agree, we would like to memorialize this Work Plan into a voluntary AOC **to avoid recurring non-compliance notices** while we are implementing the solution."

What this means

Whether violation notices are issued reflects how enforcement is handled, not whether methane in the soil, at probes up to about 1,000 feet beyond the landfill's waste boundary, stayed below the lower explosive limit. Paragraph 5.12 covers methane at the boundary gas probes, which read above the lower explosive limit in 24 of 24 quarters since GFL took over in October 2020.* Ask about the monitoring results, not the count of violation notices.

* At least one boundary probe read at or above the lower explosive limit in each of the 24 quarters, including every quarter since the Consent Judgment took effect in March 2022.

Source: email letter from Assistant Attorney General Danielle Allison-Yokom, Environment, Natural Resources, and Agriculture Division, Michigan Department of Attorney General, November 6, 2026, answering a resident's October 8, 2026 request about Consent Judgment 2020-0593-CE (Ingham County Circuit Court). Operator quote: Arbor Hills Landfill, Inc. request to the Ypsilanti Community Utilities Authority, Aug. 26, 2025, Section 6.0, attached to YCUA's Administrative Consent Order under Industrial User Permit AD 6-27 (Jan. 5, 2026). The request covered arsenic, PFOA and PFOS; the order covers arsenic only. Quotes are verbatim; bold added. Probe count: GFL probe reports (EGLE FOIA E700131), Consent Judgment quarterly reports and SCS Engineers' 2026 status updates (EGLE FOIA E700318). Prepared by Arbor Hills Monitor · arborhillsmonitor.org