STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

STEVEN E. CHESTER
DIRECTOR

July 30, 2009

Ms. Susan Rogers, Chairman
Missaukee County Board of Commissioners
P.O. Box 800
Lake City, Michigan 49651

Dear Ms. Rogers:

The locally-approved Amendment to the Missaukee County Solid Waste Management Plan (Plan Amendment) received by the Department of Environmental Quality (DEQ) on March 23, 2009, is hereby approved.

The Plan Amendment adds the following criteria to the Plan's siting review procedure:

- The active work area for a new transfer or processing facility or an expansion of an existing transfer or processing facility shall not be located closer than 50 feet from adjacent property lines or road rights-of-way; 500 feet from lakes, perennial streams, or wetlands; or 250 feet from domiciles or public schools existing at the time of submission of the application.

- The active work area for other types of new facilities or expansions of existing facilities shall not be located closer than 500 feet from adjacent property lines, road rights-of-way, lakes, perennial streams, or wetlands; or 1,000 feet from domiciles or public schools existing at the time of submission of the application.

The DEQ has determined that the Plan Amendment complies with the provisions of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and its administrative rules.

The DEQ would like to thank Missaukee County for its efforts in addressing its solid waste management issues. If you have any questions, please contact Ms. Rhonda Oyer Zimmerman, Chief, Solid Waste Management Unit, Storage Tank and Solid Waste Section, Waste and Hazardous Materials Division, at 517-373-4750.

Sincerely,

Steven E. Chester
Director
517-373-7917

cc: Senator Michelle McManus
Representative Joel Sheltrown
Ms. Linda Hartshorne-Shafer, Missaukee County
Mr. Jim Sygo, Deputy Director, DEQ
Ms. JoAnn Merrick, Chief of Staff, DEQ
Ms. Carol Linteau, Legislative Director, DEQ
Mr. George Bruchmann, DEQ
Mr. Steve Sliver, DEQ
Mr. Phil Roycraft, DEQ
Ms. Rhonda Oyer Zimmerman, DEQ
Ms. Christina Miller/Missaukee County File, DEQ

Linda Hartshorne-Shafer
Missaukee County Planning Director
P.O. Box 800
Lake City MI 49651
planningemd@missaukee.org
Phone: 231.839.7988
Fax: 231.839.7001

March 19, 2009

Christina Miller
Environmental Quality Analyst
DEQ - Waste and Hazardous Materials Division
P.O. Box 30241
Lansing, MI 48909

I am forwarding for your review the amendment to Missaukee County's Solid Waste Management Plan. The changes to the plan are as follows:

The following section will replace the existing language in the 1997 Plan Update:

PAGE III-26 SELECTED SYSTEM SITING REVIEW PROCEDURES

Page III-26 Selected System Siting Review Procedures" replaces criteria # 1 and #2 under the same heading in the plan:

Page III-26 SELECTED SYSTEM SITING REVIEW PROCEDURES

1.

A. The active work area for a new transfer or processing facility *(as defined in Part 115 of P.A. 451, Natural Resources and Environmental Protection Act)*, or expansion of an existing transfer or processing facility shall not be located closer than 50 feet from adjacent property lines or road rights-of-way.
B. The active work area for a new transfer or processing facility or expansion of an existing transfer or processing facility *(as defined in Part 115 of P.A. 451, Natural Resources and Environmental Protection Act)* shall not be located closer than 500 feet from lakes, perennial streams, or wetlands.
C. The active work area for other types of new facilities or expansion of existing facilities *(as defined in Part 115 of P.A. 451, Natural Resources and Environmental Protection Act)* shall not be located closer than 500 feet from adjacent property lines, road rights-of-way, lakes, perennial streams or wetlands.

Waste & Hazardous
Materials Division
MAR 23 2009

2.

A. The active work area for a new transfer or processing facility or expansion of an existing transfer or processing facility *(as defined in Part 115 of P.A. 451, Natural Resources and Environmental Protection Act)* shall not be located closer than 250 feet from domiciles or public schools existing at the time of submission of the application.

B. The active work area for other types of new facilities or expansion of existing facilities *(as defined in Part 115 of P.A. 451, Natural Resources and Environmental Protection Act)* shall not be located closer than 1000 feet from domiciles or public schools existing at the time of submission of the application.

Sincerely,

Linda Hartshorne-Shafer

Linda Hartshorne-Shafer

MISSAUKEE COUNTY SOLID WASTE COMMITTEE
MINUTES
December 12, 2007

I. Call to order 10:10am

II. Introduction of attendees: Linda Hartshorne-Shafer/Missaukee County Planning Office, Richard Leszcz/Wexford County Landfill, Tony Furlich/Industrial Waste Generator (Chairman), Matthew Gunnerson/Best Trash Removal, Frank Palatka/DHD 10 Missaukee, Lan Bridson/Missaukee County Commissioner, Marilyn Myers/Butterfield Township, Dan Waller/Missaukee County Commissioner, Richard Kramer/Planning Commission, Sherry Blaszak/Missaukee Conservation District. Absent: Dan Molitor, Craig Fisher

III. Approval of Minutes of previous meeting (November 14, 2007) - Motion by Matt, supported by Lan. Approved.

IV. Additions to Agenda: None

V. Communications/Handouts - None

VI. Unfinished Business - Review amended siting criteria distances in Solid Waste Management Plan.

Dan W. - Allows Waste Management and other companies to take advantage of decreased distances

Rick K. - What is the advantage to the county?

Matt - Could build a Class B Transfer Facility but volume wouldn't support the operation

Sherry - Are there other private enterprise recycling facilities in Michigan? (Yes)

Rich L. - Problem with funding center w/ refuse - won't pay for operation. Wexford funds recycling on the bottom line. Put center in, utilize for transfer of waste - need to capture enough waste to pay for center. If Mat closes, no provisions to cover county. Wexford County wants to help Missaukee with recycling. Possibly schedule meeting between Wexford and some representatives of Missaukee Solid Waste Committee/Missaukee County Board (Chairs, secretaries, etc). Involves capital, Matt would need support of Solid Waste Committee and Board of Commissioners. Wexford prices are up due to landfill contamination issues, etc (not management - related). Wexford wants to bring more waste to facility, does not want Missaukee facility to close. Meeting with John Divozzo, Mike Solomon of Wexford County?

Lan, Dan W. - Board of Commissioners voted yesterday to keep recycling center open but will charge $5.00 drop fee (per load) for cardboard, plastic (# 1 and # 2), and glass. Kiwanis will continue with the newspaper, junk, magazines at no charge to customer.

Tony - Can county stipulate that all recyclables go to private haulers? No - recyclables can go anywhere. Solid Waste covered by P.A. 451, Part 115. Cannot dictate that waste go to any particular hauler.

Lake City waste goes to Mt. Pleasant. Linda will check with Scott Conradson about how to direct that waste be directed to a particular place (further amend the plan, reciprocity, etc?).

Rich L. – Wording to the effect that solid waste would "stay in the county with the exception of in emergency situations."

Matt – Just wants recyclables, not solid waste. Costs are going up at landfill, need to offer recycling along with solid waste to benefit the customer.

Sherry – What about wetlands?

The word "wetlands" will be added to item # 1 B and # 1 C to afford the same protection to wetlands, lakes, and perennial streams.

Rich K. – How far will Matt's facility be from road? Approximately 300 feet. Matt will need to provide site map.

Motion by Lan to approve the amendment pending the addition of the word "wetlands" in items # 1 B # 1 C of amendment. Supported by Marilyn. All in favor – none opposed.

VII. New Business – None

VIII. Adjourn - Motion by Lan, supported by Marilyn. Meeting adjourned at 11:00 am.

Minutes submitted by Linda Hartshorne-Shafer

Linda Hartshorne-Shafer

Missaukee County Board of Commissioners
Lake City, Michigan
Regular Meeting

May 13th, 2008 @ 10:00 A.M.

Meeting Called to Order by Chairman Rogers.
Roll Call: – All present.
Prayer offered by Com Vivian and Pledge of Allegiance.
Minutes of April 15, 2008 read and approved.

Motion by Bridson, supported by Zuiderveen to amend the Agenda to add Kari Hughston. Carried.

Sheriff Bosscher gave his monthly report and requested the following motions on seal coating and heart monitors.

Motion by Bridson, supported by Waller to approve the bid of Mid-Michigan Steel Coating and Stripping in the amount of $1,650.00 to seal coat the EMS parking lot from Fund 210. Carried.

Motion by Whipple, supported by Vivian to approve the bid of CPR Connection for 3 Phillips Heart Monitors in the amount of $43,280.00 to be paid from Fund 210. Carried.

Carol Palmer, District Court Administrator, reported on April collections compared to last year.

Barbara Hancock, County Treasurer, reported on the April financials, Building Department finances, Law Library deficit and requested a tax resolution.

Motion by Zuiderveen, supported by Bridson to approve the following resolution:

Resolution Imposing 2008 Property Tax Levy pursuant to Public Act 357
Of 2004, and Notice of Certification of County Allocated Tax Levy
Resolution 2008-8

WHEREAS, Missaukee County is authorized under the General Property Tax Act, Public Act 206 of 1893, as amended, to levy and collect County Allocated property taxes; and
WHEREAS, the General Property Tax Act has been amended by Public Act 357 of 2004, being MCL 211.44a, to require all Michigan Counties to impose a summer tax levy,

NOW, THEREFORE BE IT RESOLVED, that pursuant to Public Act 357 of 2004, the Missaukee County allocated tax shall be levied and collected on July 1, 2008, in the amount allocated after application of the "Headlee" Millage reduction fraction, 4.9005 mills; and

BE IT FURTHER RESOLVED, that the Treasurer of each city, village and township in Missaukee County is directed to account for and deliver to the County allocated tax collections for 2008 in accordance with the provisions of Public Act 357 of 2004; and

BE IT FURTHER RESOLVED, that this Resolution constitutes certification of the levy of the county allocated tax and authorized collection of the County allocated tax on July 1, 2008, at the amount allocated after the application of the "Headlee" Millage reduction fraction of 4.9005 mills; and

BE IT FURTHER RESOLVED, that the County Clerk shall deliver a copy of this Resolution by first class mail to the Treasurer of each city and township in the County of Missaukee.

Roll Call: YEA: Waller, Rogers, Vivian, Hughston, Zuiderveen, Bridson, Whipple
NAY: None Carried

I hereby certify that the foregoing is true and complete copy of a resolution adopted by the Board of Commissioners for the County of Missaukee, Michigan, at a regular meeting held on the 13th day of May 2008, the original of which resolution is on file in my office. I further certify that the meeting was held and the minutes therefore were filed in compliance with Act No. 267 of the Public Acts of 1976.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 13th day of May, 2008.

_____
Carolyn Flore, Missaukee County Clerk

Linda Hartshorne-Shafer, Planning-EMD Director, requested the 2007 Amendment to the Missaukee County Solid Waste Management Plan.

Motion by Bridson, supported by Vivian to approve the 2007 Plan Amendment to the Missaukee County Solid Waste Management Plan as presented.
Roll Call Vote:
7 YEAS; Vivian, Hughston, Zuiderveen, Bridson, Whipple, Waller, Rogers.
0 NAYS CARRIED

Finance Committee

Motion by Zuiderveen, supported by Bridson to pass the following resolution. Carried.

RESOLUTION 2008-9
NORTHERN LAKES COMMUNITY MENTAL HEALTH

WHEREAS, tax dollars are scarce and should be reserved for important public policy efforts which demonstrate results, and

WHEREAS, Medicaid is the single largest source of funding for America's public mental health system, and

WHEREAS, in its FY 2008 budget proposal, the Administration proposed $13 billion in cuts to Medicaid through legislative changes and an additional $12.7 billion in administrative changes. Among these administrative changes, the administration reaffirmed plans for the Centers for Medicare and Medicaid Services to issue a regulation to clarify the services that are allowable and can be claimed as rehabilitative services under Medicaid. CMS' proposed rules include those that will reduce Medicaid recipients' access to rehabilitative services, case management, school-based transportation and outreach services, graduate medical education payments and hospital clinic services, and

WHEREAS, Medicaid rehabilitative services and Targeted Case Management combine to produce more than 50 percent of all federal funding for community-based services for people with mental illnesses and other disabilities, and

WHEREAS, the President's proposed budget for fiscal year 2009 has generated outrage on all sides, from states and counties with revenue shortages to nonprofits working for low-income populations, and

WHEREAS, these regulations would undermine the federal-state Medicaid partnership by reducing federal payments and shifting costs to state and local governments, would have a detrimental effect on access, quality, and delivery of services for Medicaid beneficiaries including those with complex mental and behavioral health needs, children in foster care, and people with developmental disabilities, and would further strain local health systems in a moment of national economic vulnerability, and

WHEREAS, rehabilitative services are designed to assist in the recovery of children and adults with serious mental illness. These services, which help people with mental illness improve or maintain their functioning, are key to allowing people with mental illness reduce their dependence on inpatient services and emphasize recovery, and

WHEREAS, cost estimates made by the states to the U.S. House Oversight Committee are three times higher than the estimates of CMS in publishing the Rules and would have significant cost to Michigan and the 18 Michigan Prepaid Inpatient Health Plans including Northern Lakes Community Mental Health. These include Public provider rules - Cost to MI: $1.25 billion over 5 years. Cost to PIHPs $60 million annually. Rehabilitation services - Cost to MI: $1.75 Billion over 5 years. Provider tax/GME/school-based services - Cost to MI $780 million over 5 years. Targeted case management - Took effect March 3, 2008. Cost to MI: 254 million over 5 years, and

WHEREAS, cost estimates from the Michigan Department of Community Health reflect a projected annual loss of $324,976,708 statewide and to Northern Lakes Community Mental Health (dba Northwest Community Mental Health Affiliation) of $6,729,546 of Medicaid for individuals with a Developmental Disability who are not on the Habilitation Supports Waiver should CMS 2261-P rule on the coverage of Medicaid Rehabilitation Services be implemented, and

WHEREAS, there are neither county, state or other Medicaid funds that can be used to pay for these vital community support services which would result in significant loss of services and jobs, and

WHEREAS, on March 13, 2008 Representatives John Dingell (D-MI) and Timothy Murphy (R-PA) introduced The Protecting the Medicaid Safety Net Act of 2008 (H.R. 5613) to delay through April 1, 2009 implementation of seven cost-cutting Medicaid regulations issued by the Centers for Medicare and Medicaid Services, and

WHEREAS, bipartisan legislation (The Economic Recovery in Health Care Act -S. 2819) to delay several controversial Medicaid regulations was introduced on April 3, 2008 by Senators John Rockefeller (D-WV), Olympia Snowe (R-ME) and Edward Kennedy (D-MA) which parallels H.R. 5613, The Protecting Medicaid Safety Net Act, introduced in the House in mid-March by House Energy and Commerce Committee Chairman John Dingell (D-MI) and Representative Timothy Murphy (R-PA), and

WHEREAS, both bills would delay until April 2009 seven Medicaid regulations that will otherwise drastically limit critical services and supports for people with disabilities by reducing access to rehabilitative services, case management, school-based transportation and outreach services, graduate medical education payments and hospital clinic services.

NOW THEREFORE BE IT RESOLVED, that Northern Lakes Community Mental Health wants to reaffirm its position that cutting Medicaid benefits is not simply about a bottom line; rather, it is about people; sick children and adults who will no longer be able to get the proper care they need, and

BE IT FURTHER RESOLVED, that Northern Lakes Community Mental Health joins many others, including the National Association of Counties in supporting H.R. 5613, and

STATE OF MICHIGAN

JOHN ENGLER, Governor

DEPARTMENT OF ENVIRONMENTAL QUALITY

"Better Service for a Better Environment"

HOLLISTER BUILDING, PO BOX 30473 LANSING MI 48909-7973

INTERNET: www.deq.state.mi.us

RUSSELL J. HARDING, Director

May 1, 2000

Mr. Gary Birgy, Chairperson
Missaukee County Board of Commissioners
County Courthouse
111 South Canal Street
Lake City, Michigan 49651

Dear Mr. Birgy:

The Department of Environmental Quality (DEQ) received the locally approved update to the Missaukee County Solid Waste Management Plan (Plan) on October 21, 1999. Except for the items indicated below, the Plan is approvable. As outlined in the March 8, 2000 letter to Ms. Dawn M. Mills, Director, Missaukee County Planning Department, from Mr. Stan Idziak, DEQ, Waste Management Division (WMD), and as confirmed in your letter of March 14, 2000, to Mr. Seth Phillips, DEQ, WMD, the DEQ makes certain modifications to the Plan as discussed below.

On page III-24, under Determination of Consistency, subsection B., the Plan states: "To initiate the review under this Plan, the facility developer shall submit the information required below to the committee. Ten copies may be required at the discretion of the committee." The siting criteria must be specific, objective, measurable, and not subject to discretionary acts. This statement is revised to read: "To initiate the review under this Plan, the facility developer shall submit ten (10) copies of the information required below to the committee."

On page III-25, under subsection C., 3., line 7 the Plan states: "The Missaukee County Soil Survey indicates the Nester type soils are the most conducive for solid waste disposal facilities; therefore, the development of any solid waste disposal facility would be encouraged only on Nester soils or soils which can be shown to have equivalent properties." This siting criterion is not specific, objective, and measurable; therefore, this sentence is deleted from the Plan.

Also on page III-25, subsection C., 6., reads: "If necessary to satisfy the requirements of criteria number 15, a signed agreement indicating the willingness of the developer to provide for road improvements and/or maintenance." There is no criterion number 15. This statement should refer to criterion number 13 on page III-26 which requires landfills to be located on "Class A" roads. In addition, an agreement is a contract between two or more parties and, in this case, if the County elected not to sign the agreement, this

could arbitrarily prevent the siting of a solid waste disposal facility. A signed statement does not require the consent of two parties. This criterion is amended to read: "In order to satisfy the requirements of criterion number 13, the developer will provide a signed statement indicating a willingness to provide road improvements and/or maintenance."

On page III-26, subsection D., 13., states: "A facility shall be located on a paved, all weather "Class A" road. If a facility is not on such a road, the developer shall agree to provide for upgrading and/or maintenance of the road serving the facility." An agreement is a contract between two or more parties and, in this case, if the county elected not to sign the agreement, this could arbitrarily prevent the siting of a solid waste disposal facility. A signed statement does not require the consent of two parties. This criterion is changed to read: "A facility shall be located on a paved, all weather 'Class A' road. If a facility is not on such a road the developer shall sign a statement promising to provide for upgrading and/or maintenance of the road serving the facility."

Also on page III-26, subsection E., the Plan says: "If the facility developer does not agree with the consistency decision of the county committee, the developer may request the DEQ to determine consistency of the proposal with the Plan as part of DEQ review of a construction permit application. If no consistency determination has been rendered within 45 working days, the proposal shall be considered consistent." The original statement appears to require the DEQ to make a consistency decision within 45 days. This statement is modified to read: "If the county has not rendered a consistency determination within 45 working days, the proposal shall be considered by the County to be consistent with the Missaukee County Plan."

On page III-29, under Capacity Certifications, the following language has been added to this section to confirm that Missaukee County has more than ten years disposal capacity identified in the Plan: "Wexford County Landfill has a 12 year capacity (see page II-2). The volume of solid waste needing annual disposal from Missaukee County (22,563 cubic yards) is approximately 8.9 percent of the total yearly disposal volume available (200,000 cubic yards) at the Wexford County Landfill."

Northern Oaks Landfill has a 43 year capacity (see page III-4). The volume of solid waste from Missaukee County needing disposal is approximately 5.5 percent of the total yearly volume available (409,000 cubic yards) at this landfill.

With these modifications, the County's updated Plan is hereby approved, and the County now assumes responsibility for the enforcement and implementation of this Plan. Please ensure that a copy of this letter is included with copies of the approved Plan distributed by the County.

By approving the Plan with modifications, the DEQ has determined that it complies with the provisions of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and the Part 115 administrative rules concerning the required content of solid waste management plans. Specifically, the DEQ has determined that the Plan identifies the enforceable mechanisms that authorize the state, a county, a municipality, or a person to take legal action to guarantee compliance with the Plan, as required by Part 115. The Plan is enforceable, however, only to the extent the County properly implements these

enforceable mechanisms under applicable enabling legislation. The Plan itself does not serve as such underlying enabling authority, and the DEQ approval of the Plan neither restricts nor expands the County's authority to implement these enforceable mechanisms.

The Plan may also contain other provisions that are neither required nor expressly authorized for inclusion in a solid waste management plan. The DEQ's approval of the Plan does not extend to any such provisions. Under Part 115, the DEQ has no statutory authority to determine whether such provisions have any force or effect.

The DEQ applauds your efforts and commitment in addressing the solid waste management issues in Missaukee County. If you have any questions, please contact Mr. Phillips, Chief, Solid Waste Management Unit, at 517-373-4750.

Sincerely,

Russell J. Harding
Director
517-373-7917

cc: Senator George A. McManus, Jr.
Representative Rick Johnson
Mr. Arthur R. Nash Jr., Deputy Director, DEQ
Ms. Cathy Wilson, Legislative Liaison, DEQ
Mr. Jim Sygo, DEQ
Ms. Joan Peck, DEQ
Mr. Philip Roycraft, DEQ - Cadillac
Mr. Seth Phillips, DEQ
Mr. Stan Idziak, DEQ
Missaukee County File

MISSAUKEE COUNTY
COVER PAGE
1997 PLAN UPDATE

DATE SUBMITTED TO THE DEQ: **October 18, 1999**

If this Plan includes more than a single County, list all counties participating in this Plan.

The following lists all the municipalities from outside the County who have requested and have been accepted to be included in the Plan, or municipalities within the County that have been approved to be included in the Plan of another County according to Section 11536 of Part 115 of the NRFEPA. Resolutions from all involved County Board(s) of Commissioners approving the inclusion are included in Appendix E.

Municipality	Original Planning County	New Planning County

DESIGNATED PLANNING AGENCY PREPARING THIS PLAN UPDATE:

Missaukee County Planning Department

CONTACT PERSON: Dawn M. Mills, County Planner

ADDRESS: Missaukee County Courthouse
111 S. Canal; P.O. Box 800
Lake City, Michigan 49651

PHONE: (616)839-7988 **FAX:** (616)839-3684

E-MAIL:

CENTRAL REPOSITORY LOCATION:

Missaukee County Planning Department

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EXECUTIVE SUMMARY

The following summarizes the solid waste management system selected to manage solid waste within the County. In case of conflicting information between the executive summary and the remaining contents of the Plan update, the information provided in the main body of the Plan update found on the following pages will take precedence over the executive summary.

The Missaukee County Planning Commission and the Missaukee County Solid Waste Planning Committee recommend the Missaukee County Board of Commissioners adopt this proposed plan. Based on information from the data base and solid waste inventory, Alternative #1 is the recommended system for the storage, collection, transportation, and disposal of solid waste in Missaukee County. This Alternative presents a practical, economical and environmental answer to the problems associated with the disposal of solid waste in Missaukee County.

ALTERNATIVE #1

Storage - The improvement of storage practices can be accomplished two ways: One - create a good public information program to promote positive storage practices by the public; Two - promote enforcement of existing regulations such as the McBain littering ordinance which regulates solid waste haulers from creating a nuisance by littering while hauling solid waste. These two steps will help form an effective solid waste management program in the County.

Collection - The recommended system of collection would incorporate both resident responsibility for the hauling and disposal of his waste products and a voluntary house-to-house collection method by commercial solid waste haulers operating within the County. The cities and townships should retain full control over collection activities and be responsible for the financing and establishing of any collection center, boxes, or transfer stations that are deemed necessary beyond what private enterprise is providing or willing to provide. Local governments should pass regulations, laws or ordinances and enter into contract agreements that might be needed for the collection of solid waste in their jurisdictions.

Household Hazardous Waste Collection - Type II landfills will not knowingly accept household hazardous wastes. A typical household generates small quantities of wastes such as insecticides, solvents, paint, used motor oil, antifreeze, batteries, household cleaners, aerosol cans, etc., which are considered hazardous. By including counties that offer this service at facilities located within their boundaries, Missaukee County will be able to invite our residents to participate in these collection program(s). Previously, the high costs per user has prohibited participation on the County's part.

Regional Concept: Alternative #1 states Missaukee County does not have a landfill and promotes a regional concept of landfilling to promote efficiency of recycling, incineration, and resource recovery. To promote this concept, the Missaukee County Solid Waste Plan contains the following:

1. Public Education Program - will be conducted by the Missaukee County Planning Department in conjunction with the County Extension Service. It shall inform the public as to disposal methods that will minimize the disposal of improper waste in a landfill. The public will be advised how important recycling is and how they can participate.
2. Recycling Program - the County's program will continue to operate at the existing facility on County owned property, with the County contracting with private enterprise for the operation of the facility.
3. Composting Program - both cities will be encouraged to continue their programs with the County being involved in promotion by education.

4. Household Hazardous Waste - the County will continue to promote this activity with other counties until such time as it becomes cost effective to have a local program.

Transportation - The County can promote the prevention of littering during collection and hauling by encouraging enforcement of regulations such s McBain's littering ordinance regarding solid waste haulers. Michigan Department of Transportation requires proper maintenance and operation of the vehicle used by solid waste haulers for transportation of solid waste.

Disposal - The recommended method of disposal of solid waste from Missaukee County is to transport it out of the county to an approved landfill. Missaukee County has requested agreements with the following landfills or counties willing to accept Missaukee County waste: Osceola County, the Wexford County Landfill in Wexford County, Northern Oaks Landfill in Clare County, and Glen's Landfill in Leelanau County. An agreement with Wexford County to accept waste from Missaukee County on a primary basis is in effect at the present time. Leelanau County has agreed to accept waste from Missaukee County on a contingency basis. A contingency basis allows waste to be accepted in the event the primary landfill accepting our waste is closed. Waste from Missaukee County will only be hauled to counties that have a signed agreement with Missaukee County, either as a primary or contingent disposal facility. Copies of the agreements with these counties is found in Appendix D. Additional agreements will be submitted to the DEQ for inclusion as they are received.

The data in Alternatives #2, #3 and #4 support the concept of regional landfills due to greater chances for resource conservation, economic feasibility, and the concept would be environmentally sound. This disposal concept does not preclude the possibility of private enterprise developing a landfill or transfer station in Missaukee County, a concept supported by the County.

The administration of Alternative #1 would be as follows:

1. Board of Commissioners promote enforcement of existing regulations through either local or state agencies regarding solid waste (MDOT, District Health Department, local ordinances, MDEQ, etc.)
2. Board of Commissioners will negotiate the use of landfills which are located outside Missaukee County.
3. The cities and townships retain full control over collection activities and are responsible for the financing and establishment of any collection centers, boxes, or transfer stations that are deemed necessary beyond what private enterprise is providing or willing to provide. Local government may pass laws or ordinances and enter into contract agreements that might be needed for the collection of solid waste in their jurisdiction.
4. Missaukee County Planning Commission and Solid Waste Management Planning Committee are responsible for the planning of standards and methods to be considered for the processing and disposal of solid waste. It will assist local units of government in the planning of collection and transportation systems of solid waste and provide liaison with state and federal solid waste management agencies. The Planning Commission will be the coordinating agency for the solid waste education and public information process. Information obtained at seminars, workshops, and training programs will be passed by the Planning Department to all local officials involved in the solid waste program. A continuous informational program will provide data as it develops to the public through news released to the mass communications media. The Planning Department will be responsible for the dissemination of informational and educational material that pertains to their unit of government.

OVERALL VIEW OF THE COUNTY

Township/ County	1995 Population	% Land Use Rural	% Land Use Urban	1998 Equalization Report % of Economic Base* Ag	For	Ind	Com	Other
Aetna Township	464	100	0	56.7	8.7	.5	1.7	32.4
Bloomfield Township	436	100	0	38.1	0	0	0	61.9
Butterfield Township	505	100	0	25.8	0	0.6	1.4	72.2
Caldwell Township	1230	97	3	8.5	0	0	1.4	90.1
Clam Union	953	100	0	40.2	8.3	0	5.8	45.7
Enterprise Township	141	100	0	27.5	0	2.0	1.4	69.1
Forest Township	980	97	3	4.0	7.2	4.1	4.2	80.5
Holland Township	188	100	0	29.5	0	1.3	0.7	68.5
Lake Township	2210	90	10	3.4	0	0.4	4.7	91.5
Norwich Township	563	100	0	34.1	0	1.6	0.6	63.7
Pioneer Township	432	100	0	19.5	0	0	0	80.5
Reeder Township	862	100	0	31.7	0	0	4.4	63.9
Richland Township	1379	100	0	37.1	0	0.9	0.7	61.3
Riverside Township	952	100	0	49.5	0	0.2	1.1	49.2
West Branch Township	526	100	0	30.6	0	0	0	69.4
Lake City	912	5	95	0.3	0	1.7	19.5	78.5
McBain	744	5	95	0.8	0	36.4	24.2	38.6
MISSAUKEE COUNTY	13477	99	1	21.2	1.25	2.7	4.75	70.1

*Ag = Agriculture; For = Forestry; Ind = Industry; Com = Commercial; Oth = Other = All Other Economic Bases/ Census Data from Northwest Michigan Council of Governments 1995 Population Estimates Economic Data from Missaukee County Equalization Report 1998 Property Values

CONCLUSIONS

Missaukee County is rural by nature and by design. The largest population counts are in the townships immediately surrounding the cities of Lake City and McBain, with more than 57% of the total residing in Caldwell, Forest, Lake, Reeder, Richland and Riverside Townships. The northern and eastern portions of the county are very rural, with several small unincorporated villages here and there. For the most part, the south one-half of the county is large tracts of prime farmland. While farming generates its own unique form of waste, there is not an abundance of household solid waste to cause disposal problems. Being in a rural setting, composting and on-site disposal of natural materials reduces the volume of solid waste being hauled to landfills.

Any system considered for use in Missaukee County has to take into account these facts: economics (cost of waste pick-up), transportation (distance to landfills), recycling (availability of recycling centers), composting (municipal programs and resident programs), and resource reduction (promotion of use of recycled products). It is for these reasons the following alternative was selected.

SELECTED ALTERNATIVES

ALTERNATIVE #1:

STORAGE:

The storage of solid waste generated at some homes, commercial and industrial establishments at times pose public health and safety hazards. These poor practices allow access to the solid waste by children, animals and insects, the blowing of debris by wind, and increase handling problems for collectors. Proper storage of solid waste prior to collection and/or transportation to a disposal area is the first step towards efficient solid waste management. The improvement of storage practices can be accomplished two ways: 1)create a good public information program to provide for positive storage practices by the public; 2) promote enforcement of existing regulations such as the McBain littering ordinance which regulates solid waste haulers creating a nuisance through littering. These two steps will help form an effective solid waste management program in Missaukee County.

COLLECTION:

The recommended system of collection would incorporate both resident responsibility for the hauling and disposal of his waste products and a voluntary house-to-house collection method by solid waste haulers operating within the county. The haulers should be required by regulation to pick up solid waste at each location at least once a week. The cities and townships should retain full control over collection activities and be responsible for the financing and establishment of any collection center, boxes, or transfer stations that are deemed necessary beyond what private enterprise is providing or willing to provide. Local governments pass regulations, laws or ordinances and enter into contract agreements that might be needed for the collection of solid waste in their jurisdictions. Transfer stations would be established by private enterprise.

TRANSPORTATION:

The prevention of littering during collection and hauling can be achieved by the enforcement of local ordinances already in effect, such as McBain's littering ordinance. Michigan Department of Transportation regulations require proper maintenance and operation of the vehicle used by solid waste haulers for transportation of solid waste. Direct haul would take place to a landfill accepting Missaukee County wastes.

DISPOSAL:

The recommended method of disposal of solid waste from Missaukee County is to transport it out of the county to an approved landfill. Missaukee County has requested agreements with the following landfills or counties willing to accept Missaukee County waste: Osceola County, the Wexford County Landfill in Wexford County, Northern Oaks Landfill in Clare County, and Glen's Landfill in Leelanau County. An agreement with Wexford County to accept waste from Missaukee County on a primary basis is in effect at the present time. Leelanau County has agreed to accept waste from Missaukee County on a contingency basis. A contingency basis allows waste to be accepted in the event the primary landfill accepting our waste is closed. Waste from Missaukee County will only be hauled to counties that have a signed agreement with Missaukee County, either as a primary or contingent disposal facility. Copies of the agreements with these counties is found in Appendix D. Additional agreements will be submitted to the DEQ for inclusion as they are received.

RECYCLING:

Missaukee County will continue to finance the operation of a recycling center for use by the residents of the County. This center is located on County owned and maintained property, with the recycling service contracted with private enterprise. In addition, the townships and cities that engage in recycling and composting programs will be encouraged to continue these services.

HOUSEHOLD HAZARDOUS WASTES:

It is cost prohibitive for Missaukee County to provide this service at this time. The County will endorse the concept of this program, and will advertise this service as offered and provided by private enterprise at an approved site. Acceptance of Missaukee County waste by a county with a landfill offering this service would make it available to our residents.

INSTITUTIONAL ARRANGEMENTS:

Missaukee County endorses the concept of a multi-jurisdictional approach to the management of solid waste. Solid waste haulers operate independently within the County to provide services to residents.

EDUCATIONAL AND INFORMATIONAL PROGRAMS:

Missaukee County will continue to endorse and promote educational and informational programs which promote waste reduction and resource recovery. Programs are available through the Michigan State University Extension Service.

INTRODUCTION

GOALS AND OBJECTIVES

This Solid Waste Management Plan works toward the following goals through actions designed to meet the objectives described under the respective goals which they support:

Goal 1: Develop a solid waste plan and management system which is feasible, meets the needs of the community and protects the public's health and safety.

- **Objective 1a: Transfer stations, processing and recycling centers and disposal sites shall be located to adhere to adopted standards and to be compatible with land uses in the area.**
- **Objective 1b: The routing of collection vehicles from designated collection routes to a transfer, processing, or disposal facility should be done with due consideration for traffic flow and for the residents along that route.**

Goal 2: Control the generation and on-site storage of solid waste in order to stabilize volumes and prevent proliferation of vermin.

- **Objective 2a: Insure, through local ordinance, utilization of proper containers for refuse storage.**
- **Objective 2b: Provide incentives to stimulate the use of reusable packaging.**

Goal 3: Expand educational programs to inform all residents of the problems involved in solid waste management.

Goal 4: Encourage a system of recycling solid waste.

- **Objective 4a: Encourage civic groups to participate in recycling programs.**
- **Objective 4b: Work towards a complete system of solid waste reclamation and recycling.**

Goal 5: Consider wastes generated by agricultural and manufacturing interests which may require special handling, as well as special facilities required for collection and processing of junk vehicles, farm implements and large appliances.

- **Objective 5a: Encourage development of local junk ordinances for the control of accumulation of junk vehicles.**
- **Objective 5b: Continue to seek resources to fund the collection and/or processing of materials requiring special handling.**

Goal 6: Encourage a realistic program to effectively and efficiently implement the planned solid waste management system.

- **Objective 6a: Maintain an active roster of solid waste committee members to address concerns as they arise that could affect the solid waste management plan.**

DATA BASE

Identification of sources of waste generation within the County, total quantity of solid waste generated to be disposed, and sources of the information.

COUNTY	WASTE TYPE	CURRENT ANNUAL VOLUME (cubic yds.)	FIVE YEAR ANNUAL VOLUME (cubic yds.)	TEN YEAR ANNUAL VOLUME (cubic yds.)
Missaukee	Household solid waste	25,071	25,849	27,989
	Commercial solid waste	1,671	1,723	1,866
	Industrial solid waste	2,674	2,757	2,986
	Industrial sludge	-0-	-0-	-0-
	Municipal sludge	669	689	746
	Construction/Demolition	3,343	3,447	3,732

The county does not anticipate major problems associated with managing the solid waste generated within its borders since the landfills that have agreed to accept Missaukee County's solid waste have over 10 years capacity. It is expected that Missaukee County will remain a relatively rural county during this 10 year time period, and will, therefore, have little industrial waste disposal impact on any of these landfills. Recycling in the county, while still on a small scale, has resulted in excess of 500 tons being diverted from landfills each year. If populations increase at a more rapid rate than anticipated, it is not expected to have an adverse effect on any of the landfills listed in this Plan.

Total volumes were compiled from statistics provided by waste haulers operating in the County. The rate of 19% of total waste generated was used to calculate compostable materials.

TOTAL QUANTITY OF SOLID WASTE GENERATED:
33,428 cubic yards per year
TOTAL QUANTITY OF SOLID WASTE NEEDING DISPOSAL:
22,563 cubic yards per year

DATA BASE

DISPOSAL AREAS & FACILITY DESCRIPTIONS:

Facility type: Type II Sanitary Landfill
Facility name: Wexford County Landfill
County: Wexford Location: T23N R9W Sections 33 & 34

Map identifying location included in Attachment Section: YES

If facility is an incinerator or a transfer station, list the final disposal site and location for incinerator ash or transfer station wastes: N/A.

__X__Public Owner: Wexford County Department of Public Works

Operating Status (check)	Waste Types Received (check all that apply)	
__X__open	__X__	residential
_____closed	__X__	commercial
__X__licensed	__X__	industrial
_____unlicensed	__X__	construction & demolition
_____construction permit	__X__	contaminated soils (petroleum only)
_____open, but closure	_____	special wastes*
_____pending	_____other:_____	

*Explanation of special wastes, including a specific list and/or conditions:

_____

_____

Site Size:

Total area of facility property:	146 acres
Total area sited for use:	51 acres
Total area permitted:	51 acres
Operating:	4 acres
Not excavated:	0 acres

Current capacity:	2.0 million yds(3)
Estimated lifetime:	12-14 years (with proposed vertical expansion)
Estimated days open per year:	260 days
Estimated yearly disposal volume:	200K yds (3)

(if applicable)
Annual energy production:

Landfill gas recovery projects:	N/A
Waste-to-energy incinerators:	N/A

DATA BASE

DISPOSAL AREAS & FACILITY DESCRIPTIONS:

Facility type: Type II Sanitary Landfill
Facility name: Glen's Sanitary Landfill
County: Leelanau Location: T__N R13W Section(s) 35

Map identifying location included in Attachment Section: YES

If facility is an incinerator or a transfer station, list the final disposal site and location for incinerator ash or transfer station wastes: N/A.

_____Public Owner: _____

Operating Status (check)	Waste Types Received (check all that apply)	
__X__open	__X__	residential
_____closed	__X__	commercial
__X__licensed	__X__	industrial
_____unlicensed	__X__	construction & demolition
__X__construction permit	__X__	contaminated soils (petroleum only)
_____open, but closure	__X__	special wastes*
_____pending	_____other:_____	

*Explanation of special wastes, including a specific list and/or conditions:
Asbestos(nonfriable

Site Size:

Total area of facility property:	460 acres
Total area sited for use:	133 acres
Total area permitted:	133 acres
Operating:	14.8 acres
Not excavated:	89.3 acres
Current capacity:	22 million yds(3)
Estimated lifetime:	60 years
Estimated days open per year:	310 days
Estimated yearly disposal volume:	300K yds (3)

(if applicable)
Annual energy production:

Landfill gas recovery projects:	N/A
Waste-to-energy incinerators:	N/A

DATA BASE

DISPOSAL AREAS & FACILITY DESCRIPTIONS:

Facility type: Type II Sanitary Landfill
Facility name: Northern Oaks Recycling & Disposal Facility
County: Clare Location: T19N R4W Section(s) 32

Map identifying location included in Attachment Section: YES

If facility is an incinerator or a transfer station, list the final disposal site and location for incinerator ash or transfer station wastes: N/A.

_____Private __X___Private Owner: Waste Management of Michigan, Inc.

Operating Status (check)	Waste Types Received (check all that apply)	
__X__open	__X__	residential
_____closed	__X__	commercial
__X__licensed	__X__	industrial
_____unlicensed	__X__	construction & demolition
_____construction permit	__X__	contaminated soils (petroleum only)
_____open, but closure	__X__	special wastes*
_____pending	_____other:_____	

*Explanation of special wastes, including a specific list and/or conditions:

WWTP filter cake, sludge

Site Size:

Total area of facility property:	160 acres
Total area sited for use:	76acres
Total area permitted:	76acres
Operating:	19 acres
Not excavated:	57 acres
Current capacity:	8,755,100 yds(3)
Estimated lifetime:	43 years
Estimated days open per year:	260 days
Estimated yearly disposal volume:	409,000 yds (3)

(if applicable)
Annual energy production:

Landfill gas recovery projects:	N/A megawatts
Waste-to-energy incinerators:	N/A megawatts

DATA BASE

SOLID WASTE COLLECTION SERVICES AND TRANSPORTATION INFRASTRUCTURE

The following describes the solid waste collection services and transportation infrastructure that will be utilized within the County to collect and transport solid waste.

The county has three companies/individuals which provide adequate collection services throughout the county. Residents outside the limits of both cities contract individually with waste haulers for pickup of solid waste at their residence.

The City of Lake City contracts with a licensed solid waste hauler for curbside pickup within the city limits for residential solid waste. Residents are billed quarterly for solid waste disposal as well as curbside recycling. Billing is based on a 90 gallon per week (three large trash bags) limit per household or business. Households or businesses having quantities in excess of this amount are billed accordingly. Businesses and industry have the option of contracting privately for these services.

The City of McBain also contracts with a licensed solid waste hauler for curbside pickup within their city limits. Residents are billed quarterly as part of their water, sewer and solid waste disposal, but the city does not participate in a curbside recycling program, and residents use the county owned facility. At the present time, there is no limit on the amount of solid waste residents can put curbside for pick-up. Businesses and industry also have the option of contracting with private enterprise for additional services.

The State and County highway and rail network is displayed on the map on page II-7-1. The State highway network in Missaukee County has a total of 65 miles of roads which are designated M-42, M-55 and M-66. These roads serve as regional arteries connecting Missaukee County with the surrounding region and the U.S. 27 and U.S. 131 expressway system.

The roads which collect traffic in the county and feed it into the regional system are termed Major and Minor Collectors or County Primary Roads. There are 223 miles of county primary roads. The county local roads, of which there are 633 miles, serve as a secondary collection system which feeds the primary and arterial networks. Over 300 miles of the county's primary and secondary system is hard surfaced. Most of the secondary system is two lane gravel-surfaced roadway. The state highways within the county are all-season routes. County roads are subject to seasonal load restrictions, with the exception of 18 miles, which have been constructed to all-season standards (see map on page II-7-1.)

Maximum legal limitati d highway) is length 59 ft., total width 8 ft., total height 13 ft. 6 in., singl ıdem axle loading 32,000 lbs., and gross 73,200 lbs. Trucks can be operated ınd heights by special permit.

F.Y.I.

To: MHP @ Appendix D-7-4

From:

Return ☐

Keep or toss ☐

Post-it™ F.Y.I. pad 7668

DATA BASE

EVALUATION OF DEFICIENCIES AND PROBLEMS

The following is a description of problems or deficiencies in the existing solid waste system.

1. **Lack of overall organization and implementing legislation.**
2. **Lack of administrative supervision and enforcement of solid waste disposal practices.**
3. **Lack of funds for adequate maintenance.**
4. **Lack of an adequate urban segment of the population large enough to actively sustain a county operated landfill. The predominantly rural nature of the county will greatly affect the amounts of solid waste available for burial in landfills and thus the economics of the operation.**

DATA BASE

DEMOGRAPHICS

The following represents the current and projected population densities and centers for five and ten year periods, identification of current and projected centers of solid waste generation including industrial solid waste for five and ten year periods as related to the Selected Solid Waste management System for the next five and ten year periods. Solid waste generation data is expressed in tons or cubic yards, and if it was extrapolated from yearly data, then it was calculated by using 365 days per year, or another number of days as indicated.

COUNTY	1995	2000	2005	2010	2015	2020
Missaukee County	13,477	14,400	15,400	16,400	17,600	18,600

(Source: Northwest Michigan Council of Governments, Office of State Demographer)

The population centers in the county are both cities and the townships immediately surrounding the cities and Lake Missaukee. (See map in Appendix D). The centers of solid waste generation are the same as the population centers. The majority of the industrial solid waste generation has been confined to the industrial parks in both Lake City and McBain. It is anticipated this trend will continue during both a five and a ten year projection.

LAND DEVELOPMENT

The following describes current and projected land development patterns, as related to the Selected Solid Waste Management System, for the next five and ten year periods.

The rural nature of Missaukee County has not changed significantly in the last 20 years. Residential growth and development has been scattered throughout the county, with significant increases in population in the townships immediately surrounding Lake Missaukee (Caldwell, Forest, Lake, and Reeder) and to some degree in both cities of Lake City and McBain. Industrial growth has primarily been seen in the industrial parks located in the city of McBain, and north of the City of Lake City. A Land Use Plan adopted by the Planning Commission in December of 1995 recommends continued expansion of industrial uses in industrial parks, and commercial/light industrial uses along major all-season county maintained state highways. Following this recommendation can decrease infrastructure costs for highways, both improvement and maintenance, and provide suitable transportation routes for waste haulers to utilize for pick-ups. (See Land Use Map in Appendix D).

SOLID WASTE MANAGEMENT ALTERNATIVES

The following briefly describes all solid waste management systems considered by the County and how each alternative will meet the needs of the County. The manner of evaluation and ranking of each alternative is also described. Details regarding the Selected Alternatives are located in the following section. Details regarding each non-selected alternative are located in Appendix B.

ALTERNATIVE #1:

STORAGE:

The storage of solid waste generated at some homes, commercial and industrial establishments at times pose public health and safety hazards. These poor practices allow access to the solid waste by children, animals and insects, the blowing of debris by wind, and increase handling problems for collectors. Proper storage of solid waste prior to collection and/or transportation to a disposal area is the first step towards efficient solid waste management. The improvement of storage practices can be accomplished two ways: 1)create a good public information program to provide for positive storage practices by the public; 2) promote enforcement of existing regulations such as the McBain littering ordinance which regulates solid waste haulers creating a nuisance through littering. These two steps will help form an effective solid waste management program in Missaukee County.

COLLECTION:

The recommended system of collection would incorporate both resident responsibility for the hauling and disposal of his waste products and a voluntary house-to-house collection method by solid waste haulers operating within the county. The haulers should be required by regulation to pick up solid waste at each location at least once a week. The cities and townships should retain full control over collection activities and be responsible for the financing and establishment of any collection center, boxes, or transfer stations that are deemed necessary beyond what private enterprise is providing or willing to provide. Local governments pass regulations, laws or ordinances and enter into contract agreements that might be needed for the collection of solid waste in their jurisdictions. Transfer stations would be established by private enterprise.

DATA BASE

TRANSPORTATION:

The prevention of littering during collection and hauling can be achieved by the enforcement of local ordinances regarding solid waste hauler littering.. Michigan Department of Transportation requires proper maintenance and operation of the vehicle used by solid waste haulers for transportation of solid waste. Direct haul would take place to a landfill accepting Missaukee County wastes.

DISPOSAL:

The recommended method of disposal of solid waste from Missaukee County is to transport it out of the county to an approved landfill. Missaukee County has requested agreements with the following landfills or counties willing to accept Missaukee County waste: Osceola County, the Wexford County Landfill in Wexford County, Northern Oaks Landfill in Clare County, and Glen's Landfill in Leelanau County. An agreement with Wexford County to accept waste from Missaukee County on a primary basis is in effect at the present time. Leelanau County has agreed to accept waste from Missaukee County on a contingency basis. A contingency basis allows waste to be accepted in the event the primary landfill accepting our waste is closed. Waste from Missaukee County will only be hauled to counties that have a signed agreement with Missaukee County, either as a primary or contingent disposal facility. Copies of the agreements with these counties is found in Appendix D. Additional agreements will be submitted to the DEQ for inclusion as they are received.

RECYCLING:

Missaukee County will continue to finance the operation of a recycling center for use by the residents of the County. This center is located on County owned and maintained property, with the recycling service contracted with private enterprise. In addition, the townships and both cities that engage in recycling and composting programs will be encouraged to continue these services.

HOUSEHOLD HAZARDOUS WASTES:

It is cost prohibitive for Missaukee County to provide this service at this time. The County will endorse the concept of this program, and advertise this service as offered and provided by private enterprise at an approved site. Acceptance of Missaukee County waste by a county with a landfill offering this service would make it available to our residents.

INSTITUTIONAL ARRANGEMENTS:

Missaukee County endorses the concept of a multi-jurisdictional approach to the management of solid waste. Solid waste haulers operate independently within the County to provide services to residents.

EDUCATIONAL AND INFORMATIONAL PROGRAMS:

Missaukee County will continue to endorse and promote educational and informational programs which promote waste reduction and resource recovery. Programs are available through the Michigan State University Extension Service.

ALTERNATIVE #2:

STORAGE:

The storage of solid waste generated at some homes, commercial and industrial establishments at times pose public health and safety hazards. These poor practices allow access to the solid waste by children, animals and insects, the blowing of debris by wind, and increase handling problems for collectors. Proper storage of solid waste prior to collection and/or transportation to a disposal area is the first step towards efficient solid waste management. The improvement of storage practices can be accomplished two ways: 1)create a good public information program to provide for positive storage practices by the public; 2) promote enforcement of existing regulations such as the McBain littering

ordinance which regulates solid waste haulers creating a nuisance through littering. These two steps will help form an effective solid waste management program in Missaukee County.

COLLECTION:
The recommended system of collection would incorporate both resident responsibility for the hauling and disposal of his waste products and a voluntary house-to-house collection method by solid waste haulers operating within the county. The haulers should be required by regulation to pick up solid waste at each location at least once a week. The cities and townships should retain full control over collection activities and be responsible for the financing and establishment of any collection center, boxes, or transfer stations that are deemed necessary beyond what private enterprise is providing or willing to provide. Local governments pass regulations, laws or ordinances and enter into contract agreements that might be needed for the collection of solid waste in their jurisdictions. Transfer stations would be established and operated by the County on county-owned property.

TRANSPORTATION:
The prevention of littering during collection and hauling would be achieved by the enforcement of local ordinances and regulations regarding solid waste haulers. Michigan Department of Transportation requires proper maintenance and operation of the vehicle used by solid waste haulers for transportation of solid waste. Direct haul would take place to a landfill accepting Missaukee County wastes.

DISPOSAL:
The recommended method of disposal of solid waste from Missaukee County is to transport it out of the county to an approved landfill. Missaukee County has requested agreements with the following landfills or counties willing to accept Missaukee County waste: Osceola County, the Wexford County Landfill in Wexford County, Northern Oaks Landfill in Clare County, and Glen's Landfill in Leelanau County. An agreement with Wexford County to accept waste from Missaukee County on a primary basis is in effect at the present time. Leelanau County has agreed to accept waste from Missaukee County on a contingency basis. A contingency basis allows waste to be accepted in the event the primary landfill accepting our waste is closed. Waste from Missaukee County will only be hauled to counties that have a signed agreement with Missaukee County, either as a primary or contingent disposal facility. Copies of the agreements with these counties is found in Appendix D. Additional agreements will be submitted to the DEQ for inclusion as they are received.

RECYCLING:
Missaukee County will continue to finance the operation of a recycling center for use by the residents of the County. This center is located on County owned and maintained property, with the recycling service contracted with private enterprise. In addition, the townships and cities that engage in recycling and composting programs will be encouraged to continue these services.

HOUSEHOLD HAZARDOUS WASTES:
This service would be offered to Missaukee County residents at a facility built for that purpose and funded by Missaukee County.

INSTITUTIONAL ARRANGEMENTS:
Missaukee County endorses the concept of a multi-jurisdictional approach to the management of solid waste. Solid waste haulers operate independently within the County to provide services to residents.

EDUCATIONAL AND INFORMATION PROGRAMS:
Missaukee County would provide educational and informational programs to the public which promote waste reduction and resource recovery.

ALTERNATIVE #3:

STORAGE:

The storage of solid waste generated at some homes, commercial and industrial establishments at times pose public health and safety hazards. These poor practices allow access to the solid waste by children, animals and insects, the blowing of debris by wind, and increase handling problems for collectors. Proper storage of solid waste prior to collection and/or transportation to a disposal area is the first step towards efficient solid waste management. The improvement of storage practices can be accomplished two ways: 1)create a good public information program to provide for positive storage practices by the public; 2) adopt an ordinance which includes enforcement capabilities for the collection and storage of solid waste. These two steps will help form an effective solid waste management program in Missaukee County.

COLLECTION:

The recommended system of collection would incorporate both resident responsibility for the hauling and disposal of his waste products and a voluntary house-to-house collection method by solid waste haulers operating within the county. The haulers should be required by regulation to pick up solid waste at each location at least once a week. The cities and townships should retain full control over collection activities and be responsible for the financing and establishment of any collection center, boxes, or transfer stations that are deemed necessary beyond what private enterprise is providing or willing to provide. Local governments pass regulations, laws or ordinances and enter into contract agreements that might be needed for the collection of solid waste in their jurisdictions. Transfer stations would be established and operated by the County on county-owned property.

TRANSPORTATION:

The prevention of littering during collection and hauling would be achieved by the adoption of a solid waste regulation. This regulation should require proper maintenance and operation of the vehicle used by solid waste haulers for transportation of solid waste. Direct haul would take place to a landfill in Missaukee County.

DISPOSAL:

This alternative would provide for a landfill located in Missaukee County, and either owned and operated by the County, or owned and operated by private enterprise. The site for a landfill must comply with current state regulations, provide adequate disposal capacity for Missaukee County's solid waste for a period of 20 years, must comply with restrictions and requirements of local ordinances and land use plans, accessible by an existing all weather road, located only where an aquafer is protected by a natural clay barrier and within approximately ten miles of the center of population of Missaukee County. The site shall be no less than two miles from the corporate limits of any village or city. Development of any landfill would be encouraged only on Nester soils or soils which can be shown to have equivalent properties. No construction of a landfill shall take place within 2000 feet from any year-round stream, nor within one mile to any lake. No construction will be permitted in any wetland. Construction shall not obstruct any natural runoff or drainage area.

RECYCLING:

Recycling programs will be run in conjunction with the operation of the landfill, with the recycling center being located at the site of the landfill. Operation of the recycling center/program would be the responsibility of the owner of the landfill.

HOUSEHOLD HAZARDOUS WASTES:
The landfill would be the site for the county's annual household hazardous waste collection.

INSTITUTIONAL ARRANGEMENTS:
Missaukee County endorses the concept of a multi-jurisdictional approach to the management of solid waste. Solid waste haulers operate independently within the County to provide services to residents.

EDUCATIONAL AND INFORMATIONAL PROGRAMS:
Missaukee County, in cooperation with private disposal facilities, will provide educational and informational programs to the public which promote waste reduction and resource recovery.

ALTERNATIVE #4:

STORAGE:
The storage of solid waste generated at some homes, commercial and industrial establishments at times pose public health and safety hazards. These poor practices allow access to the solid waste by children, animals and insects, the blowing of debris by wind, and increase handling problems for collectors. Proper storage of solid waste prior to collection and/or transportation to a disposal area is the first step towards efficient solid waste management. The improvement of storage practices can be accomplished two ways: 1)create a good public information program to provide for positive storage practices by the public; 2) adopt an ordinance which includes enforcement capabilities for the collection and storage of solid waste. These two steps will help form an effective solid waste management program in Missaukee County.

COLLECTION:
The recommended system of collection would incorporate both resident responsibility for the hauling and disposal of his waste products and a voluntary house-to-house collection method by solid waste haulers operating within the county. The haulers should be required by regulation to pick up solid waste at each location at least once a week. The cities and townships should retain full control over collection activities and be responsible for the financing and establishment of any collection center, boxes, or transfer stations that are deemed necessary beyond what private enterprise is providing or willing to provide. Local governments pass regulations, laws or ordinances and enter into contract agreements that might be needed for the collection of solid waste in their jurisdictions. Transfer stations would be established and operated by the County on county-owned property.

TRANSPORTATION:
The prevention of littering during collection and hauling would be achieved by the adoption of a solid waste regulation. This regulation should require proper maintenance and operation of the vehicle used by solid waste haulers for transportation of solid waste. Direct haul would take place to a landfill in Missaukee County.

DISPOSAL:
This alternative would provide for a landfill located in Missaukee County, and either owned and operated by the County, or owned and operated by private enterprise. The site for a landfill must comply with current state regulations, provide adequate disposal capacity for Missaukee County's solid waste for a period of 20 years, must comply with restrictions and requirements of local ordinances and land use plans, accessible by an existing all weather road, located only where an aquafer is protected by a natural clay barrier and within approximately ten miles of the center of

population of Missaukee County. The site shall be no less than two miles from the corporate limits of any village or city. Development of any landfill would be encouraged only on Nester soils or soils which can be shown to have equivalent properties. No construction of a landfill shall take place within 2000 feet from any year-round stream, nor within one mile to any lake. No construction will be permitted in any wetland. Construction shall not obstruct any natural runoff or drainage area. solid waste for a period of 20 years, must comply with restrictions and requirements of local ordinances and land use plans, accessible by an existing all weather road, located only where an aquafer is protected by a natural clay barrier and within approximately ten miles of the center of population of Missaukee County. The site shall be no less than two miles from the corporate limits of any village or city. Development of any landfill would be encouraged only on Nester soils or soils which can be shown to have equivalent properties. No construction of a landfill shall take place within 2000 feet from any year-round stream, nor within one mile to any lake. No construction will be permitted in any wetland. Construction shall not obstruct any natural runoff or drainage area. In addition, incineration services would be available at the landfill facility.

RECYCLING:
Recycling programs will be run in conjunction with the operation of the landfill, with the recycling center being located at the site of the landfill. Operation of the recycling center/program would be the responsibility of the owner of the landfill.

HOUSEHOLD HAZARDOUS WASTES:
The landfill would be the site for the county's annual household hazardous waste collection.

INSTITUTIONAL ARRANGEMENTS:
Missaukee County endorses the concept of a multi-jurisdictional approach to the management of solid waste. Solid waste haulers operate independently within the County to provide services to residents.

EDUCATIONAL AND INFORMATIONAL PROGRAMS:
Missaukee County, in cooperation with private disposal facilities, will provide educational and informational programs to the public which promote waste reduction and resource recovery.

ALTERNATIVE SYSTEMS RANKING

Rank the Alternatives based on the impact each would have relative to the following:

ALTERNATIVE	#1	#2	#3	#4
Technical Feasibility 5-10 years	38.5	27.5	19.5	17.5
Economic Feasibility 5-10 years	34	27	22	15
Access to land 5-10 years	35	31	20	16
Access to Transportation Networks to accommodate development & operation of solid waste transporting, processing, & disposal facilities 5 & 10 year periods	28	25	24	23
Effects on energy for 5 and 10 year periods, production possibilities & impact of shortages on solid waste management systems	29	27	23	19
Environmental impacts for five & 10 year periods	34	25	26	14
Public Acceptability	39	28	19	12
Public Health	32	27	26	14
TOTALS:	269.5	217.5	177.5	130.5

Ranking: Using a range of 1-4, rank each alternative with 1 being the lowest consideration and 4 being the highest.

THE SELECTED SOLID WASTE MANAGEMENT SYSTEM

The Selected Solid Waste Management system (Selected System) is a comprehensive approach to managing the County's solid waste and recoverable materials. The Selected System addresses the generation, transfer and disposal of the County's solid waste. It aims to reduce the amount of solid waste sent for final disposal by volume reduction techniques and by various resource conservation and resource recovery programs. It also addresses collection processes and transportation needs that provide the most cost effective, efficient service.] ions and capacity to accept solid waste are identified as well as progra ıd enforcement roles for local agencies. Detailed information on recycling :oordination of the Selected System is included in Appendix B. Follo ·n of the Selected System:

F.Y.I.

Detailed information on the Selected System is in Appendix A

From:

Return ☐

Keep or toss ☐

Post-it™ F.Y.I. pad 7668

The Selected System for solid waste management sses proper storage of solid waste generated at residences, commercial a ;, and agricultural uses. Education of proper management practices is an i :duce risks to public health and safety from improper storage. Collect e managed by licensed waste haulers contracted on an individual basis b; ısinesses and industry. In addition to curbside collections, the option will or additional storage in dumpsters provided by the waste haulers. Public tment of Transportation regulations dictate enforcement mechanisms that :e County.

Transportation to an approved licensed landfill willing to accept waste from Missaukee County will be done on a direct haul basis by the licensed solid waste hauler. Michigan Department of Transportation regulations will dictate proper collection methods as far as maintenance of hauling equipment and proper handling of solid waste while on highways.

A recycling program will be continued in Missaukee County as costs will allow. The County owns and contracts to manage a facility on County owned property. Expansion of this facility and/or additional sites can only be considered if the costs of running a recycling program decrease.

The disposal of household hazardous wastes has been cost prohibitive for the Missaukee County Board of Commissioners in the past. With an agreement to use the Northern Oaks Facility in Clare County, and having an established disposal program at this facility, our residents will be able to participate at little or no additional cost to the County.

Missaukee County will continue to endorse the concept of a multi-jurisdictional approach to the management of solid waste. The Board of Commissioners has committed to the continuation of an educational and informational program on all aspects of waste management, including proper disposal, resource conservation, recycling, composting and waste reduction. These programs will be coordinated with MSU Extension Service.

SELECTED SYSTEM

IMPORT AUTHORIZATION

If a licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

TABLE 1-A
CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME(1)	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS

NOT APPLICABLE

SELECTED SYSTEM

If a new solid waste disposal area is constructed and operating in the future in the County, then disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the AUTHORIZED CONDITIONS in Table 1-B.

TABLE 1-B
FUTURE IMPORT VOLUME AUTHORIZATION OF SOLID WASTE CONTINGENT ON NEW FACILITIES BEING SITED

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME(1)	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS
Missaukee	Wexford		100%	100%	Primary
	Osceola		100%	100%	Primary
	Leelanau		100%	100%	Contingency
	Clare		100%	100%	Primary

____ Additional authorizations and the above information for those authorizations are listed on an attached page.

Primary: Accept Type II solid waste on a daily basis as long as an approved solid waste disposal facility exists that is open for public use.
Contingency: Accept Type II solid waste on a daily basis in the event the solid waste disposal facility agreeing to act as the primary landfill reaches capacity or is closed due to lack of compliance with DEQ regulations.

SELECTED SYSTEM

If a licensed solid waste disposal area is currently operating within another County, disposal of solid waste generated by the EXPORTING COUNTY is authorized up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 2-A if authorized for import in the approved Solid Waste Management Plan of the receiving County.

Table 2-A

CURRENT EXPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME(1)	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS
Wexford	Missaukee	Wexford Co. Landfill	100%	100%	Primary
Leelanau		Glen's Landfill	100%	100%	Contingency
Clare		Northern Oaks	3,000 c.y.	780,000 c.y.	Primary

_____Additional authorizations and the above information for those authorizations are listed on an attached page.

Primary: Accept Type II solid waste on a daily basis as long as an approved solid waste disposal facility exists that is open for public use.
Contingency: Accept Type II solid waste on a daily basis in the event the solid waste disposal facility agreeing to act as the primary landfill reaches capacity or is closed due to lack of compliance with DEQ regulations.

SELECTED SYSTEM

If a new solid waste disposal area is constructed and operates in the future in another County, then disposal of solid waste generated by the EXPORTING COUNTY is authorized up to the AUTHORIZED QUANTITY according to the AUTHORIZED CONDITIONS in Table 2-B if authorized for import in the approved Solid Waste Management Plan of the receiving County.

Table 2-B

FUTURE EXPORT VOLUME AUTHORIZATION OF SOLID WASTE CONTINGENT ON NEW FACILITIES BEING SITED

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME(1)	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS
Wexford	Missaukee	Wexford County Landfill	100%	100%	Primary
Osceola			100%	100%	Primary
Leelanau		Glen's Landfill	100%	100%	Contingency
Clare		Northern Oaks	3,000 c.y.	780,000 c.y.	Primary

___Additional authorizations and the above information for those authorizations are listed on an attached page.

Primary: Accept Type II solid waste on a daily basis as long as an approved solid waste disposal facility exists that is open for public use.
Contingency: Accept Type II solid waste on a daily basis in the event the solid waste disposal facility agreeing to act as the primary landfill reaches capacity or is closed due to lack of compliance with DEQ regulations.

SOLID WASTE DISPOSAL AREAS

The following identifies the names of existing disposal areas which will be utilized to provide the required capacity and management needs for the solid waste generated within the County for the next five years and, if possible, the next ten years. Pages III 7 contains descriptions of the solid waste disposal facilities which are located within the County for the planning period. Additional facilities within the County with applicable permits and licenses may be utilized as they are sited by this Plan, or amended into this Plan, and become available for disposal. If this Plan update is amended to identify additional facilities in other counties outside the County, those facilities may only be used if such import is authorized in the receiving County's Plan. Facilities outside of Michigan may also be used if legally available for such use.

Type II Landfill:
Wexford County Landfill
Glen's Landfill in Leelanau County
Northern Oaks Recycling & Disposal in Clare County

Type III Landfill:
None

Incinerator:
None

Waste-to-Energy Incinerator:
Viking Energy of McBain

Type A Transfer Facility:
None

Type B Transfer Facility:
None

Processing Plant:

Waste Piles:
None

Other:

FACILITY DESCRIPTIONS

Facility type: Type II Sanitary Landfill
Facility name: Wexford County Landfill
County: Wexford Location: T23N R9W Sections 33 & 34

Map identifying location included in Attachment Section: YES

If facility is an incinerator or a transfer station, list the final disposal site and location for incinerator ash or transfer station wastes: N/A.

__X__Public Owner: Wexford County Department of Public Works

Operating Status (check)	Waste Types Received (check all that apply)	
__X__open	__X__	residential
_____closed	__X__	commercial
__X__licensed	__X__	industrial
_____unlicensed	__X__	construction & demolition
_____construction permit	__X__	contaminated soils (petroleum only)
_____open, but closure	_____	special wastes*
_____pending	_____other:_____	

*Explanation of special wastes, including a specific list and/or conditions:

_____

_____

Site Size:

Total area of facility property:	146 acres
Total area sited for use:	51 acres
Total area permitted:	51 acres
Operating:	4 acres
Not excavated:	0 acres

Current capacity:	2.0 million yds(3)
Estimated lifetime:	12-14 years (with proposed vertical expansion)
Estimated days open per year:	260 days
Estimated yearly disposal volume:	200K yds (3)

(if applicable)
Annual energy production:

Landfill gas recovery projects:	N/A
Waste-to-energy incinerators:	N/A

DATA BASE

FACILITY DESCRIPTIONS

Facility type: Type II Sanitary Landfill
Facility name: Glen's Sanitary Landfill
County: Leelanau Location: T__N R13W Section(s) 35

Map identifying location included in Attachment Section: YES

If facility is an incinerator or a transfer station, list the final disposal site and location for incinerator ash or transfer station wastes: N/A.

_____Public Owner: _____

Operating Status (check)	Waste Types Received (check all that apply)	
__X__open	__X__	residential
_____closed	__X__	commercial
__X__licensed	__X__	industrial
_____unlicensed	__X__	construction & demolition
__X__construction permit	__X__	contaminated soils (petroleum only)
_____open, but closure	__X__	special wastes*
_____pending	_____other:_____	

*Explanation of special wastes, including a specific list and/or conditions:
Asbestos(nonfriable

Site Size:

Total area of facility property:	460 acres
Total area sited for use:	133 acres
Total area permitted:	133 acres
Operating:	14.8 acres
Not excavated:	89.3 acres
Current capacity:	22 million yds(3)
Estimated lifetime:	60 years
Estimated days open per year:	310 days
Estimated yearly disposal volume:	300K yds (3)

(if applicable)
Annual energy production:

Landfill gas recovery projects:	N/A
Waste-to-energy incinerators:	N/A

DATA BASE

FACILITY DESCRIPTIONS

Facility type: Type II Sanitary Landfill
Facility name: Northern Oaks Recycling & Disposal Facility
County: Clare Location: T19N R4W Section(s) 32

Map identifying location included in Attachment Section: YES

If facility is an incinerator or a transfer station, list the final disposal site and location for incinerator ash or transfer station wastes: N/A.

_____Private __X__Private Owner: Waste Management of Michigan, Inc.

Operating Status (check)	Waste Types Received (check all that apply)	
__X__open	__X__	residential
_____closed	__X__	commercial
__X__licensed	__X__	industrial
_____unlicensed	__X__	construction & demolition
_____construction permit	__X__	contaminated soils (petroleum only)
_____open, but closure	__X__	special wastes*
_____pending	_____other:_____	

*Explanation of special wastes, including a specific list and/or conditions:

WWTP filter cake, sludge

Site Size:

Total area of facility property:	160 acres
Total area sited for use:	76acres
Total area permitted:	76acres
Operating:	19 acres
Not excavated:	57 acres
Current capacity:	8,755,100 yds(3)
Estimated lifetime:	43 years
Estimated days open per year:	260 days
Estimated yearly disposal volume:	409,000 yds (3)

(if applicable)
Annual energy production:

Landfill gas recovery projects:	N/A megawatts
Waste-to-energy incinerators:	N/A megawatts

SELECTED SYSTEM

FACILITY DESCRIPTIONS: THERE ARE NO LANDFILLS LOCATED IN MISSAUKEE COUNTY

Facility type:
Facility name:
County: **Location:** **Sections:**

Map identifying location included in Attachment Section:

If facility is an incinerator or a transfer station, list the final disposal site and location for incinerator ash or transfer station wastes:

____Public **Owner:**

Operating Status (check)	Waste Types Received (check all that apply)
____open	____ residential
_____closed	____ commercial
____licensed	____ industrial
_____unlicensed	____ construction & demolition
_____construction permit	____ contaminated soils (petroleum only)
_____open, but closure	_____ special wastes*
_____pending	_____other:_____

***Explanation of special wastes, including a specific list and/or conditions:**

_____

_____

Site Size:
Total area of facility property:
Total area sited for use:
Total area permitted:
Operating:
Not excavated:

Current capacity:
Estimated lifetime:
Estimated days open per year:
Estimated yearly disposal volume:

(if applicable)
Annual energy production:
Landfill gas recovery projects:
Waste-to-energy incinerators:

SOLID WASTE COLLECTION SERVICES AND TRANSPORTATION:

The following describes the solid waste collection services and transportation infrastructure which will be utilized within the County to collect and transport solid waste.

The county has three companies/individuals which provide adequate collection services throughout the county. Residents outside the limits of both cities contract individually with waste haulers for pickup of solid waste at their residence.

The City of Lake City contracts with West Michigan Disposal for curbside pickup within the city limits for solid waste. Residents are billed quarterly for solid waste disposal as well as curbside recycling. Billing is based on a 90 gallon per week (three large trash bags) limit per household or business. Households or businesses having quantities in excess of this amount are billed accordingly. Businesses and industry have the option of contracting privately for these services.

The City of McBain contracts with West Michigan Disposal for curbside pick-up within city limits for solid waste disposal. Residents are billed quarterly for solid waste disposal, but there is no limit per household or business at the present time. Contract negotiations with the city and West Michigan next year will determine if this method continues. Households and businesses have the option of contracting privately for additional services, such as dumpsters.

The State and County highway and rail network is displayed on the map on page II-7-1. The State highway network in Missaukee County has a total of 65 miles of roads which are designated M-42, M-55 and M-66. These roads serve as regional arteries connecting Missaukee County with the surrounding region and the U.S. 27 and U.S. 131 expressway system.

The roads which collect traffic in the county and feed it into the regional system are termed Major and Minor Collectors or County Primary Roads. There are 223 miles of county primary roads. The county local roads, of which there are 633 miles, serve as a secondary collection system which feeds the primary and arterial networks. Over 300 miles of the county's primary and secondary system is hard surfaced. Most of the secondary system is two lane gravel-surfaced roadway. The state highways within the county are all-season routes. County roads are subject to seasonal load restrictions, with the exception of 18 miles, which have been constructed to all-season standards (see map on page II-7-1.)

Maximum legal limitations on M-42 (non-designated highway) is length 59 ft., total width 8 ft., total height 13 ft. 6 in., single axle loading 18,000 lbs., tandem axle loading 32,000 lbs., and gross 73,200 lbs. Trucks can be operated at various lengths, widths and heights by special permit.

RESOURCE CONSERVATION EFFORTS:

The following describes the selected system's proposed conservation efforts to reduce the amount of solid waste generated throughout the County. The annual amount of solid waste currently or proposed to be diverted from landfills and incinerators is estimated for each effort to be used, if possible. Since conservation efforts are provided voluntarily and change with technologies and public awareness, it is not this Plan update's intention to limit the efforts to only what is listed. Instead citizens, businesses, and industries are encouraged to explore the options available to their lifestyles, practices, and processes which will reduce the amount of materials requiring disposal.

Effort Description	Est. Diversion Tons/Yr		
	Current	5th yr	10th yr
Promote use of recycled products	4,064	4,218	4,627

___ Additional efforts and the above information for those efforts are listed on an attached page.

SELECTED SYSTEM

WASTE REDUCTION, RECYCLING, & COMPOSTING PROGRAMS:

Volume Reduction Techniques

Missaukee County will continue to encourage volume reduction on the part of private enterprise. The specific processes to be used will be determined by the waste haulers operating in Missaukee County. Statistics on the amount of air space conserved by waste reduction techniques is not available for Missaukee County.

SELECTED SYSTEM

Overview of Resource Recovery Programs:

The following describes the type and volume of material in the County's waste stream that may be available for recycling or composting programs. How conditions in the County affect or may affect a recycling or composting program and potential benefits derived from these programs is also discussed. Impediments to recycling or composting programs which exist or which may exist in the future are listed, followed by a discussion regarding reducing or eliminating such impediments.

MATERIAL	VOLUME (annually)
Mixed paper	100 ton
Mixed Fiber	111 ton
Plastics	7.5 ton
Tin	19 ton
Aluminum	3 ton
Glass	19.5 ton
Newsprint	85 ton
Materials collected curbside in Lake City	162 ton
TOTAL RECYCLABLE	507 TONS ANNUALLY

_X_Recycling programs within the County are feasible. Details of existing and planned programs are included on the following pages.

___Recycling programs for the County have been evaluated and it has been determined that it is not feasible to conduct any programs because of the following:

MATERIAL	VOLUME (annually)
Compost materials that can be diverted from landfill	1825 tons annually

_X_Composting programs within the County are feasible. Details of existing and planned programs are included on the following pages.

____Composting programs for the County have been evaluated and it has been determined that it is not feasible to conduct any programs because of the following:

SELECTED SYSTEM

Overview of Resource Recovery Programs:

MATERIAL	VOLUME (annually)

____Programs for source separation of potentially hazardous materials are feasible and details are included on the following pages.

_X__Separation of potentially hazardous materials from the County's waste stream has been evaluated and it has been determined that it is not feasible to conduct any separation programs because of the following:

Costs of household hazardous waste collection prohibit local programs. Northern Oaks facility offers, at the present time a program that would be available to Missaukee County residents.

RECYCLING AND COMPOSTING

The following is a brief analysis of the recycling and composting programs selected for the County in this Plan. Additional information on operation of recycling and composting programs is included in Appendix A. The analysis covers various factors within the County and the impacts of these factors on recycling and composting. Following the written analysis, the tables on pages III-14, 15, & 16 list the existing recycling, composting, and source separation of hazardous materials programs that are currently active in the County and which will continue as part of this Plan. The second groups of three tables on pages III-17, 18, & 19 list the recycling, composting, and source separation of hazardous materials programs that are proposed in the future for the County. It is not this Plan update's intent to prohibit additional programs or expansions of current programs to be implemented beyond those listed.

A recycling program in Missaukee County will be continued. Operation costs may impact present service, as well as future expansion. Because of the rural nature of Missaukee County, and the distances that residents have to drive to use the recycling center, satellite recycling programs would be beneficial. But the costs of establishing and maintaining this type of service are prohibitive.

The county will continue to encourage residents to practice composting on private property, and will promote this activity through an education program in cooperation with the MSU Cooperative Extension Service. Both cities of Lake City and McBain will be encouraged to continue their composting program which is made available to all city residents.

Household hazardous waste collection and disposal is done by residents in the county on a volunteer basis. Residents will be encouraged to participate in the program(s) offered by solid waste disposal and recycling centers that have agreed to accept Missaukee County wastes.

TABLE III-1

RECYCLING: Program Name	Service Area (1)	Public or Private	Collection Point(3)	Collection Frequency(4)	Materials Collected(5)	Program Management Responsibilities(2) Development	Operation	Evaluation
Missaukee Co. Recycling	Missaukee County	Public	d	w	A,C,D,E,F	2	5	2
City of Lake City	City Residents	Private	c	m	A,B,C,D,E,F	6	5	6
Kiwanis Newsprint Collection	Missaukee County	Private	d	w	B	6	6	6

_____Additional programs and the above information for those programs are listed on an attached page.

1 Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

2 Identified by 1=Designated Planning Agency; 2=County Board of Commissioners; 3=Department of Public Works; 4=Environmental Group (Identified on page 20); 5=Private Owner/Operator; 6=Other (Identified on page 20).

3 Identified by c=curbside; d=drop-off; o=onsite; and if other, explained.

4 Identified by d=daily; w=weekly; b=biweekly; m=monthly; and if seasonal service also indicated by Sp=Spring; Su=Summer; Fa=Fall; Wi=Winter.

5 Identified by the materials collected by listing of the letter located by that material type. A=Plastics; B-Newspaper; C-Corrugated Containers; D-Other Paper; E-Glass; F=Metals; P=Pallets; J=Construction/Demolition; K-Tires; L1,L2 etc=as identified on page 21.

TABLE III-2

COMPOSTING:

Program Name	Service Area (1)	Public or Private	Collection Point(3)	Collection Frequency(4)	Materials Collected(5)	Program Management Responsibilities(2) Development	Operation	Evaluation
City of Lake City	City of Lake City	Private	d	Sp,Fa	G,L,W	6	6	6
City of McBain	City of McBain	Private	d	Sp,Fa	G,L,W	6	6	6

_____Additional programs and the above information for those programs are listed on an attached page.

1 Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

2 Identified by 1=Designated Planning Agency; 2=County Board of Commissioners; 3=Department of Public Works; 4=Environmental Group (Identified on page 20); 5=Private Owner/Operator; 6=Other (Identified on page 20).

3 Identified by c=curbside; d=drop-off; o=onsite; and if other, explained.

4 Identified by d=daily; w=weekly; b=biweekly; m=monthly; and if seasonal service also indicated by Sp=Spring; Su=Summer; Fa=Fall; Wi=Winter.

5 Identified by the materials collected by listing of the letter located by that material type. G=Grass Clippings; L=Leaves; F=Food; W=Wood; P=Paper; S=Municipal Sewage Sludge; A=Animal Waste/Bedding; M=Municipal Solid Waste; L1,L2, etc. =as identified on page 21.

TABLE III-3

SOURCE SEPARATION OF POTENTIALLY HAZARDOUS MATERIALS:

Since improper disposal of nonregulated hazardous materials has the potential to create risks to the environment and human health, the following programs have been implemented to remove these materials from the County's solid waste stream.

Program Name	Service Area(1)	Public or Private	Collection Point(3)	Collection Frequency(4)	Materials Collected(5)	Program Management Responsibilities(2)		
						Development	Operation	Evaluation

No programs presently in Missaukee County

___Additional programs and the above information for those programs are listed on an attached page.

1 Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

2 Identified by 1=Designated Planning Agency; 2=County Board of Commissioners; 3=Department of Public Works; 4=Environmental Group (Identified on page 20); 5=Private Owner/Operator; 6=Other (Identified on page 20).

3 Identified by c=curbside; d=drop-off; o=onsite; and if other, explained.

4 Identified by d=daily; w=weekly; b=biweekly; m=monthly; and if seasonal service also indicated by Sp=Spring; Su=Summer; Fa=Fall; Wi=Winter.

5 Identified by the materials collected by listing of the letter located by that material type. AR = Aerosol Cans; A = Automotive Products except Used Oil, Oil Filters & Antifreeze; AN = Antifreeze; AN = Antifreeze; B1 = Lead Acid Batteries; B2 = Household Batteries; C = Cleaners and Polishers; H = Hobby and Art Supplies; OF = Used Oil Filters; P = Paints and Solvents; PS = Pesticides and Herbicides; PH = Personal and Health Care Products; U = Used Oil; OT = Other Materials and identified.

TABLE III-4

PROPOSED RECYCLING:

Program Name (if known)	Service Area(1)	Public or Private	Collection Point(3)	Collection Frequency(4)	Materials Collected(5)	Program Management Responsibilities(2) Development	Operation	Evaluation
Missaukee County Recycling	Missaukee County	Public	d	w	A,C,D,E,F,	2	5	2
City of Lake City	City Residents	Private	c	m	A,B,C,D,E,F,	6	5	6
City of McBain	City Residents	Private	d	w	B	6	6	6

_____Additional programs and the above information for those programs are listed on an attached page.

1 Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

2 Identified by 1=Designated Planning Agency; 2=County Board of Commissioners; 3=Department of Public Works; 4=Environmental Group (Identified on page 20); 5=Private Owner/Operator; 6=Other (Identified on page 20).

3 Identified by c=curbside; d=drop-off; o=onsite; and if other, explained.

4 Identified by d=daily; w=weekly; b=biweekly; m=monthly; and if seasonal service also indicated by Sp=Spring; Su=Summer; Fa=Fall; Wi=Winter.

5 Identified by the materials collected by listing of the letter located by that material type, A=Plastics; B=Newspaper; C=Corrugated Containers; D=Other Paper; E=Glass; F=Metals; P=Pallets; J=Construction/Demolition; K=Tires; L1, L2 etc. =as identified on page 21.

TABLE III-5

PROPOSED COMPOSTING:

Program Name (if known)	Service Area(1)	Public or Private	Collection Point(3)	Collection Frequency(4)	Materials Collected(5)	Program Management Responsibilities(2) Development	Operation	Evaluation
City of Lake City	City Residents	Public	d	d	G,L,W	6	6	6
City of McBain	City Residents	Public	d	d	G,L,W	6	6	6

_____Additional programs and the above information for those programs are listed on an attached page.

1 Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

2 Identified by 1=Designated Planning Agency; 2=County Board of Commissioners; 3=Department of Public Works; 4=Environmental Group (Identified on page 20); 5=Private Owner/Operator; 6=Other (Identified on page 20).

3 Identified by c=curbside; d=drop-off; o=onsite; and if other, explained.

4 Identified by d=daily; w=weekly; b=biweekly; m=monthly; and if seasonal service also indicated by Sp=Spring; Su=Summer; Fa=Fall; Wi=Winter.

5 Identified by the materials collected by listing of the letter located by that material type. G=Grass Clippings; L=Leaves; F=Food; W=Wood; P=Paper; S=Municipal Sewage Sludge; A=Animal Waste/Bedding; M=Municipal Solid Waste; L1,L2, etc. =as identified on page 21.

TABLE III-6

PROPOSED SOURCE SEPARATION OF POTENTIAL HAZARDOUS MATERIALS:

Program Name (if known)	Service Area(1)	Public or Private	Collection Point(3)	Collection Frequency(4)	Materials Collected(5)	Program Management Responsibilities(2) Development	Operation	Evaluation

No programs presently in Missaukee County.

___Additional programs and the above information for those programs are listed on an attached page.

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1 Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

2 Identified by 1=Designated Planning Agency; 2=County Board of Commissioners; 3=Department of Public Works; 4=Environmental Group (Identified on page 20); 5=Private Owner/OPERATOR; 6=Other (Identified on page 20).

3 Identified by c=curbside; d=drop-off; o=onsite; and if other, explained.

4 Identified by d=daily; w=weekly; b=biweekly; m=monthly; and if seasonal service also indicated by Sp=Spring; Su=Summer; Fa=Fall; Wi=Winter.

5 Identified by the materials collected by listing of the letter located by that material type. AR = Aerosol Cans; A = Automotive Products except Used Oil, Oil Filters & Antifreeze; AN = Antifreeze; AN = Antifreeze; B1 = Lead Acid Batteries; B2 = Household Batteries; C = Cleaners and Polishers; H = Hobby and Art Supplies; OF = Used Oil Filters; P = Paints and Solvents; PS = Pesticides and Herbicides; PH = Personal and Health Care Products; U = Used Oil; OT = Other Materials and identified.

IDENTIFICATION OF RESOURCE RECOVERY MANAGEMENT ENTITIES:

The following identifies those public and private parties, and the resource recovery or recycling programs for which they have management responsibilities.

Environmental Groups: There are no active environmental groups in Missaukee County.

Other:
Missaukee County Board of Commissioners: are responsible for ownership and operation of the recycling center through contacts with private enterprise

City of Lake City: contracts with private enterprise to provide curbside recycling service to city residents

City of McBain: contracts with private enterprise to provide curbside trash pick-up for residents within the city limits.

Composting: Lake City and McBain both provide a compost area for residents to use. In addition, both cities pick up compostable materials curbside and deposit it at their compost facility.

Kiwanis Club: Newsprint collection in a semi-trailer located at the county's recycling center. Use of the trailer is offered to non-profit organizations to raise monies from the sale of the newsprint.

SELECTED SYSTEM

PROJECTED DIVERSION RATES:

The following estimates the annual amount of solid waste which is expected to be diverted from landfills and incinerators as a result of the current resource recovery programs and in five and ten years.

Collected Material:	Projected Annual Tons Diverted:			Collected Material:	Projected Annual Tons Diverted:		
	Current	5th Yr	10th Yr		Current	5th Yr	10th Yr
A. TOTAL PLASTICS:	7.5	8	8.5	G. GRASS AND LEAVES:	1825	1943	2077
B. NEWSPAPER:	85	90.5	96	H. TOTAL WOOD WASTE:	none	none	none
C. CORRUGATED CONTAINERS:	111	118	126	I. CONSTRUCTION AND DEMOLITION:	none	none	none
D. TOTAL OTHER PAPER:	100	106.5	114	J. FOOD AND FOOD PROCESSING:	none	none	none
E. TOTAL GLASS:	19.5	20.5	22	K. TIRES:	none	none	none
F. OTHER MATERIALS:				L. TOTAL METALS:	none	none	none
F1. tin	19	20	21	F3.			
F2. aluminum	3	3	3.5	F4.			

MARKET AVAILABILITY FOR COLLECTED MATERIALS:

The following identifies how much volume that existing markets are able to utilize of the recovered materials which were diverted from the County's solid waste stream.

Collected Material:	In-State Markets	Out-of-State Markets	Collected Material	In-State Markets	Out-of-State Markets
A. TOTAL PLASTICS:	7.5	none	G. GRASS AND LEAVES:	N/A	
B. NEWSPAPER:	85	none	H. TOTAL WOOD WASTE:	N/A	
C. CORRUGATED CONTAINERS:	111	none	I. CONSTRUCTION AND DEMOLITION:	N/A	
D. TOTAL OTHER PAPER:	100	none	J. FOOD AND FOOD PROCESSING	N/A	
E. TOTAL GLASS:	19.5	none	K. TIRES:	N/A	
F. OTHER MATERIALS:			L. TOTAL METALS:	N/A	
F1. tin	19	none	F3.		
F2. aluminum	3	none	F4.		

SELECTED SYSTEM

EDUCATIONAL AND INFORMATIONAL PROGRAMS:

It is often necessary to provide educational and informational programs regarding the various components of a solid waste management system before and during its implementation. These programs are offered to avoid miscommunication which results in improper handling of solid waste and to provide assistance to the various entities who participate in such programs as waste reduction and waste recovery. Following is a listing of the programs offered or proposed to be offered in this County.

Program Topic(1)	Delivery Medium(2)	Targeted Audience(3)	Program Provider(4)
1	o,n	p	EX,O
2	o,n	p	EX,O
3	n,e	p	OO
4	o,n	p	EX,O
5	o,n	p	EX,O

O=Soil Erosion Control

1 Identified by 1 = recycling; 2 = composting; 3 = household hazardous waste; 4 = resource conservation; 5 = volume reduction; 6 = other which is explained.

2 Identified by w = workshop; r = radio; t = television; n = newspaper; o = organizational newsletters; f = flyers; e = exhibits and locations listed; and ot = other which is explained.

3 Identified by p = general public; b = business; i = industry; s = students with grade levels listed. In addition if the program is limited to a geographic area, then that county, city, village, etc. is listed.

4 Identified by EX = MSU Extension; EG = Environmental Group (Identify name); OO = Private Owner/Operator (Identify Name); HD = Health Department (Identify name); DPA - Designated Planning Agency; CU = College/University (Identify name); LS = Local School (Identify name); ISD = Intermediate School District (Identify name); O = Other which is explained.

____ Additional efforts and the above information for those efforts are listed in Appendix E.

TIMETABLE FOR SELECTED SYSTEM IMPLEMENTATION

This timetable is a guideline to implement components of the Selected System. The Timeline gives a range of time in which the component will be implemented such as "1995-1999" or "On-going." Timelines may be adjusted later, if necessary.

TABLE III-7

Management Components	Timeline
Proper storage practices	on-going
Collection	on-going
Household Hazardous Waste Collection	on-going
Regional Concept Institutional Arangements	on-going
Transportation	on-going
Disposal	on-going
Recycling	on-going
Educational & Informational Programs	on-going

SITING REVIEW PROCEDURES

SITING CRITERIA AND PROCESS

The following process describes the criteria and procedures to be used to site solid waste disposal facilities and determine consistency with this Plan.

Applicants wishing to locate a solid waste disposal facility in Missaukee County shall make formal application with the Missaukee County Planning Commission. The following information/materials shall be submitted as part of the application:

Documentation of the following:

A. Possible source of the waste stream coming to the facility.
B. Proposed permitted capacity of the facility and the potential for future expansion.
C. The apparent needs of the service area and how they will be met by the proposed development, including proposed recycling services, household hazardous waste disposal and composting.

A written statement that:

A. The proposed development is consistent with proven technologies and with Part 115 of P.A. 451 of 1994 as amended.
B. All haulers will be treated equitably and impartially.

A non-refundable application fee in an amount established by the county board of commissioners' fee schedule is payable to the Missaukee County Clerk at the time the application is submitted for review.

DETERMINATION OF CONSISTENCY

The consistency determinations will be performed by a committee (hereinafter referred to as the "committee") appointed by the Missaukee County Board of Commissioners according to the procedures outlined herein. A proposal that is declared to be consistent with the Plan shall become part of the Plan upon issuance of a construction permit by the DEQ. The committee will consist of one representatives from each of the following:

- **Missaukee County Planning Commission**
- **Missaukee County Soil Conservation District**
- **Missaukee County Road Commission**
- **Missaukee County Building Code Administrator**
- **Northwest Michigan Council of Governments**
- **District Ten Health Department**
- **Chairman of the Missaukee County Board of Commissioners**
- **Missaukee County Solid Waste Management Planning Committee**

A. Proposals for all new disposal areas must be found consistent with the criteria contained in this section before a determination of consistency may be issued. Proposals for a disposal area type not allowed by the Plan are automatically inconsistent with the Plan unless specifically added to the Plan through a properly approved Plan amendment.
B. To initiate the review under this Plan, the facility developer shall submit the information required below to the committee. Ten copies may be required at the discretion of the committee.

C. Upon receipt of the application, the Committee shall review the application for administrative completeness in accordance with the requirements listed in subparts 1-6 below. If it is not complete, the developer shall be notified and given the opportunity to provide additional information to make the application complete. If no determination is made within 15 working days, the application shall be considered administratively complete.

1. The application shall include a name, address, and telephone number for: the applicant, the property owner(s) of the site, a designated contact person for the facility developer (if different than the applicant), and shall specify the type of facility being proposed. This information will be reviewed by the committee.
2. The application shall contain information on the site location and orientation. This shall include a legal land description of the project area, a site map on a scale of not more than one inch equals 100 feet, with date, north point and scale, showing all roadways and principal land features within two miles of the site, a topographic map with contour intervals of no more than ten feet for the site, a map and description of all access roads showing their location, rights-of-way widths on all abutting roads, type of surface material, proposed access point to facility, haul route from access roads to nearest state trunkline, and a current map showing the proposed site and surrounding zoning, domiciles, all public and private water supplies, and present usage of all property within one mile of the site.
3. The application shall contain a description of the current site use and ground cover, a map showing the locations of all structures within 1,200 feet of the perimeter of the site, the location of all existing utilities, the location of the 100 year floodplain as defined by Rule 323.311 of the administrative rules of Part 31, Water Resources Protection, of Act 451, as amended within 1,200 feet of the site, location of all wetlands as defined by Part 303, Wetlands Protection, of Act 451 within 1,200 feet of the site, and the site soil types and general geological characteristics. The Missaukee County Soil Survey indicates the Nester type soils are the most conducive for solid waste disposal facilities; therefore, the development of any solid waste disposal facility would be encouraged only on Nester soils or soils which can be shown to have equivalent properties. See Soils Map in Appendix D.
4. The application shall contain a description of the proposed site and facility design. This shall consist of a written proposal including the final design capacity.
5. The application shall contain a description of the facility and shall provide information indicating the planned annual usage, anticipated sources of solid waste, and the facility life expectancy.
6. If necessary to satisfy the requirements of criteria #15, a signed agreement indicating the willingness of the developer to provide for road improvements and/or maintenance.

D. Within 45 days from the date the application is determined to be administratively complete, the committee shall complete the consistency review and make their recommendations to the County Board of Commissioners who shall send the county's written final determination of consistency for the proposal to the applicant. The Board of Commissioners shall make their decision solely on the criteria listed in subparts 1-14 below. The Board of Commissioners shall have 90 days within which to reach a determination. Failure to reach a determination within the 90 days shall result in approval of the application by default. To be found consistent with the Plan, a proposed solid waste disposal area must comply with all the siting criteria and requirements described in subparts 1-14 below.

SITING REVIEW PROCEDURES

1. The active work area for a new facility or expansion of an existing facility shall not be located closer than 500 feet from adjacent property lines, road rights-of-way, lakes, and perennial streams.
2. The active work area for a new facility or expansion of an existing facility shall not be located closer than 1,000 feet from domiciles or public schools existing at the time of submission of the application.
3. A sanitary landfill shall not be constructed within 10,000 feet of a licensed airport runway.
4. A facility shall not be located in a 100 year floodplain as defined by Rule 323.311 of the administrative rules of Part 31, Water Resources Protection, of Act 451.
5. A facility shall not be located in a wetland regulated by Part 303, Wetlands Protection, of Act 451, unless a permit is issued.
6. A facility shall not be constructed in lands enrolled under Part 361, Farmland and Open Space Preservation, of Act 451.
7. A facility shall not be located in a environmentally sensitive area as defined in Part 323, Shorelands Protection and Management, of Act 451, or in areas of unique habitat as defined by the Department of Natural Resources, Natural Features Inventory.
8. A facility shall not be located in an area of groundwater recharge as approved by the Department of Environmental Quality or in a wellhead protection area as defined by the DEQ. Maps of groundwater recharge areas will be included when available.
9. A facility shall not be located in a designated historic or archaeological area defined by the state historical preservation officer.
10. A facility shall not be located or permitted to expand on land owned by the United States of America or the State of Michigan. Disposal areas may be located on State land only if both of the following conditions are met:
    a. Thorough investigation and evaluation of the proposed site by the facility developer indicates, to the satisfaction of the DEQ, that the site is suitable for such use.
    b. The State determines that the land may be released for landfill purposes and the facility developer acquires the property in fee title from the State in accordance with state requirements for such acquisition.
11. Siting of a solid waste disposal facility is prohibited within the city limits of both Lake City and McBain.
12. The owner and operator of a facility shall agree to provide educational information on recycling, composting, and household hazardous waste collection in coordination with the county and MSU Extension Service.
13. A facility shall be located on a paved, all weather "Class A" road. If a facility is not on such a road, the developer shall agree to provide for upgrading and/or maintenance of the road serving the facility.
14. The facility shall be designed so as to accommodate Missaukee County solid waste for a period of 20 years.

E. If the facility developer does not agree with the consistency decision of the county committee, the developer may request the DEQ to determine consistency of the proposal with the Plan as part of DEQ review of a construction permit application. If no consistency determination has been rendered within 45 working days, the proposal shall be considered consistent.

F. If the proposal is found to be inconsistent with the Plan, the facility developer may provide additional information to address the identified deficiencies. The Planning Commission may only determine consistency on such a resubmittal in regards to the criteria originally found deficient.

SITING REVIEW PROCEDURES

G. **The final determination of consistency with the Plan shall be made by the DEQ upon submittal by the developer of an application for a construction permit. the DEQ shall review the determination made by the county to ensure that the criteria and review procedures have been properly adhered to by the county.**

SOLID WASTE MANAGEMENT COMPONENTS

The following identifies the management responsibilities and institutional arrangements necessary for the implementation of the Selected Waste Management System. Also included is a description of the technical, administrative, financial and legal capabilities of each identified existing structure of persons, municipalities, counties and state and federal agencies responsible for solid waste management including planning, implementation, and enforcement.

IDENTIFICATION OF RESPONSIBLE PARTIES

Document which entities within the County will have management responsibilities over the following areas of the Plan.

Resource Conservation:
- **Source or Waste Reduction**
- **Product Reuse**
- **Reduced Material Volume**
- **Increased Product Lifetime**
- **Decreased Consumption**

All of the above identified components of resource conservation can be addressed in the educational materials that will be presented to residents through the cooperative efforts of the Planning Department and the MSU Extension Service.

Resource Recovery Programs:
- **Composting: City of Lake City, City of McBain**
- **Recycling: Missaukee County Board of Commissioners, City of Lake City**
- **Energy Production: N/A**

Volume Reduction Techniques: Private waste haulers

Collection Processes: Private waste haulers

Transportation: Private waste haulers

Disposal Areas:
- **Processing Plants: Private waste haulers**
- **Incineration: N/A**
- **Transfer Stations: Private waste haulers**
- **Sanitary Landfills: Private enterprise**

Ultimate Disposal Area Uses: Private waste haulers

Local Responsibility for Plan Update Monitoring & Enforcement:
Missaukee County Board of Commissioners are responsible for the enforcement of the Plan. Monitoring and Plan update are the responsibilities of the Missaukee County Planning Commission, Planning Department, and Solid Waste Management Planning Committee. Authority to file suit against violators of the Plan rests solely with the Board of Commissioners.

Educational and Informational Programs:
Missaukee County Planning Commission, Planning Department, MSU Extension Service

Documentation of acceptance of responsibilities is contained in Appendix D

LOCAL ORDINANCES AND REGULATIONS AFFECTING SOLID WASTE DISPOSAL

This Plan update's relationship to local ordinances and regulations with the County is described in the option(s) marked below:

_____1. Section 11538.(8) and rule 710 (3) of Part 115 prohibits enforcement of all County and local ordinances and regulations pertaining to solid waste disposal areas unless explicitly included in an approved Solid Waste Management Plan. Local regulations and ordinances intended to be part of this Plan must be specified below and the manner in which they will be applied described.

____ 2. This Plan recognizes and incorporates as enforceable the following specific provisions based on existing zoning ordinances:

_____3. This Plan authorizes adoption and implementation of local regulations governing the following subjects by the indicated units of government without further authorization from or amendment to the Plan.

CAPACITY CERTIFICATIONS

Every County with less than ten years of capacity identified in their Plan is required to annually prepare and submit to the DEQ an analysis and certification of solid waste disposal capacity validly available to the County. This certification is required to be prepared and approved by the County Board of Commissioners.

__X__ This County has more than ten years capacity identified in this Plan and an annual certification process is not included in this Plan.

_____ Ten years of disposal capacity has not been identified in this Plan. The County will annually submit capacity certifications to the DEQ by June 30 of each year on the form provided by the DEQ. The County's process for determination of annual capacity and submission of the County's capacity certification is as follows:

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS
3161 SOUTH LAKE MITCHELL DRIVE
CADILLAC, MICHIGAN 49601
PHONE (616) 775-0155 • FAX (616) 775-0156

October 13, 1998

Ms. Dawn Mills, County Planner
Missaukee County
P.O. Box 800
111 S. Canal Street
Lake City, Michigan 49651

Re: Wexford County Landfill
Capacity Certification

Dear Ms. Mills:

Pursuant to your request for information this shall serve to confirm that at the current solid waste volumes delivered to the above captioned facility there is sufficient capacity for use by Missaukee County for the next ten (10) years.

If you need any further documentation concerning this matter please do not hesitate to contact me.

Respectfully,

Gary R. Fuller,
Director

GRF/sls

APPENDIX

ADDITIONAL INFORMATION

REGARDING THE

SELECTED

SYSTEM

EVALUATION OF RECYCLING

The following provides additional information regarding implementation and evaluations of various components of the Selected System.

DETAILED FEATURES OF RECYCLING AND COMPOSTING PROGRAMS:

List below the types and volumes of material available for recycling or composting.

TYPE OF MATERIAL	VOLUME (tons)
Plastics	7.5
Newsprint	8.5
Glass	19.5
Mixed Fibers (corrugated)	111
Other Paper	100
Tin	19
Aluminum	3
Compost	507

The following briefly describes the processes used or to be used to select the equipment and locations of the recycling and composting programs included in the Selected System. Difficulties encountered during past selection processes are also summarized along with how those problems were addressed:

Equipment Selection

Existing Programs: Recycling

The recycling program is operated on a contract basis by a licensed waste hauler. The site is on county owned property. Difficulties encountered in the past involved operation of the facility, primarily run by volunteers. The problems encountered with the City of Lake City's curbside recycling program was low numbers of residents taking advantage of the program, and the increasing costs of operation.

Proposed Programs: Recycling

Continue existing county program by contract with a licensed waste hauler. At the present time, the City of Lake City will continue their curbside recycling program, costs permitting.

Site Availability & Selection

Existing Programs: Composting

Due to the rural nature of Missaukee County, composting is accomplished on private property by the residents of the county. The cities of Lake City and McBain have established programs available for their residents. These programs are operated and funded by both cities, and are available twice a year. Compostable materials are hauled to sites on city property, where the end product is offered for use by residents, as well as for use on city property.

Proposed Programs: Composting
The county will continue to encourage the cities to offer this service to their residents. Educational materials will be available through the Cooperative Extension Service to all county residents on the proper ways to compost and the benefits derived from this practice.

In addition, both cities and several townships sponsor a "Clean-up" campaign where dumpsters are available for refuse that is not picked up by their regular waste hauler. These programs also recycle many of the materials brought to the dumpster, such as white metals, aluminum, iron, etc.
The county will encourage the continuance of these programs.

THERE ARE NO COMMERCIAL COMPOSTING PROGRAMS AVAILABLE IN THE COUNTY.

Composting Operating Parameters:

The following identifies some of the operating parameters which are to be used or are planned to be used to monitor the composting programs.

Existing Programs:

Program Name:	pH Range	Heat Range	Other Parameter	Measurement Unit

Proposed Programs:

Program Name	pH Range	Heat Range	Other Parameter	Measurement Unit

COORDINATION EFFORTS:

Solid Waste Management Plans need to be developed and implemented with due regard for both local conditions and the state and federal regulatory framework for protecting public health and the quality of the air, water, and land. The following states the ways in which coordination will be achieved to minimize potential conflicts with other programs and, if possible, to enhance those programs.

It may be necessary to enter into various types of agreements between public and private sectors to be able to implement the various components of this solid waste management system. The known existing arrangements are described below which are considered necessary to successfully implement this system within the County. In addition, proposed arrangements are recommended which address any discrepancies that the existing arrangements may have created or overlooked. Since arrangements may exist between two or more private parties that are not public knowledge, this section may not be comprehensive of all the arrangements within the County. Additionally, it may be necessary to cancel or enter into new or revised arrangements as conditions change during the planning period. The entities responsible for developing, approving, and enforcing these arrangements are also noted.

1. The Board of Commissioners will be responsible to negotiate the use of landfills which are located outside Missaukee County.
2. The cities and townships retain full control over collection activities and are responsible for the financing and establishment of any collection centers, boxes, or transfer stations that are deemed necessary beyond what private enterprise is providing or willing to provide. Local government may pass laws or ordinances and enter into contract agreements that might be needed for the collection of solid waste in their jurisdictions.
3. The Missaukee County Planning Commission will be the coordinating agency for the solid waste education and public information process. Information obtained at seminars, workshops and training programs will be distributed by the Planning Department to all local officials involved in the solid waste program. A continuous informational program will provide data as it develops to the public through news released to the mass communications media. the Planning Department will be responsible for the dissemination of informational and educational material that pertains to their unit of government.

Copies of letters from the various departments/agencies are included in the Appendix.

COSTS & FUNDING:

The following estimates the necessary management, capital, and operational and maintenance requirements for each applicable component of the solid waste management system. In addition, potential funding sources have been identified to support those components.

System Component[1]	Estimated Costs	Potential Funding Sources
Resource Conservation Efforts	None	Private enterprise
Resource Recovery Programs	None	None
Volume Reduction Techniques	None	Private enterprise
Collection Processes	None	Consumers, users of service
Transportation	None	Private enterprise
Disposal Areas	None	Private enterprise, other counties
Future Disposal Area Uses	None	Private enterprise
Management Arrangements	None	Missaukee Co. Board of Commissioners
Educational & Informational Programs	None	Missaukee Co. Board of Commissioners, MSU Extension

[1] These components and their subcomponents may vary with each system.

EVALUATION SUMMARY OF THE SELECTED SYSTEM:

The solid waste management system has been evaluated for anticipated positive and negative impacts on the public health, economics, environmental conditions, siting considerations, existing disposal areas, and energy consumption and production which would occur as a result of implementing this Selected System. In addition, the Selected System was evaluated to determine if it would be technically and economically feasible, whether the public would accept this Selected System, and the effectiveness of the educational and informational programs. Impacts to the resource recovery programs created by the solid waste collection system, local support groups, institutional arrangements, and the population in the County in addition to market availability for the collected materials and the transportation network were also considered. Impediments to implementing the solid waste management system are identified and proposed activities which will help overcome those problems are also addressed to assure successful programs. the Selected System was also evaluated as to how it relates to the Michigan Solid Waste Policy's goals. The following summarizes the findings of this evaluation and the basis for selecting this system:

The selected system, for the most part, is the same system that has been in effect in Missaukee County for several years. The public is comfortable with this system and the way it is operated. We feel the acceptance from the public will remain positive.

The selected system is not anticipated to have a negative impact in the future on either public health, economics, environmental conditions, siting considerations, existing disposal areas or energy consumption and production. This has been proven during the past with the use of this system. It is technically and economically feasible for our residents to continue using this system, providing pick-up costs remain relatively constant.

The educational and informational responsibilities will remain the same as with past practices - a cooperative effort between the County and MSU Extension. Recycling will continue, as cost allow, at a facility owned by the County and managed through contract with private enterprise. The collection of newsprint will continue to be operated by non-profit service groups having a collection site at the County's recycling facility. In the event the non-profit groups discontinue their collection, the County can and will assume this responsibility.

Expansion of our service area (inclusion of other county's and other landfills) will provide more flexibility not only for the waste haulers operating in the County, but also for residents who elect to haul their waste themselves to a landfill. Access to a landfill within a reasonable driving distance has been a concern of residents in the eastern and southern areas of Missaukee County.

There is not, at the present time, a County ordinance to regulate waste hauling. Because of this, local law enforcement and health department officials have only their own regulations with which to cite individuals or agencies in cases where violations occur. The County Planning staff presently consists of an individual with limited time to devote to the supervision of solid waste hauling practices. Budgetary concerns at the present time prevent hiring additional staff. It is these same budgetary concerns that prevent sponsoring a County household hazardous waste collection. This type of service will be available to County residents at a landfill included in our plan, but can not be offered locally at the present time.

EVALUATION SUMMARY CONTINUED:

Composting is practiced throughout the County by individuals, and is a service offered by both cities on a limited scale. With proper education and information, composting can be a practical way to reduce the amount of yard waste going to landfills. The County endorses and encourages this practice and will continue, in cooperation with MSU Extension, to offer educational information to the public on the most effective way to compost.

ADVANTAGES AND DISADVANTAGES OF THE SELECTED SYSTEM:

Each solid waste management system has pros and cons relating to its implementation within the County. Following is an outline of the major advantages and disadvantages for this Selected System.

ADVANTAGES:

1. **Addresses the rural nature of Missaukee County and the needs of its residents**
2. **Offers a recycling program**
3. **Encourages composting and other resource recovery**
4. **Offers more than one landfill for residents and commercial haulers to use**
5. **Low costs to county**
6. **Is the system presently being used in the County.**

DISADVANTAGES:

1. **No coordinated enforcement procedures at county level**
2. **Limited administrative supervision due to number of county planning staff**
3. **Lack of funds for adequate maintenance of program**
4. **Household hazardous waste collection not sponsored by county**
5. **Limited composting programs throughout the county**

NON-SELECTED

SYSTEMS

Before selecting the solid waste management system contained within this Plan update, the County developed and considered other alternative systems. The details of the non-selected systems are available for review in the County's repository. The following section provides a brief description of these non-selected systems and an explanation why they were not selected. Complete one evaluation summary for each non-selected alternative system.

SYSTEM COMPONENTS:

The following briefly describes the various components of the non-selected systems.

ALTERNATIVE #2

RESOURCE CONSERVATION EFFORTS:

Missaukee County will continue to finance the operation of a recycling center for use by the residents of the County. This center is located on County owned and maintained property, with the recycling service contracted with private enterprise. In addition, the townships and cities that engage in recycling and composting programs will be encouraged to continue these services.

VOLUME REDUCTION TECHNIQUES:

Missaukee County will continue to finance the operation of a recycling center for use by the residents of the County. This center is located on County owned and maintained property, with the recycling service contracted with private enterprise. In addition, the townships and cities that engage in recycling and composting programs will be encouraged to continue these services.

RESOURCE RECOVERY PROGRAMS:

Private enterprise will be encouraged to continue to explore the most cost effective methods of recycling, offering the most return on the recycled materials.

COLLECTION PROCESSES:

The recommended system of collection would incorporate both resident responsibility for the hauling and disposal of his waste products and a voluntary house-to-house collection method by solid waste haulers operating within the county. The haulers should be required by regulation to pick up solid waste at each location at least once a week. The cities and townships should retain full control over collection activities and be responsible for the financing and establishment of any collection center, boxes, or transfer stations that are deemed necessary beyond what private enterprise is providing or willing to provide. Local governments pass regulations, laws or ordinances and enter into contract agreements that might be needed for the collection of solid waste in their jurisdictions. Transfer stations would be established and operated by the County on county-owned property.

TRANSPORTATION:

The prevention of littering during collection and hauling would be achieved by the enforcement of local ordinances and regulations regarding solid waste haulers. Michigan Department of Transportation requires proper maintenance and operation of the vehicle used by solid waste haulers for transportation of solid waste. Direct haul would take place to a landfill accepting Missaukee County wastes.

DISPOSAL AREAS:

The present recommended method of disposal of solid waste from Missaukee County is to transport it out of the county to an approved landfill. The primary landfills for Missaukee County are Wexford County, with agreements pending with Northern Oaks in Clare County. Glen's Landfill in Leelanau County provides for contingency use in the event one or more of the primary use landfills are unavailable. Agreements with these landfills are included in Appendix D.

SYSTEM COMPONENTS (continued):

INSTITUTIONAL ARRANGEMENTS:

Missaukee County endorses the concept of a multi-jurisdictional approach to the management of solid waste. Solid waste haulers operate independently within the County to provide services to residents.

EDUCATIONAL AND INFORMATIONAL PROGRAMS:

Missaukee County would provide educational and informational programs to the public which promote waste reduction and resource recovery.

CAPITAL, OPERATIONAL, AND MAINTENANCE COSTS:

Recycling center owned by the County and operated by private enterprise: $10-12,000/year
This estimate is based on current costs of the County's recycling center.
Collection costs for route collection: We were unable to obtain this information from private enterprise.
Education provided by Missaukee County: $3-4,000/year
Transfer stations owned and operated by Missaukee County: Building size, amount and type of equipment are based on the volume of waste processed. Specific areas would be identified for locations of stations, with sites developed based on the size needed for building construction. Contracts would be let to private enterprise for operation.
Household hazardous waste collection facility: Building size, amount of equipment, and staff would be determined by the volume of waste handled.

EVALUATION SUMMARY OF NON-SELECTED SYSTEM:

The non-selected system was evaluated to determine its potential of impacting human health, economics, environmental, transportation, siting and energy resources of the County. In addition, it was reviewed for technical feasibility, and whether it would have public support. Following is a brief summary of that evaluation along with an explanation why this system was not chosen to be implemented.

This alternative offers the same services as the selected alternative, plus it would provide for county owned and operated transfer stations. Household hazardous waste collection would be offered to residents at a facility built for that purpose and funded by the county. These are not economically viable options at this time.

ALTERNATIVE #3

RESOURCE CONSERVATION EFFORTS:

Recycling programs will be run in conjunction with the operation of the landfill, with the recycling center being located at the site of the landfill. Operation of the recycling center/program would be the responsibility of the owner of the landfill.

VOLUME REDUCTION TECHNIQUES:

Recycling programs will be run in conjunction with the operation of the landfill, with the recycling center being located at the site of the landfill. Operation of the recycling center/program would be the responsibility of the owner of the landfill.

SYSTEM COMPONENTS (continued):

RESOURCE RECOVERY PROGRAMS:

Private enterprise will be encouraged to continue to explore the most cost effective methods of recycling, offering the most return on the recycled materials.

COLLECTION PROCESSES:

The recommended system of collection would incorporate both resident responsibility for the hauling and disposal of his waste products and a voluntary house-to-house collection method by solid waste haulers operating within the county. The haulers should be required by regulation to pick up solid waste at each location at least once a week. The cities and townships should retain full control over collection activities and be responsible for the financing and establishment of any collection center, boxes, or transfer stations that are deemed necessary beyond what private enterprise is providing or willing to provide. Local governments pass regulations, laws or ordinances and enter into contract agreements that might be needed for the collection of solid waste in their jurisdictions. Transfer stations would be established and operated by the County on county-owned property.

TRANSPORTATION:

The prevention of littering during collection and hauling would be achieved by the adoption of a solid waste regulation. This regulation should require proper maintenance and operation of the vehicle used by solid waste haulers for transportation of solid waste. Direct haul would take place to a landfill in Missaukee County.

DISPOSAL AREAS:

This alternative would provide for a landfill located in Missaukee County, and either owned and operated by the County, or owned and operated by private enterprise. The site for a landfill must comply with current state regulations, provide adequate disposal capacity for Missaukee County's solid waste for a period of 20 years, must comply with restrictions and requirements of local ordinances and land use plans, accessible by an existing all weather road, located only where an aquafer is protected by a natural clay barrier and within approximately ten miles of the center of population of Missaukee County. The site shall be no less than two miles from the corporate limits of any village or city. Development of any landfill would be encouraged only on Nester soils or soils which can be shown to have equivalent properties. No construction of a landfill shall take place within 2000 feet from any year-round stream, nor within one mile to any lake. No construction will be permitted in any wetland. Construction shall not obstruct any natural runoff or drainage area.

INSTITUTIONAL ARRANGEMENTS:

Missaukee County endorses the concept of a multi-jurisdictional approach to the management of solid waste. Solid waste haulers operate independently within the County to provide services to residents.

EDUCATIONAL AND INFORMATIONAL PROGRAMS:

Missaukee County, in cooperation with private disposal facilities, will provide educational and informational programs to the public which promote waste reduction and resource recovery.

CAPITAL, OPERATIONAL, AND MAINTENANCE COSTS:

Recycling center at a landfill: $50,000 construction costs. Operating costs would be part of the landfill operating costs.

SYSTEM COMPONENTS (continued):

Collection costs for route collection: We were unable to obtain this information from private enterprise.
Education provided by Missaukee County: $3-4,000/year
Transfer stations established on county-owned property and operated by the County:Building size, amount and type of equipment are based on the volume of waste processed. Specific areas would be identified for locations of stations, with sites developed based on the size needed for building construction. Contracts would be let to private enterprise for operation.
Construction of a landfill in Missaukee County: $300,000/acre double lined. Equipment for operation: $1.1 million. Operating and personnel (four): $900,000-$1 million/year. (These estimates were obtained from private enterprise).

EVALUATION SUMMARY OF NON-SELECTED SYSTEM:

The non-selected system was evaluated to determine its potential of impacting human health, economics, environmental, transportation, siting and energy resources of the County. In addition, it was reviewed for technical feasibility, and whether it would have public support. Following is a brief summary of that evaluation along with an explanation why this system was not chosen to be implemented.

Alternative #3 would provide for a landfill located in Missaukee County, either owned and operated by the county, or by private enterprise. Recycling programs would take place at the landfill, and be part of the landfill operation. The landfill would also be the site of the annual household hazardous waste collection. Additionally, transfer stations would be provided by the county. A local ordinance would be adopted and enforced pertaining to the regulation of solid waste collection and disposal.

There are no landfills presently located in Missaukee County, nor are any anticipated in the immediate future. It is the option of the Solid Waste Planning Committee that public acceptance of a landfill located in Missaukee County would be low. Alternative #3 was not selected for these reasons.

ALTERNATIVE #4

RESOURCE CONSERVATION EFFORTS:

Recycling programs will be run in conjunction with the operation of the landfill, with the recycling center being located at the site of the landfill. Operation of the recycling center/program would be the responsibility of the owner of the landfill.

VOLUME REDUCTION TECHNIQUES:

Recycling programs will be run in conjunction with the operation of the landfill, with the recycling center being located at the site of the landfill. Operation of the recycling center/program would be the responsibility of the owner of the landfill.

RESOURCE RECOVERY PROGRAMS:

Private enterprise will be encouraged to continue to explore the most cost effective methods of recycling, offering the most return on the recycled materials.

SYSTEM COMPONENTS (continued):

COLLECTION PROCESSES:

The recommended system of collection would incorporate both resident responsibility for the hauling and disposal of his waste products and a voluntary house-to-house collection method by solid waste haulers operating within the county. The haulers should be required by regulation to pick up solid waste at each location at least once a week. The cities and townships should retain full control over collection activities and be responsible for the financing and establishment of any collection center, boxes, or transfer stations that are deemed necessary beyond what private enterprise is providing or willing to provide. Local governments pass regulations, laws or ordinances and enter into contract agreements that might be needed for the collection of solid waste in their jurisdictions. Transfer stations would be established and operated by the County on county-owned property.

TRANSPORTATION:

The prevention of littering during collection and hauling would be achieved by the adoption of a solid waste regulation. This regulation should require proper maintenance and operation of the vehicle used by solid waste haulers for transportation of solid waste. Direct haul would take place to a landfill in Missaukee County.

DISPOSAL AREAS:

This alternative would provide for a landfill with incinerator located in Missaukee County, and either owned and operated by the County, or owned and operated by private enterprise. The site for a landfill must comply with current state regulations, provide adequate disposal capacity for Missaukee County's solid waste for a period of 20 years, must comply with restrictions and requirements of local ordinances and land use plans, accessible by an existing all weather road, located only where an aquafer is protected by a natural clay barrier and within approximately ten miles of the center of population of Missaukee County. The site shall be no less than two miles from the corporate limits of any village or city. Development of any landfill would be encouraged only on Nester soils or soils which can be shown to have equivalent properties. No construction of a landfill shall take place within 2000 feet from any year-round stream, nor within one mile to any lake. No construction will be permitted in any wetland. Construction shall not obstruct any natural runoff or drainage area. In addition, incineration services would be available at the landfill.

INSTITUTIONAL ARRANGEMENTS:

Missaukee County endorses the concept of a multi-jurisdictional approach to the management of solid waste. Solid waste haulers operate independently within the County to provide services to residents.

EDUCATIONAL AND INFORMATIONAL PROGRAMS:

Missaukee County, in cooperation with private disposal facilities, will provide educational and informational programs to the public which promote waste reduction and resource recovery.

CAPITAL, OPERATIONAL, AND MAINTENANCE COSTS:

Recycling center at a landfill: $50,000 construction costs. Operating costs would be part of the landfill operation.

Collection costs for route collection: We were unable to obtain this information from private enterprise.

Education provided by Missaukee County in conjunction with private enterprise: $3-4,000/year.

SYSTEM COMPONENTS (continued):

Transfer stations established on county-owned property and operated by the County: Building size, amount and type of equipment are based on the volume of waste processed. Specific areas would be identified for locations of stations, with sites developed based on the size needed for building construction. Contracts would be let to private enterprise for operation.
Construction of a landfill in Missaukee County: $300,000/acre double lined. Equipment for operation: $1.1 million. Operating and personnel (four): $900,000-$1 million/year. (These estimates were obtained from private enterprise.)
Construction of an incinerator at the landfill: We were unable to obtain this information from private enterprise.

EVALUATION SUMMARY OF NON-SELECTED SYSTEM:

The non-selected system was evaluated to determine its potential of impacting human health, economics, environmental, transportation, siting and energy resources of the County. In addition, it was reviewed for technical feasibility, and whether it would have public support. Following is a brief summary of that evaluation along with an explanation why this system was not chosen to be implemented.

This alternative is also contingent on a landfill with incinerator being located in Missaukee County, with all educational, recycling, and household hazardous waste collection provided or managed by the landfill. This alternative also provides for the adoption of a local ordinance to regulate solid waste collection and disposal, and the provision of county-owned transfer stations. Educational programs would be entirely sponsored by the County, in cooperation with private disposal facilities. Incineration would also take place at the landfill.

There are no landfills located in Missaukee County at the present time, and none are anticipated in the immediate future. Additionally, budgetary concerns would prevent a county-owned landfill at the present time.

It is also the consensus of the Solid Waste Planning Committee that a landfill with incineration capabilities located in Missaukee county would not be readily accepted by the majority of the residents in the county.

ADVANTAGES AND DISADVANTAGES OF THE NON-SELECTED SYSTEM:

Each solid waste management system has pros and cons relating to its implementation within the County. Following is a summary of the major advantages and disadvantages for this non-selected system.

ADVANTAGES:

1. **Alternatives #3 and #4 provide for a landfill located in the county**
2. **Better potential for resource recovery**
3. **Lower transportation costs**
4. **Possible revenue source for the county**
5. **Expanded recycling programs**
6. **Preserving rural nature of county with local controls regarding littering, solid waste management**
7. **More direct input and control over waste collection and disposal**

DISADVANTAGES:

1. **Public acceptability**
2. **Economic feasibility**
3. **Increase use of energy (incinerator)**
4. **Costs of construction and operation of transfer stations and landfills**

PUBLIC PARTICIPATION

AND APPROVAL

The following summarizes the processes which were used in the development and local approval of the Plan including a summary of public participation in those processes, documentation of each of the required approval steps, and a description of the appointment of the solid waste management planning committee along with the members of that committee.

PLANNING COMMITTEE APPOINTMENT PROCEDURE:

A notice was published in the local newspaper two consecutive weeks advertising three vacancies on the Solid Waste Committee for representatives of the PUBLIC AT LARGE.

There are no organized ENVIRONMENTAL INTEREST groups in Missaukee County. Therefore, representatives from the District Health Department and Cooperative Extension Service were contacted and asked if they would fill these seats on the Solid Waste Committee.

Letters were mailed to each TOWNSHIP in Missaukee County, advising them of the vacancy for a Township Representative. The County Planning Commission also requested the townships to advise the Planning Department of anyone interested in filling this vacancy.

Missaukee County is served by SOLID WASTE haulers: United Waste Systems and Waste Management of Central Michigan. Both of these companies were contacted by letter and asked to submit the name(s) of interested parties. Because both Lake City and McBain are responsible for solid waste collection within their boundaries, their Department of Public Works Managers were asked to serve as representatives of the SOLID WASTE INDUSTRY.

Northwest Michigan Council of Governments staff is limited, and therefore, unlikely to be able to attend all ten county solid waste committee meetings. For this reason, Missaukee County opted to appoint a local representative from the County Board of Commissioners to serve as our REGIONAL REPRESENTATIVE.

The County Board of Commissioners also appointed one of the board members to serve as the COUNTY Board representative.

Both CITIES of Lake City and McBain were asked by letter for a representative. Lake City responded affirmatively, while McBain declined to participate.

Two major industries in Missaukee County were contacted by mail requesting a representatives of INDUSTRIAL WASTE GENERATORS. Hydrolake Leasing & Service responded and named a representative.

At their regular board meeting on December 9, 1997 the following members were appointed:

PLANNING COMMITTEE

Committee member names and the company, group, or governmental entity represented from throughout the County are listed below.

Four representatives of the solid waste management industry:

1. **Tim Reppenhagen, United Waste Systems**
2. **Richard Leszcz, Northern Oaks Recycling & Disposal Facility**
3. **Craig Fisher, Department of Public Works Manager, City of McBain**
4. **Dan Molitor, Department of Public Works Manager, City of Lake City**

One representative from an industrial waste generator:

1. **Tony Furlich, Hydrolake Leasing & Service**

Two representatives from environmental interest groups from organizations that are active within the County.

1. **Alan Frier, District #10 Health Department**
2. **John Amrhein, MSU Co-operative Extension Service**

One representative from County government. All government representatives shall be elected officials or a designee of an elected official.

1. **Jack McGee, Vice-chairman, Missaukee County Board of Commissioners**

One representative from township government:

1. **Marilyn Myers Furr, Butterfield Township Clerk**

One representative from city government:

1. **Ed Boettcher, Councilman, City of Lake City**

One representative from the regional solid waste planning agency:

1. **Gary Birgy, Missaukee County Board Chairman, acting as regional representative**

Three representatives from the general public who reside within the County:

1. **Lee Crandall, resident of Lake Township, Public at Large**
2. **Chris Copley, resident of Pioneer Township, Public at Large**
3. **Richard Kramer, resident of Clam Union Township, Public at Large**

Public meetings of the Solid Waste Management Planning Committee were held on the following dates in the Commissioner's room at the courthouse:

January 21, 1998; February 4, 1998; February 25, 1998; March 25, 1998; April 15, 1998; May 6, 1998; May 20, 1998; July 8, 1998; September 9, 1998 (following public hearing).

A notice was published on July 3, 1998 to advise the public of the 90 day review period. A notice was published on August 7, 1998 advertising the public hearing scheduled for September 9, 1998.

saukee County, Michigan, and are described as:

East 1/2 of East 1/2 of Southeast 1/4 of Northwest 1/4 of Section 27, T22N, R6W, Aetna Twp., Missaukee County, Michigan.

The redemption period shall be 12 month(s) from the date of such sale.

Dated: June 12, 1998

FIRST CHICAGO NBD MORTGAGE COMPANY

FOR INFORMATION,
PLEASE CALL:
(248) 642-4202
Trott & Trott, P.C.
Attorneys for
FIRST CHICAGO NBD
MORTGAGE COMPANY,
30150 Telegraph
Suite 100
Bingham Farms,
Michigan 48025
File #98055345

7/10p

NOTICE

The Missaukee County Solid Waste Management Committee is providing a 90 day review period from July 10, 1998 through October 8, 1998 for the proposed Solid Waste Management Plan for Missaukee County, under the provisions of P.A. 451 of 1994, Section 11539a of Part 115, as amended. Copies of the proposed Solid Waste Management Plan are available for review at the Missaukee County Planning Office; Courthouse; Lake City, Michigan.

7/3

NOTICE

In it's regularly scheduled Board meeting of June 24, 1998, the Missaukee County Road Commission received a petition to absolutely abandon and discontinue the following as a County road:

The eastern 330 feet of Aspen Street as surveyed, lying within the Revised Plat of the Village of Jennings, as platted and approved on January 26, 1901.

This action was taken in response to a petition by all adjoining property owners and the required number of freeholders in the Township.

If there is any reason the described county road should not be abandoned and discontinued, please notify the Road Commission office by 1:00 p.m, July 22, 1998.

Lonny Lutke, Chairman
Missaukee County
Road Commission

7/17p

NOTICE

The City of McBain will receive bids on July 17, 1998, 11:00 a.m. for the Roland Street Streetscape Project.

continued on page 18

THE PINES

Jerry's
Pharmacy Corner

RE/MAX PROFESSIONALS
(616) 839-6500

1263 S. Lakeshore Dr.,
Lake City, MI 49651
Each office independently owned and operated

Bill Alderden, Broker/Owner
Jerry Quist, Associate
Harold Barton, Associate

Everything we touch turns to sold!™

~ OPEN HOUSE ~
Sat., Aug. 8 1-3 205 Canal St., Lake City

BIGGER THAN IT LOOKS FROM OUTSIDE AND AFFORDABLY PRICED! Next door to every convenience! Buy now and enjoy both your new home and the location, parks, beach, tennis courts all within a short distance. Nice 3 bedroom home, custom built bath with jaccuzi, hardwood floors and more. $59,500 #359 Ask for Bill or Susan.

LOVELY OLDER LOG HOME — Deeded access to Missaukee Lake. Two bedroom, 3/4 bath, manicured lawn and landscaping. Quiet neighborhood — MUST SEE! Call now and ask for Harold $63,500 #377

WANT TO BUILD AND HAVE NO LOT? Here it is! Large wooded building lot on Home Acres Airport. Close to both East/West and North/South runways. 120x200 $5,800 #378 Ask for Harold.

BUILDING YOUR DREAM HOME OR THAT LONG SOUGHT AFTER GET-AWAY This 90% wooded one acre lot located between Lake City and Cadillac is for you. $9,000 #232 Ask for Jerry.

McBAIN SCHOOLS! Want country, but close to town! Then this is the building site for you. On a blacktop road, in a new home area and a short distance to Cadillac. Wait and you may be too late. Call and ask for Jerry for acreage options. $7,500 #282

Classified Ads

FOR SALE

New Bicycles — Unicycles to adult tricycles, we sell the best and repair the rest. Uncle Don's Bicycle Shop, 190 Works Ave. Cadillac, (616) 779-0286.
_____18ufn

Furnace, 2 years old, like new condition. Miller brand for mobile homes. Call (616) 328-4618.
_____25ufn

Marlin sign carving system with router and templates. Excellent part-time income. (616) 839-4857.
_____8/7

Northland Trailers in Cadillac is Michigan's largest truck camper dealer in the North with 12 units in stock. Stocking 8 ft. to 9½ ft. Prices starting under $7,000 Clearance Sale going on. 903 N. Mitchell St., Cadillac. (616) 775-3101 Hours: M-F 9-5; Sat. 10-2 or by appt.
_____8/14

Do you have a job you need done and no one to do it? Are you in need of a job? Place an ad in *The Sentinel* Classifieds. Call (616) 839-5400

Have you got a garage or attic full of things you would like to get rid of? Well put your Garage or Yard Sale ad in *The Sentinel* Classifieds today! Call (616) 839-5400.

Merritt Feed -n- Seed
Downtown Lake City
Thistle Seed
.65# lbs 50# for **$31.50**
40# Turbo 21%
Dog Food $7.99
Hours: Mon-Sat. 9-5
(616) 839-7888 or 328-4344

GARAGE SALE

Farm & Flea Market North M-66, Marion. Wed. 8 am & Sat. 8 am. Vendors wanted, $3 daily rental fee
_____9/11

Yard Sale, Aug. 14-15, 9 am - 5 pm, 10730 N. 9 Mile Road at end of road, north of Moorestown Road.
_____8/7

Friday & Sat., Aug. 7 & 8, 9-3; 4585 N. Blodgett (off M-42). Boys, and adult clothes, misc
_____8/7

3/4 ton complete Reese hitch collectibles, tools, cement blocks. Friday & Saturday, 65100 Lakeview Dr., Lake City
_____8/7

Three family garage sale, Aug. 13, 14 & 15, from 8-? Wide selection. Lorena Sipes residence, 7867 N. 7 Mile Road.
_____8/7

FOR RENT

One bedroom apartment on water, available for rent, week or month. (616) 839-4046.
_____30ufn

Trailer for rent in Moorestown, $280 month plus $200 security deposit. Call 839-7387.
_____8/7

Need someone to rent your house or mobile home? Why not advertise in *The Sentinel* Classifieds? It's fast & simple, just call (616) 839-5400

If you have something that you would like to give away, something that you have found or lost, why not advertise in *The Sentinel* Classifieds. (616) 839-5400.

Do you have a car or truck that you would like to sell? Why not advertise in *The Sentinel* Classifieds? It's fast & simple, just call (616) 839-5400.

AUTO

1997 Ford Explorer, 2 door sport, loaded, under warranty, 27,000 miles. $20,700. 839-7615
_____8/28

1997 Buick Park Avenue. Beautiful car, highway miles, loaded. $21,500 (517) 422-4207.
_____8/14

1993 Ford Bronco, Eddie Bauer, 351 Towing package, 87,000 miles. $12,000. (616) 839-4073.
_____8/7

1991 Pontiac Grand Am $2,500 or best offer. As is. 124 S. Huron Street, 839-7840
_____8/28

1986 S10 Blazer, 4x4, very good condition, $2,800 or best offer (616) 839-5554
_____8/14

REAL ESTATE

Lakefront home and deck, 118 ft. private beach frontage, 3 lots, 6 bedrooms, four bathrooms, 3½ car garage, Lake City. (616) 839-7998
_____9/4

Three bedroom, 1 bath, ranch home on wooded lot in country subdivision in Lake City. $83,500 Call (616) 839-4059 for information.
_____8/7

Have 40 acres of open land in Moorestown area to lease for farmland. No Christmas trees. Sunday - Wed. from 5-9 pm. Call (734) 722-1886. Any other time page me at (313) 210-5386.
_____35ufn

SELF STORAGE UNITS
8x10 and 10x20
Convenient location,
right in Lake City
S. Houghton Street
Monthly Rates
Yearly Discounted
EXTRA STORAGE
130 S. Main
(616) 839-3300

ACREAGE:
For Sale — 54 acres m/l, good hunting, nice place to build or start a junk car/truck business, used tire business or kennel, dogs can run loose or bark all day and night.
You might want to start a dump and garbage business. Township and county fathers, DOT, DNR, Health Department, and the Sheriff Department do not care and can do nothing to stop you.
Call after 6 pm.
(616) 839-5625

Legal Notices

NOTICE OF MORTGAGE FORECLOSURE

WILLIAM AZKOUL P.C. IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Default having been made in the conditions of a real estate mortgage made by Scott D. Read, Sr., and Christina Read, husband and wife, of 1011 Almoses Road, Lake City, Michigan 49651, and Bond Corporation, a corporation organized and existing under the laws of the State of Michigan, whose address is 2007 Eastern, S.E., Grand Rapids, Michigan 49507, dated November 15, 1996, and recorded on November 22, 1996, in Liber 308, Page 87, of the Missaukee County Register of Deeds, and upon which there is now claimed to be due for principal and interest the sum of Twenty One Thousand Two Hundred Ninety Nine Dollars and Forty Two Cents ($21,299.42) and no suit or proceedings at law having been instituted to recover the said debt or any part thereof;

NOTICE IS HEREBY GIVEN that by virtue of the power of sale contained in the mortgage, and the statue in such case made and provided, on August 21, 1998, at 10:00 a.m. the undersigned will sell in the main lobby of the Missaukee County Courthouse, Lake City, Michigan, that being the place of holding the Circuit Court for the County of Missaukee, at public venue to the highest bidder for the purpose of satisfying the amounts due and unpaid upon said Mortgage, together with the legal fees and charges of the sale, including attorney's fees allowed by law, the premises in said mortgage located in the Township of Caldwell, Missaukee County and which are described as follows:

The South 130 Feet of the East 600 Feet of the South ½ of the Southwest ¼ of Section 25, Town 23 North, Range 8 West.

which has an address of 1011 Almoses Road, Lake City, Michigan 49651.

The redemption period shall be six (6) months from the date of such sale, unless determined abandoned in accordance with MCL 600.3241 in which case the redemption period shall be thirty (30) days from the date of such sale.

Bond Corporation
2007 Eastern, S.E.
Grand Rapids, MI 49507

DATED: July 8, 1998

Drafted by:
William M. Azkoul (P40071)
Attorney for Mortgagee
161 Ottawa, N.W., Ste. 111-A
Grand Rapids, MI 49503
(616) 458-1315
_____8/7p

NOTICE
OPENING ON THE PLANNING COMMISSION

The Missaukee County Board of Commissioners is actively seeking two positions on the Planning Commission. These are County wide positions and are available immediately.

Please send a letter of interest to the Missaukee County Clerk or call (616) 839-4967 for more details. P.O. Box 800, Lake City, MI 49651. EOE
_____8/7

NOTICE

Pursuant to Section 11535(d) of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, verbal input regarding the draft of the Solid Waste Plan update for Missaukee County will be heard at a public hearing on September 9, 1998 at the regular meeting of the Solid Waste Management Planning Committee. The hearing will be held at the Missaukee County Courthouse in Lake City in the Commission Room beginning at 10:00 a.m.

Copies of the draft plan are available for inspection and/or purchase, at cost, at the Missaukee County Planning Department in the courthouse in Lake City. Questions regarding the plan can be directed to the Missaukee County Planning Department at (616) 839-7988.
_____8/7

ski's shore
LAKE CITY
REALTORS
P.O. Box 660
1850 S. Morey Rd. (M-66)
Lake City, MI 49651

LISTINGS WANTED!
I have prospects for hunting acreage,
10 to 80 acres. Building sites, 2 to 40 acres.
Lakefront homes, $90,000 to $250,000!
Call **Larry G. Barron**
(616) 839-4873

MISSAUKEE COUNTY
SOLID WASTE COMMITTEE
PUBLIC HEARING
September 9, 1998
10:00 a.m.

Hearing called to order at 10:00 a.m. by Chairman Furlich in the Commissioners' room at the courthouse. Those attending the hearing were: Lee Crandall, Tony Furlich, Richard Kramer, Dan Molitor, Marilyn Furr and Dawn Mills (Solid Waste Management Planning Committee members.) There were no attendees from the public at large. Members of the committee asked of there had been any comments from their constituents. None were reported.

Hearing closed at 10:50 a.m.

MISSAUKEE COUNTY
SOLID WASTE COMMITTEE
Regular Meeting
July 8, 1998

COMMITTEE MEMBERS: John Amrhein, Gary Birgy, Chris Copley, Lee Crandall, Craig Fisher, Alan Frier, Tony Furlich, Vic Guest, Richard Kramer, Rich Leszcz, Jack McGee, Dan Molitor, Marilyn Furr, Tim Reppenhagen, Dawn Mills (Advisory).

MEMBERS PRESENT: Dawn Mills, Lee Crandall, Tony Furlich, Richard Kramer, Marilyn Furr, Jack McGee, John Amrhein, Richard Leszcz, Ed Boettcher

Tony Furlich called the meeting to order at 10:10 a.m.

In review of the MINUTES FROM THE PREVIOUS MEETING, a motion was introduced by Crandall, supported by Furlich to approve. Motion carried
CORRESPONDENCE:
1. Minutes of Board of Commissioners meeting to appoint Ed Boettcher as a replacement for Vic Guest as the City's representative.
2. Agreement received from Leelanau County requesting inclusion in our plan. This has been done. Agreement will be part of the final plan that goes to the DEQ for review.
3. Agreement (signed by the Chairman of the Board) received from Osceola County. Will be included in final plan.
REPORT ON WORKSHOP with Mills, Leszcz and Reppenhagen. Discussion followed on the figures used for totals of solid waste volumes. Mills reviewed the pages that show these figures.
SCHEDULING A DATE TO BEGIN 90 DAY PUBLIC REVIEW was discussed. Furlich reported he received a phone call from Paul Thibodeau, Chairman of the Osceola County Solid Waste Committee, expressing concerns with individuals using the landfill instead of limiting use to licensed waste haulers. Furlich stated after their conversation, he felt he had successfully argued the position of our Solid Waste Committee in allowing individuals to use all landfills. Question by Amrhein on public education methods that will be used. Mills reported that all existing newsletters, and other means of notifying the public will be used to reduce postage costs. Amrhein stated that we should also consider using the Soil Erosion Newsletter since it generally covered more generic information. This will be added to our list of program providers on page III-22. Capital, operational & maintenance costs for the non-selected systems were discussed.
MOTION BY CRANDALL, SUPPORTED BY FURLICH TO BEGIN 90 DAY REVIEW on July 10, 1998 through October 8, 1998. Motion carried.
MOTION BY FURLICH, SUPPORTED BY KRAMER to schedule a public hearing on September 9, 1998 at 10:00 a.m. 2/3 of the way through the 90 day period. Motion carried. Mills will advertise the public hearing date on August 7, 1998 in the Missaukee Sentinel.
NEXT MEETING DATE will be scheduled for October 9, 1998, the day following the end of the 90 day review period. This will allow us the opportunity to finalize the plan and submit it to the Board of Commissioners at their regular meeting on October 13, 1998.

Motion by Crandall, supported by Furlich to adjourn at 11:05 a.m. Motion carried.

Respectfully submitted:
Marilyn Furr, Secretary

Missaukee County Board of Commissioners
Regular Meeting
October 13, 1998

Meeting Called to Order by Chairman Birgy.
Roll Call: All present.
Prayer offered by Comm Shaarda
Minutes of September 8, 1998 read and approved.
Correspondence read and assigned.

Sherry Blaszak, Soil Conservation Representative, reported to the board and asked for an increase in permit fees for 1999 under PA 451 for residential only. She also requested that the Lands and Agricultural Committee act as a liaison between the Commissioners and her board. Request approved. An update on activities was also presented.

Motion by Halvorsen, supported by Davis to increase the P.A. 451 Residential fees to $50.00 beginning November 1, 1998. Roll Call Vote: 9 Yea 0 Nay. CARRIED.

Dawn Mills, County Planner updated the board on the proposed Alternative plans for the updated Solid Waste.

Motion by Comm. McGee, supported by Comm Scarbrough to the following:

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every County to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules, and
WHEREAS, Missaukee County has complied with the requirements of Part 115 in the appointment of a Solid Waste Management Planning Committee; and
WHEREAS, the Committee has completed an update of the County Solid Waste Management Plan, provided a 90-day public review period, delivered copies of the update to the other counties included in the Plan, and approved the update by a majority of the membership of the Committee;
NOW THEREFORE, BE IT RESOLVED, pursuant to Section 1153(2), Rule 708 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, the Missaukee County Board of Commissioners adopts the Plan update as approved by the Solid Waste Management Planning Committee.

Resolution CARRIED.

Pete Hembrough, Consumers Power Representative, reported to the board on Electric and Gas Deregulation and presented the facts.

Dee Halvorsen and Charlie Parsons, representing the Council on Aging, reported that the COA office has been opened 7 days and has had 46 calls requesting services. A request was made to appoint Ellen Blair as the Moorestown Alternate. Reimbursement from Traverse City will be made after the services are provided. All homemaker and respite workers must contract through the Cadillac Office at this time.

Motion by Halvorsen, supported by Reinke to appoint Ellen Blair as a replacement alternate in the place of Karen Kelley on the Moorestown Senior Board.

Lunch

Budget Hearing opened for 1999. The General Fund & Special Fund Budgets were handed out and will be open for comment for the next 30 days. Budget Hearing adjourned until 11-10-98.

Motion by Halvorsen, supported by Davis to accept the resignation of Carol Duddles (effective

12-31-98) to the FIA Board and fill her vacancy with Charles Higgins. CARRIED

Comm Halvorsen now not present.

Motion to pay Claims and Accounts and Own Accounts by Shaarda, supported by Reinke. DELAYED VOTE.

Motion by Harley, supported by McGee to approve the deductible payments for the Non-Union personnel as follows:
Sheriff Department employees will receive the same co-pays as the POAM Union. The Courthouse employees will receive the same co-pay as the AFSCME employees. CARRIED.

Motion by McGee, supported by Scarbrough to approve the October-December 1998 Budget of the Council on Aging as follows:

Revenues

297 000 539	State	5,000
297 000 695	Gen Fund	10,000

Expenses

297 000 704	Administration	5,000
297 000 800	Services & Charles	10,000

ROLL CALL: 8 Yea 1 Absent (Halvorsen) CARRIED

Comm Halvorsen now present.

Vote on Claims & Accounts:	9 Yea	0 Nay	CARRIED
Vote on Own Accounts:	9 Yea	0 Nay	CARRIED

Meeting adjourned until October 16 at 4 pm or Call of the Chair

Gary Birgy, Chairman

Carolyn Flore, Clerk

RESOLUTION OF AETNA TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Aetna Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Aetna Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: Mary Schoo **Supported by:** Mark Jensma

MOTION CARRIED

Dolores Crawford
Aetna Township Clerk

11/12/98
Date

RESOLUTION OF BLOOMFIELD TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Bloomfield Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Bloomfield Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: Kelly Powell **Supported by:** Sally Gill

MOTION CARRIED.

Nadine Leaberow
Bloomfield Township Clerk

10/10/98
Date

RESOLUTION OF BUTTERFIELD TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Butterfield Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Butterfield Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: Hartley Davis Jr **Supported by:** Dolores Geers

MOTION CARRIED

Marilyn Myers Furr
Butterfield Township Clerk

November 9, 1998
Date

RESOLUTION OF CALDWELL TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Caldwell Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Caldwell Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: Gordon Haver **Supported by:** Gordon Brown

MOTION CARRIED

Nancy Wilson
Caldwell Township Clerk

10-15-98
Date

RESOLUTION OF CLAM UNION TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Clam Union Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Clam Union Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: Bernard Brinks **Supported by:** J Wally J [illegible]

MOTION CARRIED

[illegible] 12-14-98

Clam Union Township Clerk **Date**

RESOLUTION OF ENTERPRISE TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Enterprise Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Enterprise Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by:_____Supported by:_____

MOTION CARRIED

_____ _____
Enterprise Township Clerk **Date**

RESOLUTION OF FOREST TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Forest Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Forest Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: Jones **Supported by:** McGee

MOTION CARRIED

Catherine Hatter
Forest Township Clerk

11-4-98
Date

mills

RESOLUTION OF HOLLAND TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Holland Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Holland Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: PETER HELISTE **Supported by:** JoLYNN DAVISON

MOTION CARRIED HELISTE, YEA, DAVISON, YEA, PEARSON, YEA EMERY, YEA BYRNE, YEA.

Edith Pearson
Holland Township Clerk

NOV. 11, 1998
Date

RESOLUTION OF LAKE TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Lake Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Lake Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: Allen H. Krafve **Supported by:** Bonnie J Brown

MOTION CARRIED

Bonnie J Brown
Lake Township Clerk

11-11-98
Date

RESOLUTION OF NORWICH TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Norwich Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Norwich Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: Carl Hutchinson **Supported by:** Lynda Phelps

MOTION CARRIED

Lois Milne
Norwich Township Clerk

11-4-98
Date

RESOLUTION OF PIONEER TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Pioneer Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Pioneer Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by:_____Supported by:_____

MOTION CARRIED

_____ _____

Pioneer Township Clerk **Date**

RESOLUTION OF REEDER TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Reeder Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Reeder Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: George Higgins **Supported by:** James Higgins

MOTION CARRIED

Roger Jensen
Reeder Township Clerk

12-9-98
Date

RESOLUTION OF RICHLAND TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Richland Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Richland Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: Jim Taylor **Supported by:** Julie Dick

MOTION CARRIED

Julie Dick
Richland Township Clerk

11-17-98
Date

RESOLUTION OF RIVERSIDE TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, Riverside Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the Riverside Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: Sisterman **Supported by:** Kuipers

MOTION CARRIED

Mildred Rozevelt
Riverside Township Clerk

11-5-98
Date

RESOLUTION OF WEST BRANCH TOWNSHIP
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, West Branch Township was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the West Branch Township Board approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: Jim Flynn **Supported by:** Cindy Wagner

MOTION CARRIED

Penny K. Altdrich 12-9-98

West Branch Township Clerk **Date**

RESOLUTION OF CITY OF LAKE CITY
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, The City of Lake City was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the City of Lake City approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: Boettcher **Supported by:** Robinson

MOTION CARRIED

City Clerk, City of Lake City 11/9/98 **Date**

APPROVED

City of Lake City
Council Proceedings (Unapproved)
Regular Meeting

November 9th, 1998

Called to order at 7:30 PM by Mayor Peckham.

Members Present: Boettcher, Bradley, Ingleright, Robinson and Russell
Members Absent: Chalker

Motion by Bradley to approve the minutes of the October12th Regular Meeting and the November 2nd Workshop as presented carried.

Motion by Bradley to approve the agenda as amended carried.

Administrative reports were given by Vasser (DPW Director), Baldwin (Treasurer), Brown (Assessor), Wickenden (Zoning Administrator) and Hinkamp (Planning Commission Chairman).

Motion by Bradley to increase the pay for Maple Grove Campground hosts to $250 per month carried unanimously by roll call vote.

Motion by Bradley to increase Maple Grove Campground rent to $10 per night or $250 per month carried unanimously by roll call vote.

Motion by Ingleright to approve Budget Amendments for the 1998-99 Fiscal year as presented carried unanimously by roll call vote.

Motion by Ingleright to adopt a Resolution to implement a Card Policy as presented carried unanimously by roll call vote.

Motion by Ingleright to adopt a Resolution to implement an Investment Policy as presented carried unanimously by roll call vote.

Motion by Boettcher to adopt a Resolution approving the County Solid Waste Plan Update as presented carried unanimously by roll call vote.

Motion by Boettcher to appoint Katherine Munn to the Missaukee Co. Library Board carried unanimously by roll call vote.

Motion by Bradley to donate $200 to the Missaukee Humane Society carried unanimously by roll call vote.

Motion by Bradley to approve payment of bills for the month of October in the amount of $24,914.99 carried unanimously by roll call vote.

A motion to adjourn prevailed at approximately 8:30PM.

Shelly M. Geiger, City Clerk

RESOLUTION OF CITY OF McBAIN
TO APPROVE THE MISSAUKEE COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, Section 11539a of Part 115 of The Natural Resources and Environmental Protection Act 1994 PA 451, as amended requires every county to have a management Plan to assure that all non-hazardous solid waste generated in the county is collected and recovered, processed, or disposed of for a ten-year period at facilities which comply with state laws and rules; and

WHEREAS, The City of McBain was advised of the 90-day public review period on said Plan; and

WHEREAS, The Board of Commissioners have complied with Section 11536(2), Rule 708 with the adoption of said Plan:

NOW THEREFORE, BE IT RESOLVED the City of McBain approves the update to the Missaukee County Solid Waste Management Plan.

Motion by: McNally **Supported by:** Lucas

MOTION CARRIED Yea: Schepers, McNally, Noordhoek, Mulder, Lucas
Nay: None

Ev Lucas
City Clerk, City of McBain
Ev Lucas

November 9, 1998
Date

LAW OFFICES
HONIGMAN MILLER SCHWARTZ AND COHN
2290 FIRST NATIONAL BUILDING
660 WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3583
FAX (313) 465-8000

JEFFREY L. WOOLSTRUM
TELEPHONE: (313) 465-7612
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E-MAIL: jlw@honigman.com

LANSING, MICHIGAN

September 2, 1999

Ms. Dawn M. Mills
Missaukee County Solid Waste Planning Committee
County Courthouse
P.O. Box 800
Lake City, MI 49651

RE: Missaukee County Solid Waste Management Plan Update

Dear Ms. Mills:

We are attorneys representing the Michigan Waste Industries Association ("MWIA"). MWIA is a Michigan nonprofit corporation representing approximately 50 individual Michigan-based solid waste companies, some of which operate within Missaukee County. MWIA submits the enclosed document ("Comments") for inclusion in the administrative record of public comments on Missaukee County's draft solid waste management plan update (the "Plan"). The Comments address MWIA's concerns with certain provisions that may be contained in the Plan that exceed Missaukee County's authority. Missaukee County does not have unlimited authority to include provisions in a solid waste management plan. Rather, Missaukee County only has such powers that have been granted by the Michigan Legislature. Although the Legislature authorized Missaukee County to prepare a solid waste management plan under Part 115 of the Natural Resources and Environmental Protection Act ("Part 115"), Missaukee County may only include in the Plan those provisions that are expressly identified in Part 115 or the administrative rules promulgated by the Michigan Department of Environmental Quality ("MDEQ") under Part 115 (the "Part 115 Rules"). The provisions discussed in the Comments are clearly not authorized under Part 115 or the Part 115 Rules.

To the extent the Plan contains any of the provisions discussed in the Comments, or incorporates such provisions into the Plan by reference to other documents, MWIA requests that Missaukee County either: (1) revise the Plan to eliminate the offending provisions; or (2) provide a written response to MWIA's concerns in the Plan's appendix, as required by Rule 711(g) of the Part 115 Rules, which sets forth the basis for retaining such provisions in the Plan. Feel free to call me with any questions regarding MWIA's Comments.

Sincerely,

Jeffrey L. Woolstrum

cc: Mr. Jim Sygo, Chief Waste Management Division, MDEQ
Mr. Terry Guerin, President -- MWIA

DET_B\183799.1

MICHIGAN WASTE INDUSTRIES ASSOCIATION
GENERAL COMMENTS ON
COUNTY SOLID WASTE MANAGEMENT PLAN UPDATES

Michigan Waste Industries Association ("MWIA") submits the following general comments on the contents of solid waste management plan updates that are currently being prepared by various counties under the authority of Part 115 of the Natural Resources and Environmental Protection Act ("Part 115") and the administrative rules promulgated thereunder (the "Part 115 Rules"). The discussion contained in this document is divided into two main sections. The first section discusses a county's limited authority to regulate matters in general, and the Legislature's narrow delegation of authority under Part 115 to include provisions in a solid waste management plan. In light of this narrow delegation of authority, the second section reviews eleven provisions that have appeared in one or more of the draft solid waste management plan updates. These eleven provisions generally relate to:

- disposal fees;
- disposal area operating criteria;
- mandated recycling;
- mandated data collection;
- preservation of more than 10 years of disposal capacity;
- disposal area volume caps;
- identification of specific disposal areas that may accept county waste;
- restrictions on special waste importation;
- enforcement activities by uncertified health departments;
- transporter licensing; and
- the severablity of unlawful plan provisions without a formal plan amendment.

MWIA contends that these provisions exceed the limited authority that has been delegated to the counties under Part 115. Further, because the Michigan Department of Environmental Quality ("MDEQ") can only approve or disapprove a county solid waste management plan without conditions, MWIA contends that MDEQ cannot approve a plan that contains one or more of these offending provisions.

I. PERMISSIBLE CONTENTS OF COUNTY SOLID WASTE MANAGEMENT PLANS

Although Part 115 authorizes counties, among other government entities, to prepare solid waste management plans, counties do not have carte blanch to include any provision related to solid waste in their plans. To the contrary, counties must work within the narrow confines of the Legislature's delegation of authority under Part 115. Thus, when reviewing a plan submitted by a county for final approval, MDEQ must *not* ask, "does Part 115 *prohibit* this particular provision." Rather, MDEQ must ask whether a specific section of Part 115 or the Part 115 Rules *clearly authorizes* each provision included in a solid waste management plan including each

an ordinance because "[t]he adoption of the motor vehicle code by a county would not be consistent with the legislative intention [to grant certain exclusive powers to the county road commission], would have the effect of contravening the general laws of the state, and of extending or increasing the powers or jurisdiction of a county board of commissioners." In OAG, 1977-1978, No. 5,341, p. 556 (July 31, 1978), the AG opined that a county had no authority to operate a spay and neuter clinic for dogs and cats because "[n]o provision of the [Michigan Dog Law] specifically or impliedly authorizes a county to establish and maintain a spay and neuter clinic and cats are not mentioned in either the title or body of the act." In OAG, 1977-1978, No. 5,304, p. 427 (April 27, 1978), the AG opined that a county board of commissioners could not establish a county police or security force because "the delegation of law enforcement responsibilities to any entity other than the sheriff would contravene general state laws [and] would tend to increase the powers, duties and jurisdiction of the county board of commissioners by transferring a measure of the sheriff's authority to an organization responsible to the board and not to the sheriff." Finally, in OAG, 1971-1972, No. 4,741, p. 82 (April 13, 1972), the AG opined that a county was without authority to adopt an ordinance banning the discharge of firearms in the county because there was "no express or implied power in the county which would support the adoption of [such] an ordinance."

B. PART 115 ESTABLISHES THE SPECIFIC CONTENTS OF A SOLID WASTE MANAGEMENT PLAN AND COUNTIES CANNOT INCLUDE EXTRANEOUS PROVISIONS THAT WOULD EXPAND THEIR LIMITED DELEGATION OF AUTHORITY.

The contents of a solid waste management plan are limited to the provisions that are authorized in Part 115 and the Part 115 Rules, which are summarized below. A solid waste management plan must "encompass all municipalities within the county" and "take into consideration solid waste management plans in contiguous counties and existing local approved solid waste management plans as they relate to the county's needs." M.C.L. § 324.11533(2). A solid waste management plan must contain an evaluation of the "best available information" regarding recyclable materials within the planning area, including an evaluation of how the planning entity is meeting the state's waste reduction and recycling goals, and, based on that analysis, either provide for recycling and composting of such materials or establish that recycling and composting are not necessary or feasible or is only necessary or feasible to a limited extent. M.C.L. § 324.11539(1)(a), (b) and (d). If the solid waste management plan proposes a recycling or composting program, the plan must contain details of the major features of that program, including ordinances or other measures that will ensure collection of the material; however, as discussed below, Part 115 does not operate as enabling legislation for such ordinances. M.C.L. § 324.11539(1)(c). A solid waste management plan must "identify specific sites for solid waste disposal areas for a 5-year period after approval of a plan or plan update," and either identify specific sites for disposal areas for the remaining portion of the ten-year planning period, or include a process to annually certify the remaining solid waste disposal capacity available to the plan area and an interim siting mechanism[1] that becomes operative when the annual certification

[1]"An interim siting mechanism shall include both a process and a set of minimum siting criteria, both of which are not subject to interpretation or discretionary acts by the planning entity,

indicates that the available capacity is less than 66 months. M.C.L. § 324.11538(2). The solid waste management plan must "explicitly authorize" another county, state, or country to export solid waste into the county. M.C.L. § 324.11538(6).[2] In addition, "[w]ith regard to intercounty service within Michigan, the service must also be explicitly authorized in the exporting county's solid waste management plan." *Id.*

In addition to the plan content requirements expressly contained in Part 115, Section 11538(1) authorizes MDEQ to promulgate rules "for the development, form, and submission of initial solid waste management plans." M.C.L. § 324.11538(1). Part 115 directs MDEQ to provide for the following in its administrative rules regarding solid waste management plans:

> (a) The establishment of goals and objectives for prevention of adverse effects on the public health and on the environment resulting from improper solid waste collection, processing, or disposal including protection of surface and groundwater quality, air quality, and the land.
>
> (b) An evaluation of waste problems by type and volume, including residential and commercial solid waste, hazardous waste, industrial sludges, pretreatment residues, municipal sewage sludge, air pollution control residue, and other wastes from industrial or municipal sources.
>
> (c) An evaluation and selection of technically and economically feasible solid waste management options, which may include sanitary landfill, resource recovery systems, resource conservation, or a combination of options.
>
> (d) An inventory and description of all existing facilities where solid waste is being treated, processed, or disposed of, including a summary of the deficiencies, if any, of the facilities in meeting current solid waste management needs.
>
> (e) The encouragement and documentation as part of the plan, of all opportunities for participation and involvement of the public, all affected agencies and parties, and the private sector.

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and which if met by an applicant submitting a disposal area proposal, will guarantee a finding of consistency with the plan." M.C.L. § 324.11538(3).

[2]*See also*, M.C.L. § 324.11513; Mich. Admin. Code r. 299.4711(e)(iii)(C). In *Fort Gratiot Sanitary Landfill, Inc. v. Department of Natural Resources*, 504 U.S. 353 (1992), the United States Supreme Court invalidated Part 115's flow control provisions to the extent they regulated the interstate flow of solid waste because such regulation violated the Commerce Clause of the United States Constitution.

(f) That the plan contain enforceable mechanisms for implementing the plan, including identification of the municipalities within the county responsible for the enforcement. This subdivision does not preclude the private sector's participation in providing solid waste management services consistent with the county plan.

(g) Current and projected population densities of each county and identification of population centers and centers of solid waste generation, including industrial wastes.

(h) That the plan area has, and will have during the plan period, access to a sufficient amount of available and suitable land, accessible to transportation media, to accommodate the development and operation of solid waste disposal areas, or resource recovery facilities provided for in the plan.

(i) That the solid waste disposal areas or resource recovery facilities provided for in the plan are capable of being developed and operated in compliance with state law and rules of the department pertaining to protection of the public health and the environment, considering the available land in the plan area, and the technical feasibility of, and economic costs associated with, the facilities.

(j) A timetable or schedule for implementing the county solid waste management plan.

M.C.L. § 324.11538(1)(a)-(j). MDEQ has promulgated such rules in Part 7 of the Part 115 Rules. Mich. Admin. Code r. 299.4701 *et seq.*

Rule 711 of the Part 115 Rules sets forth the general structure and the required contents of a county solid waste management plan. "To comply with the requirements of [Part 115,] . . . county solid waste management plans shall be in compliance with the following general format": (i) executive summary;[3] (ii) introduction;[4] (iii) data base;[5] (iv) solid waste management system

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[3]The executive summary must include an overview of the plan, the conclusions reached in the plan and the selected solid waste disposal alternatives. Mich. Admin. Code r. 299.4711(a).

[4]The introduction must establish the plan's goals and objectives for protecting the public health and the environment by properly collecting, transporting, processing, or disposing of solid waste, and by reducing the volume of the solid waste stream through resource recovery, including source reduction and source separation. Mich. Admin. Code r. 299.4711(b).

[5]The data base must include: (i) an inventory and description of the existing facilities serving the county's solid waste disposal needs; (ii) an evaluation of existing problems related to solid waste collection, management, processing, treatment, transportation, and disposal, by type and volume of solid waste; (iii) the current and projected population densities, centers of population, and centers of waste generation for five- and twenty-year periods; and (iv) the current and projected land

alternatives; (v) plan selection; (vi) management component; and (vii) documentation of public participation in the preparation of the plan.[6] Mich. Admin. Code r. 299.4711(a)-(d). Under this general format, the operative portions of a solid waste management plan are contained in the solid waste management system alternatives, plan selection, and management component elements of the plan. The required contents of these three elements are discussed below.

First, each solid waste management system alternative developed in the plan must address the existing problems identified in the plan's data base related to solid waste collection, management, processing, treatment, transportation, and disposal and must address the following components: (i) resource conservation and recovery, including source reduction, source separation, energy savings, and markets for reusable materials; (ii) solid waste volume reduction; (iii) solid waste collection and transportation; (iv) sanitary landfills; (v) ultimate uses for disposal areas following final closure; and (vi) institutional arrangements, such as agreements or other organizational arrangements or structures, that will provide for the necessary solid waste collection, transportation, processing and disposal systems. Mich. Admin. Code r. 299.4711(d)(i)(A)-(H). In addition, the plan must evaluate public health, economic,[7] environmental, siting, and energy impacts associated with each alternative. Mich. Admin. Code r. 299.4711(d)(ii).

Second, the plan must select the preferred solid waste management system alternative developed and evaluated in the plan. The selection must be based on "[a]n evaluation and ranking of proposed alternative systems" using factors that include: (i) technical and economic feasibility; (ii) access to necessary land and transportation networks; (iii) effects on energy usage, including the impacts of energy shortages; (iv) environmental impacts; and (v) public acceptability. Mich. Admin. Code r. 299.4711(e)(i)(A)-(G). The basis for the selection must be set forth in the plan, including a summary of the evaluation and ranking system. Mich. Admin. Code r. 299.4711(e)(ii)(A). The plan must state the advantages and disadvantages of the selected alternative based on the following factors: (i) public health; (ii) economics; (iii) environmental effects; (iv) energy use; and (v) disposal area siting problems. Mich. Admin. Code r. 299.4711(e)(ii)(B)(1)-(5). The selected alternative must "be capable of being developed and operated in compliance with state laws and rules of the Department pertaining to the protection of the public health and environment," include a timetable for implementing the plan, and be "consistent with and utilize population, waste generation, and other [available] planning information." Mich. Admin. Code r. 299.4711(e)(ii)(C)-(E). With respect to disposal areas, the selected alternative must "identify specific sites for solid waste disposal areas" for a five-year

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development patterns and environmental conditions as related to solid waste management systems for five and twenty-year periods. Mich. Admin. Code r. 299.4711(c)(i)-(iv).

[6]The public participation in the preparation of the solid waste management plan must be documented by including in an appendix to the plan a record of attendance at the public hearing and the planning agency's responses to citizens' concerns and questions. Mich. Admin. Code r. 299.4711(g).

[7]The evaluation of the economic impacts must include an estimate of the capital, operational, and maintenance costs for each alternative system. Mich. Admin. Code r. 299.4711(d)(ii).

period following MDEQ approval of the plan and, "[i]f specific sites cannot be identified for the remainder of the 20-year period, the selected alternative shall include specific criteria that guarantee the siting of necessary solid waste disposal areas for the 20-year period subsequent to plan approval." Mich. Admin. Code r. 299.4711(e)(iii)(A), (B). As of June 9, 1994, however, "a county that has a solid waste management plan that provides for siting of disposal areas to fulfill a 20-year capacity need through use of a siting mechanism, is only required to use its siting mechanisms to site capacity to meet a 10-year capacity need." M.C.L. § 324.11537a.

Third, the "management component" element of a solid waste management plan must "identif[y] management responsibilities and institutional arrangements necessary for the implementation of technical alternatives." Mich. Admin. Code r. 299.4711(f). The management component must contain the following: (i) "[a]n identification of the existing structure of persons, municipalities, counties, and state and federal agencies responsible for solid waste management, including planning, implementation, and enforcement"; (ii) an assessment of such persons' and governmental entities' technical, administrative, financial and legal capabilities to fulfill their responsibilities under the plan; (iii) "[a]n identification of gaps and problem areas in the existing management system which must be addressed to permit implementation of the plan"; and (iv) a "recommended management system for plan implementation."[8] Mich. Admin. Code r. 299.4711(f)(i)-(iii).

Solid waste management plans that contain provisions that have not been clearly authorized under the specific sections of Part 115 and the Part 115 Rules discussed above are unlawful. A plan containing such unlawful provisions cannot be approved by MDEQ.

II. MWIA'S COMMENTS ON COUNTY PLAN PROVISIONS

With the foregoing limitations on the specific contents of a solid waste management plan in mind, MWIA contends that the following provisions that are either contained expressly in a solid waste management plan, or that are contained elsewhere (*e.g.* ordinances, regulations or resolutions) but are incorporated by reference into a solid waste management plan, clearly exceed a county's authority under Part 115:

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[8]The recommended management system must: (i) identify specific persons and governmental entities that are responsible for implementing and enforcing the plan, including the legal, technical, and financial capability of such persons and entities to fulfill their responsibilities; (ii) contain a process for "ensuring the ongoing involvement of and consultation with the regional solid waste management planning agency," and for "ensuring coordination with other related plans and programs within the planning area, including, but not limited to, land use plans, water quality plans, and air quality plans"; (iii) identify "necessary training and educational programs, including public education"; (iv) contain a "strategy for plan implementation, including the acceptance of responsibilities from all entities assigned a role within the management system"; and (v) identify "funding sources for entities assigned responsibilities under the plan." Mich. Admin. Code r. 299.4711(f)(iii)(A)-(F).

DISPOSAL FEES

Nothing in the Part 115 or Part 115 Rule provisions discussed above authorizes a county to *require* the payment or collection of fees as part of a solid waste management plan. At most, Rule 711(f)(iii)(F) authorizes the "management component" of a plan to "*recommend*" a "financial program that identifies funding sources." Mich. Admin. Code r. 299.4711(f)(iii)(F). The underlying authority for such a funding program, however, cannot arise from the plan itself and must be found in some other enabling legislation.

Although the Michigan Court of Appeals has recently held that that Section 11520(1) of Part 115 authorized Saginaw County to adopt an *ordinance* that imposes a surcharge on the disposal of solid waste within the county, the court did not hold that such an ordinance may be included in a solid waste management plan or that a solid waste management plan may operate as the underlying authority for such a fee. *County of Saginaw v. Peoples Garbage Disposal, Inc.*, 232 Mich. App. 202 (1998). Indeed, the ordinance at issue in *County of Saginaw* was merely mentioned in the plan as a possible source of revenue and was adopted *after* MDEQ had approved the Saginaw County Solid Waste Management Plan. This distinction is significant because a disposal area that operates "contrary" to an approved solid waste management plan may be subject to an enforcement action under Part 115, which may include a cease and desist order. M.C.L. § 324,11519(2). Clearly, nothing in Part 115 indicates that a disposal area could be ordered to cease operations merely because it failed to pay a fee imposed by a local ordinance.

Moreover, the holding in *County of Saginaw* is inapplicable to counties that do not have certified health departments under Part 115. Section 11520(1) of Part 115, which the court relied upon for its holding, provides:

> Fees collected by a *health officer* under this part shall be deposited with the city or county treasurer, who shall keep the deposits in a special fund designated for use in implementing this part. If there is an ordinance or charter provision that prohibits a health officer from maintaining a special fund, the fees shall be deposited and used in accordance with the ordinance or charter provision. Fees collected by the department under this part shall be credited to the general fund of the state.

M.C.L. § 324.11520(1) (emphasis added). A *health officer* is expressly defined as in Part 115 as "a full-time administrative officer of a *certified* city, county or district department of health." M.C.L. § 324.11504(1) (emphasis added). A certified department of health must be "specifically delegated authority by [MDEQ] to perform designated activities prescribed by [Part 115]." M.C.L. § 324.11502(5). Part 2 (Certification of Local Health Departments) of the Part 115 Rules sets forth the specific requirements that a county health department must meet in order to become certified. Mich. Admin. Code r. 299.4201 *et seq*. Part 115 contains absolutely no authority for the collection of fees by a county that does not have a certified health department.

Further, even if Part 115 did authorize the inclusion of a fee provision in the solid waste management plan of a county with a certified health department (which it does not), MDEQ is prohibited from approving such a plan if the fee is really a disguised tax that violates the Headlee Amendment to the Michigan Constitution, which prohibits local units of government from imposing new taxes without voter approval. Mich. Const. art. 9, § 31; *See Bolt v. City of*

Lansing, 459 Mich. 152 (1998) (storm water fee invalidated under Headlee Amendment as disguised tax). MDEQ's act of approving a solid waste management plan is not merely a rubber stamp of a county's independent act. Rather, MDEQ's approval is the final step in establishing a statewide "cohesive scheme of uniform controls" over the disposal of solid waste. *Southeastern Oakland Co. Incinerator Auth. v. Avon Twp.*, 144 Mich. 39, 44 (1986). By approving a solid waste management plan, MDEQ incorporates that plan into the State solid waste management plan, M.C.L. § 324.11544(1), and, thereafter, a person may not "establish a disposal area" or "conduct, manage, maintain, or operate" a disposal area "contrary" to that approved plan. M.C.L. §§ 324.11509(1), .11512(2). Accordingly, MDEQ could not approve a solid waste management plan that imposes a fee on the disposal of solid waste *unless* MDEQ can demonstrate that the amount of any fee imposed will be reasonable related to the services provided to the persons paying the fee, and that the fee will not otherwise constitute a tax that requires voter approval.

MWIA also believes that, because the decision in *County of Saginaw* has been appealed to the Michigan Supreme Court, MDEQ should use its discretion and refrain from approving county solid waste management plans that contain fee provisions until this issue has been fully resolved. In this regard, MWIA notes that the appeals court's analysis of Section 11520(1) is clearly erroneous because it failed to consider the history and development of Part 115. Section 11520(1) was originally enacted as Section 18 of 1978 PA 641. M.C.L. § 299.418 (repealed, now Section 11520(1) of Part 115). In 1978, the only fees expressly contemplated in Act 641 were nominal disposal area operating license and construction permit application fees, which ranged between $100 and $700. Further, the language of Section 18 of Act 641 was nearly identical to Section 3(3) of the Garbage and Rubbish Disposal Act of 1965, which imposed similar nominal application fees and imposed very few obligations on counties with respect to the solid waste disposal. M.C.L. § 325.293(3) (repealed by Act 641). The Legislature's intent with respect to Section 11520(1) was to allow certified county health departments to retain and use these application fees solely for the purpose of processing the applications. The Legislature clearly did not intend for Section 11520(1) to operate as enabling legislation for counties to impose fees on the disposal of solid waste in order to fund an extensive county solid waste or recycling program.[9] Accordingly, the appeals court's interpretation of Part 115 will likely be overturned.

OPERATING CRITERIA

A solid waste management plan may not contain disposal area operating criteria. Nothing in Part 115 or the Part 115 Rule provisions discussed above authorizes a solid waste management plan to regulate the day-to-day operations of a disposal area. To the contrary, Part 115 provides MDEQ with exclusive authority to regulate disposal area operation. Further, Michigan Appellate Court decisions have unanimously interpreted Part 115 as preempting all local regulation of disposal area operation. *County of Saginaw v. Peoples Garbage Disposal, Inc.*, 232 Mich. App. 202 (1998); *Southeastern Oakland County Incineration Authority v. Avon Township*, 144 Mich. App. 39 (1985); *Weber v. Orion Twp. Bldg. Inspector*, 149 Mich. App. 660

[9] It is also noteworthy that, for the last three years, bills that would authorize county-imposed fees have been proposed in the Michigan Legislature.

(1986) ("all local regulations concerning the operation of a landfill are preempted"); *Dafter Township v. Reid*, 159 Mich. App. 149 (1987). Thus, disposal area operating criteria are not appropriate for a solid waste management plan.

MANDATED RECYCLING

A solid waste management plan may not mandate a quota on the volume of solid waste that is recycled within the planning area. Nothing in Part 115 or the Part 115 Rule provisions discussed above authorizes a county or any another planning agency to mandate such a quota system. Rather, Part 115 only authorizes a county to "*propose* a recycling or composting program" in a county plan. M.C.L. § 324.11539(1)(b). Such a program may only set recycling *goals*, rather than require absolute volume reductions. M.C.L. § 324.11539(1)(d). Further, a program that prohibits a disposal area from accepting a particular type of solid waste, such as waste that could be recycled, would directly conflict with Section 11516(5) of Part 115, which states that "[i]ssuance of an operating license by [MDEQ] *authorizes the licensee to accept waste for disposal*." M.C.L. §§ 324.11533(1), .11516(5) (emphasis added). Thus, any recycling program may, at most, be referenced as a goal.

MANDATED DATA COLLECTION

A solid waste management plan may not require the owner or operator of a disposal area to collect and report data concerning the volume of solid waste that is recycled or disposed of. Nothing in Part 115 or the Part 115 Rule provisions discussed above authorizes a county to impose such an on-going duty on disposal area owners and operators. Rather, Part 115 only requires that, at the time a plan is prepared, a county evaluate "how the planning entity is meeting the state's waste reduction goals." M.C.L. § 324.11539(1)(d).[10] Further, Part 115 expressly delegates the authority to impose such data-collection duties solely to MDEQ and not to the counties. M.C.L. § 324.11507a. Thus, data collection requirements imposed in a solid waste management plan exceed the authority delegated under Part 115.

PRESERVATION OF MORE THAN 10 YEARS OF CAPACITY

A solid waste management plan should provide for the free flow of solid waste to the extent the plan otherwise demonstrates 10 years of disposal capacity. A county has no duty or obligation under Part 115 to demonstrate more than 10 years of disposal capacity. M.C.L. § 324.11538(2). Therefore, a county has no legitimate interest in preserving additional disposal capacity by restricting or prohibiting the importation of out-of-county waste. While the preservation of disposal capacity beyond the legitimate needs of a county may ultimately benefit county residents, the cost of providing that benefit is imposed solely on the disposal area owners and operators doing business within the county. Such a restriction on the use of a disposal area's air space constitutes a taking without compensation that violates the federal and Michigan constitutions.

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[10] A bill that would authorize such mandated data collection regarding recycled material was proposed in the Michigan Legislature last year.

VOLUME RESTRICTIONS

A solid waste management plan cannot restrict the volume of solid waste that may be accepted for disposal at a disposal area during any given time period. Such a restriction is not authorized by that Part 115 Part 115 Rule provisions discussed above and directly conflicts with Section 11516(5) of Part 115, which states that "[i]ssuance of an operating license by [MDEQ] *authorizes the licensee to accept waste for disposal*," without limitation. M.C.L. §§ 324.11533(1), .11516(5) (emphasis added). Such a volume cap would also constitute local regulation of disposal area operating criteria, which, as discussed above, is preempted by Part 115. *Southeastern Oakland County Incineration Authority v. Avon Township*, 144 Mich. App. 39 (1985); *Weber v. Orion Twp. Bldg. Inspector*, 149 Mich. App. 660 (1986) ("all local regulations concerning the operation of a landfill are preempted"); *Dafter Township v. Reid*, 159 Mich. App. 149 (1987). Moreover, such a restriction is an unconstitutional taking of property because it temporarily prevents the use of air space at the disposal area without compensating the owner or operator.

IDENTIFICATION OF SPECIFIC DISPOSAL AREAS

While a solid waste management plan may identify specific disposal areas that are available and willing to accept a county's waste in order to demonstrate that a county has 10 years of disposal capacity and that the plan does not require an interim siting mechanism under Section 11538(2) of Part 115, nothing in Part 115 authorizes a county to restrict the disposal of its solid waste to those specifically identified facilities. Rather, Sections 11513 and 11538(6) of Part 115 require that a plan authorize the "acceptance" of out-of-county waste and the disposal "service" provided either by or for another Michigan county; however, these sections do not require that such acceptance or service be limited to specifically identified disposal areas. M.C.L. §§ 324.11513, .11538(6). At most, a solid waste management plan may limit the disposal of a county's solid waste to specific *counties* that are explicitly authorized in the plan to accept the waste and to serve the county's disposal needs. Furthermore, to the extent that Rule 711(e)(iii)(C) of the Part 115 Rules can be interpreted as requiring the identification of specific disposal areas in solid waste management plans, MWIA contends that such a requirement exceeds MDEQ's authority under Part 115 and is unenforceable.

RESTRICTIONS ON SPECIAL WASTE

A solid waste management plan may not restrict the importation of specific types of solid waste. With the possible exception of municipal solid waste incinerator ash, nothing in Part 115 authorizes a solid waste management plan to distinguish between different types of solid waste. *See* M.C.L. §§ 324.11513, 11538(6). Therefore, to the extent a solid waste management plan authorizes solid waste to be imported from or exported to other counties, such authorization must extend to all forms of solid waste, as that term is defined in Part 115.

ENFORCEMENT BY UNCERTIFIED HEALTH DEPARTMENT

Part 115 and the Part 115 Rules only grant enforcement powers to county health departments that have been certified by MDEQ. For example, Part 115 expressly provides that a health officer of a certified health department may inspect a licensed disposal area at any reasonable time and may issue a cease and desist order, establish a schedule of closure or remedial action, or enter into a consent agreement with an owner or operator of a disposal area that violates the provisions of Part 115 or the Part 115 Rules. M.C.L. § 324.11516(3); Mich. Admin. Code r. 299.4203. In addition, a health officer of a certified health department may inspect a solid waste transporting unit that is being used to transport solid waste along a public road or is being used for the overnight storage of solid waste and may order the unit out of service if it does not comply with the requirements of Part 115 or the Part 115 Rules. M.C.L. §§ 324.11525, .11528(3); Mich. Admin. Code r. 299.4205. None of these enforcement and inspection powers, however, has been delegated to a county that does *not* have a certified health department. Therefore, to the extent a county does not have a certified health department, any enforcement and inspection provisions contained in a solid waste management plan are unlawful.

It should also be noted that several counties without certified health departments are attempting incorporating ordinances into their solid waste management plans under the guise of "enforceable mechanisms," which regulate matters that have been delegated solely to a counties that have certified health departments. For example, at least one such ordinance includes a provision that would authorize a county without a certified health department to issue a "stop order" that prohibits the operation of a disposal area in violation of any provision of the ordinance. As discussed above, this authority has been delegated solely to counties with certified health departments. M.C.L. § 324.11516(3). Further, such a "stop order" would operate as a suspension of a license issued under Part 115 without any of the procedural protections provided under the Michigan Administrative Procedures Act. M.C.L. § 24.101 *et seq.*

It should also be noted that, although a solid waste management plan must include a "program and process" to assure that solid waste is properly collected and disposed of, Part 115's planning provisions are not enabling legislation for county ordinances. M.C.L. § 324.11533(1). The "program and process" included in a solid waste management plan is only "enforceable" to the extent the plan incorporates "enforceable mechanisms" that are specifically authorized under enabling statutes other than Part 115. M.C.L. § 324.11538(1)(f). Although the Legislature contemplated that "enforceable mechanisms" may include ordinances,[11] Part 115 expressly states that it does not "validate or invalidate an ordinance adopted by a county" for purposes of assuring solid waste collection and disposal. M.C.L. § 324.11531(2). Thus, it is clear that the Legislature intended that Part 115 would not operate as enabling legislation for the adoption of such enforceable mechanisms. Such authority, if any, must be specifically delegated to counties in some other enabling legislation. Accordingly, to the extent a solid waste management plan incorporates a county ordinance that provides enforcement powers to a county, MDEQ may not approve such a

[11]Part 115 defines the term "enforceable mechanism" as "a legal method whereby the state, a county, a municipality, or a person is authorized to take legal action to guarantee compliance with an approved county solid waste management plan. Enforceable mechanisms include contracts, intergovernmental agreements, laws, ordinances, rules and regulations." M.C.L. § 324.11503(5).

plan until MDEQ has reviewed each provision of that ordinance and determined that it has been authorized by some enabling legislation and does not exceed a county's delegated authority under that legislation.

TRANSPORTER LICENSING

A solid waste management plan may not impose a licensing requirement on solid waste transporting units. Nothing in the Part 115 or Part 115 Rule provisions discussed above authorizes a county to implement such a licensing program. Rather, Part 115 imposes certain minimum requirements on solid waste transporting units. *See* M.C.L. § 324.11528(1); Mich. Admin. Code r. 299.4601(1). While MDEQ, a health officer of a certified health department, or a law enforcement officer may order a solid waste transporting unit out of service if it does not comply with these minimum requirements, Part 115 is expressly "intended to encourage the continuation of the private sector in the solid waste . . . transportation business *when in compliance with the minimum requirements of this part.*" M.C.L. §§ 324.11528(3), .11548(2) (emphasis added). Moreover, as discussed in the previous section, Part 115's planning provisions do not operate as enabling legislation for counties to adopt ordinances regulating the transportation of solid waste. It should be noted that the Legislature repealed Part 115's licensing requirement for solid waste transporting units in 1979. *See* 1979 Public Act 10. Therefore, licensing requirements applicable to solid waste transporting units exceed a county's authority and a solid waste management plan containing such requirements (or incorporating an ordinance containing such requirements) may not be approved by MDEQ.

SERVERABILITY CLAUSE

The provisions of a solid waste management plan are not severable. Part 115 does not authorize such piecemeal revisions to a solid waste management plan without following the specific plan amendment procedures set forth in Part 115 and the Part 115 Rules. *Michigan Waste Systems, Inc. v. Department of Natural Resources*, 157 Mich. App. 746 (1987). Rather, an amendment to a solid waste management plan to remove an unlawful provision must proceed through a specific five-step approval process. M.C.L. § 324.11535; Mich. Admin. Code r. 299.4708, .4709. To the extent any portion of a plan is declared unlawful or invalid and the county does not properly amend its plan to remove the offending provision, MDEQ must withdraw its approval of the entire plan and establish a schedule for the county to amend the plan in order to comply with Part 115. M.C.L. § 324.11537(2). Therefore, counties and MDEQ should make every effort at this time to ensure that each plan fully complies with Part 115.

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APPENDIX D

Plan Implementation Strategy

The following discusses how the County intends to implement the plan and provides documentation of acceptance of responsibilities from all entities that will be performing a role in the plan.

Implementation of the plan would be the responsibility of the Missaukee County Board of Commissioners, the Missaukee County Planning Commission, and the Solid Waste Management Planning Committee.

Enforcement of regulations pertaining to solid waste would be the responsibility of:

1. **Michigan Department of Transportation**
2. **District Health Department**
3. **City of McBain Ordinance regarding littering**
4. **Township and city zoning ordinances**
5. **Township and city junk vehicle and junk yard ordinances**
6. **State of Michigan litter laws**
7. **County requirement for registration with County Clerk if operating in Missaukee County**
8. **Lake City recycling program**
9. **Missaukee County recycling program**
10. **Michigan Department of Environmental Quality**

A. Michigan Department of Transportation. MDOT has regulations pertaining to the condition of vehicles being operated on public highways in the state. Violations of these regulations would be handled through regular law enforcement channels.

B. Michigan Health Code regulates the sanitary aspect of solid waste hauling, in as far as being a health hazard (vermin attracting, public nuisance, etc.) Violations of the health code would be noted during routine health department inspections.

C. The City of McBain has adopted an ordinance to regulate littering caused by solid waste haulers within their city limits.

D. At least four townships in Missaukee County have adopted junk vehicle/junk yard ordinances which prohibit situations which can create rodent attracting materials, improper dumping/disposal of solid waste, etc.

E. Persons violating State littering laws will be processed through regular law enforcement procedures.

F. Missaukee County requires all licensed solid waste haulers to register their operation with the Missaukee County Clerk.

G. The City of Lake City offers a monthly curbside recycling program which reduces the volume of waste going to the landfill, and helps eliminate littering and improper disposal of solid waste.

H. Missaukee County offers a weekly recycling program which reduces the volume of waste going to the landfill, and helps eliminate littering and improper dispel of solid waste.

I. Michigan Department of Environmental Quality enforces landfill siting and regulations.

CITY OF LAKE CITY

On The Shore Of Beautiful Lake Missaukee

Phone 839-4561
Area Code 616

115 West John Street
Lake City, Michigan 49651

August 3, 1998

Missaukee Co. Commission
Attn: Gary Birgy, Chairman
PO Box 800
Lake City, MI 49651

Dear Mr. Birgy,

I am writing in response to your letter of July 13, 1998. The City does intend to provide the same curbside recycling program to its residents as currently available, as long as it remains cost effective to do so.

If you have any other questions or concerns in this matter, please feel free to contact me any time.

Sincerely,

Robert B. Peckham, Mayor
City of Lake City

With a cooperative attitude and consistent effort in developing a stable economic and recreational base, Lake City will improve the quality of life for every citizen.

Missaukee County Board of Commissioners
Regular Meeting
September 8, 1998

Meeting Called to Order by Chairman Birgy.
Roll Call: All Present
Prayer offered by Comm Lucas
Correspondence Read and Assigned.
Minutes of August 11, 1998 read and approved.

Sheriff Bosscher gave a departmental update.

Dee Halvorsen, Senior advocate reported that Liz Loney as delegate and Karen Kelly as alternate will be replacing Marge Kobiska and Myrtle Palmer for the Moorestown Senior Center on the Council of Aging Board. She updated the board on the beginning stages of the bylaws and requested a $10,000 loan from the County Board to start their program. Discussion was made that the board should be expanded to include two members from the public. Office space was also requested. Turned over to committee for discussion.

Motion by Reinke, supported by Halvorsen to Appoint Liz Loney as Delegate and Karen Kelly as alternate from the Moorestown Senior Center on the Council of Aging Board to fill a vacancy. CARRIED.

Motion by Reinke, supported by Scarbrough to reappoint Don Halvorsen to the Mental Health Board effective April 1, 1998 and expiring March 31, 2001. CARRIED.

Motion by Scarbrough, supported by Halvorsen to reappoint the following people to the Housing Authority for a two year term with the first term expiring 12-31-00. CARRIED.
Voting Members

Robert DuVall	Missaukee County Building Official
Al Frier	District Health Department Official
Ramona Clemente	Family Independent Agency Representative
John Reisner	Chemical Bank Representative
Lee Crandall	Citizen at Large Representative
Don Shaarda	Missaukee County Board of Commissioners
Vacancy	N.W. Human Services Representative
Vacancy	Planning Commission Representative

Non Voting Member

Dawn Mills	Missaukee County Planning Department Official

Motion by McGee, supported by Halvorsen to resolve the intent to continue county-wide recycling as long as costs will allow. There will be no expansion or additional sites unless the cost of the recycling program decreases. This is in compliance and agreement with the County Solid Waste Plan. CARRIED.

Motion by Halvorsen, supported by Reinke to pass the County spread of the millage for 1998 in the following motion.

Whereas, the County of Missaukee by resolution of proposed a total authorized levy of 4.7574 mills within the County for operating purposes for 1998 ; and
Whereas, the County has carefully examined the financial circumstances of the County for the 98 fiscal year including estimated expenditures, estimated revenues, and state equalized valuation of property located within the district and determined that the levy of this millage rate will be necessary for the sound management and operation of the County;
AND WHEREAS, the County has complete authority to establish that a maximum of 4.7574 mills be levied for operating purposes in the year 98 from within its authorized millage rate;
AND WHEREAS, more than six days have elapsed since the public hearing of 11-97 and under Act

5 of the Public Acts of 1982 of the State of Michigan, the County of Missaukee may now authorized a maximum total levy of 4.7574 mills for operating purposes of the year 98 within its present authorized millage rate.

NOW THEREFORE, BE IT RESOLVED THAT;

1. For the year 98 the total millage rate of 4.7574 mills shall be levied upon property located within the County of Missaukee.

2. All resolution and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Roll Call Vote: 9 Yea 0 Nay: CARRIED

Judge Krupp, reported to the board that the Child Care Fund would need an additional $73,000 to finish out the year. He reviewed the fundamentals of the Fund and why the costs were rising

Motion by Reinke, supported by Davis to approve an additional appropriation of $73,000 to the 292 Child Care Fund from a General Fund Transfer. ROLL CALL VOTE: 9 Yea 0 Nay. CARRIED

Motion by Shaarda, supported by Reinke to pay Claims & Accounts and Own Accounts. DELAYED VOTE.

Motion by McGee, supported by Scarbrough to loan $10,000 to the Missaukee County Council on Aging to start their program from a TRF General Fund Transfer. ROLL CALL VOTE: 9 YEA 0 Nay CARRIED.

Motion by McGee, supported by Scarbrough to approve the following Budget amendments: ROLL CALL VOTE: 9 YEA 0 NAY CARRIED

1998 Budget Amendments

208 County Park Fund	**Current**	**Amended**
208000484.00 Park Fees	146,000	149,916
208000704.00 Manager	27,672	29,848
208000405.00 Asst Manager	19,664	21,404

Motion by McGee, supported by Scarbrough to raise the County Park Rates according to the following schedule: CARRIED.

Camping	Day	Month	Season
Primitive	10.00		
Electric	12.00	275.00	1,095.00
Full Hookup	14.00	325.00	1,400.00
Boat Slips	Day	Month	Season
	4.00	65.00	220.00
Sanitary Dump		Per Dump	
		3.00	
Crooked Lake Park		Day	
Primitive		9.00	
Electric (if available)		12.00	

Motion by McGee, supported by Davis to approve $8,165 to repair and upgrade the Clerk/Treasurers computer system from Contingencies. CARRIED

Motion by McGee, supported by Harley to approve the 1998-99 315 TNT Budget as follows: ROLL CALL VOTE: 9 YEA 0 NAY CARRIED.

315 TNT Fund - Beginning October 1, 1998 to September 30, 1999

Budget

315000401.00 Federal Pass Thru	355,511	
315000581.01 Wexford Co Match	32,081	
315000581.02 Cadillac Match	36,292	
315000581.03 Gr Traverse Match	40,684	
315000581.04 Leelanau Match	30,480	
315000581.05 Missaukee Match	27,069	
315000581.06 MSP Match	65,155	
315000581.07 Traverse City Match	35,755	
315000581.08 TNT Match	87,994	
Total Revenues	**711,021**	
315000703.00 TNT Administrator		42,120
315000704.00 Clerical		20,839
315000704.01 Clerical		14,170
315000704.02 MSP Admin Expense		5,302
315000704.03 Clerical		14,170
315000705.00 Salary - Wexford		41,203
315000705.01 Salary - Cadillac		45,810
315000705.02 Salary - G.T. Prosecutor		53,287
315000705.03 Salary - Leelanau		39,012
315000705.04 Salary - Missaukee		33,861
315000705.05 Salary - MSP		71,630
315000705.06 Salary - Traverse City		45,864
315000710.00 Accounting		4,000
315000725.00 Fringe - Wexford		15,959
315000725.01 Fringe - Cadillac		19,775
315000725.02 Fringe - G.T. Prosecutor		19,882
315000725.03 Fringe - Leelanau		14,949
315000725.04 Fringe - Missaukee		13,276
315000725.05 Fringe - MSP		42,506
315000725.06 Fringe - Traverse City		19,646
315000727.00 Office Supplies		13,200
315000727.01 Prosecutor Supply		3,600
315000743.00 Vehicle - Administrator		6,000
315000743.01 Vehicle - Wexford		7,000
315000743.02 Vehicle - Cadillac		7,000
315000743.03 Vehicle - Leelanau		7,000
315000743.04 Vehicle - Missaukee		7,000
315000743.05 Vehicle - MSP		9,272
315000743.06 Vehicle - Traverse City		6,000
315000839.00 Office Rent		17,400
315000839.01 Sub Office Rent		9,600
315000850.00 Telephone		20,000
315000860.00 Travel - TNT		3,600
315000860.01 Travel - Prosecutor		3,600
315000860.02 Travel - MSP		1,600
315000886.00 Training - TNT		1,000
315000886.01 Training - Prosecutor		1,000
315000910.00 Workman's Comp		1,536
315000912.00 TNT Share of SS		6,984
315000913.00 M.E.S.C.		1,368
Total Expenses		**711,021**

Vote on Claims & Accounts: 9 Yea 0 Nay CARRIED
Vote on Own Accounts: 9 Yea 0 Nay CARRIED

Meeting adjourned until October 13th at 10:00 A.M. or Call of the Chair.

Gary Birgy, Chairman

Carolyn Flore, Clerk

MICHIGAN STATE
UNIVERSITY
EXTENSION

September 4, 1998

Dawn Mills
Missaukee County Planner
Courthouse
Lake City, MI 49651

Dear Dawn:

The revised Missaukee County Solid Waste Plan calls for MSU Extension to play several educational roles in conjunction with Missaukee County. This letter is to formally accept those responsibilities. We look forward to working with you, and will coordinate these educational efforts with other agencies as appropriate.

Sincerely,

John Amrhein

County Extension Director

MISSAUKEE COUNTY

COOPERATIVE EXTENSION SERVICE

6180 W. Sanborn Rd., County Bldg.
Lake City, MI 49651-0800

(616) 839-4667
FAX: (616) 839-5282

Michigan State University Extension pr[illegible] and materials are open to all [illegible]ard to race, color, national ori[illegible], disability, age or religion. Michigan State University, U.S. Department of Agriculture and counties cooperating. MSU is an affirmative-action equal opportunity institution.

Missaukee County

Planning Commission
P.O. Box 800
111 S. Canal Street - Courthouse
Lake City, Michigan 49651

Telephone (616)839-7988

July 13, 1998

TO: Clark Dykhouse, Mayor
City of Lake City

FROM: Missaukee County Planning Commission

RE: City of McBain's Role in the Solid Waste Management Plan

The Solid Waste Management Planning Committee has completed a draft of the solid waste plan update, and it is now available for a 90 day public review. Copies of the plan are available at the Planning Department.

Included in the update to our plan is the City of McBain's compost program. We are encouraging continuation of this service offered to your residents, costs permitting.

We are requesting a letter from the City Council recognizing the importance of this program, and the City of McBain's willingness to continue this service, costs permitting.

Your letter can be addressed to Gary Birgy, Chairman of the Board of Commissioners, and mailed to the Planning Department to the attention of Dawn Mills. Thank you for your consideration.

Respectfully,

Richard Kramer

Richard Kramer
Chairman

ATTACHMENTS

Resolutions

The following are resolutions from County Board of Commissioners approving municipality's request to be included in an adjacent County's Plan: NONE

Listed Capacity

Documentation from landfills that the County has access to their listed capacity: pages D-8-1 through D-8-14; also included in Data Base Information.

Maps

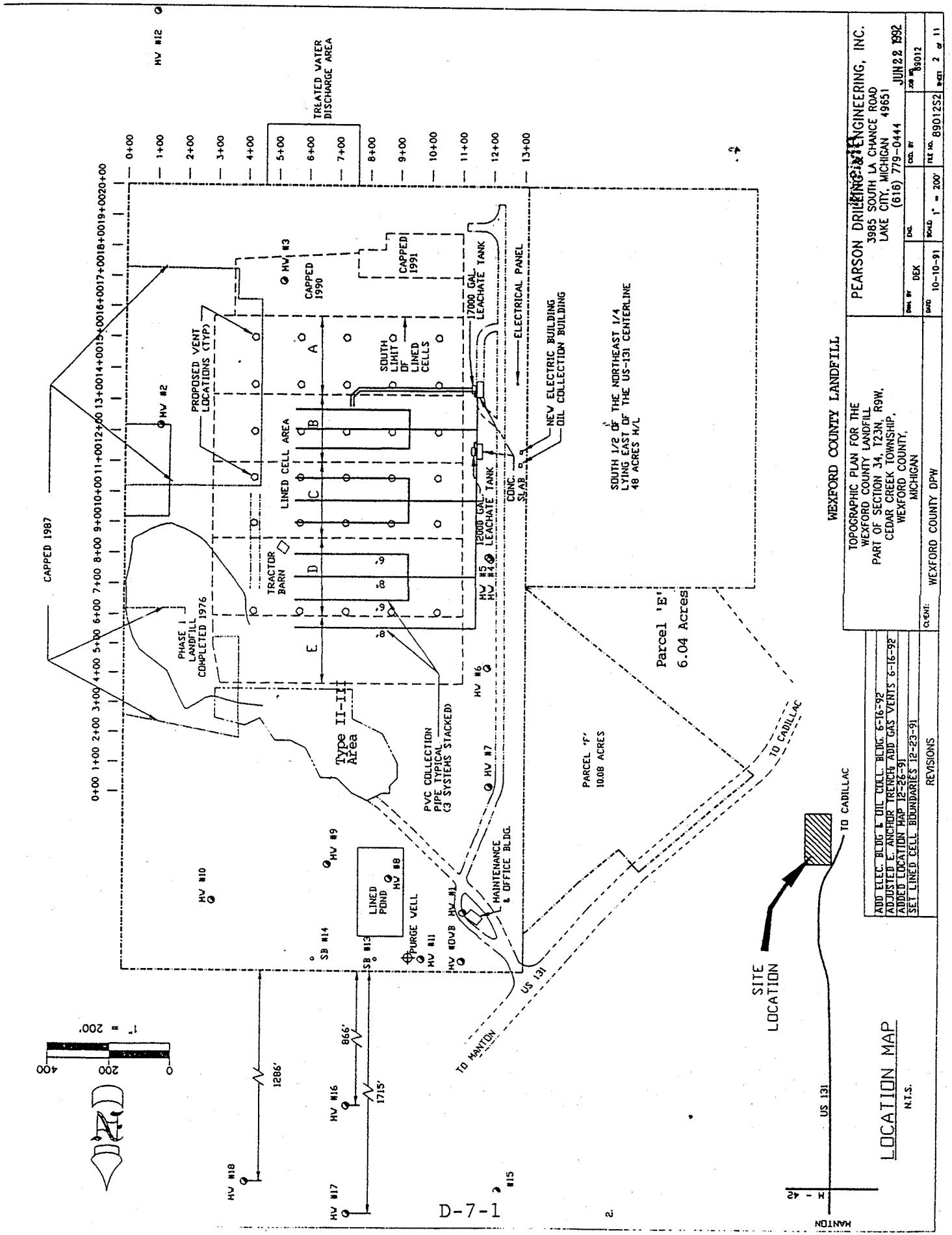
Maps showing locations of solid waste disposal facilities used by the County:

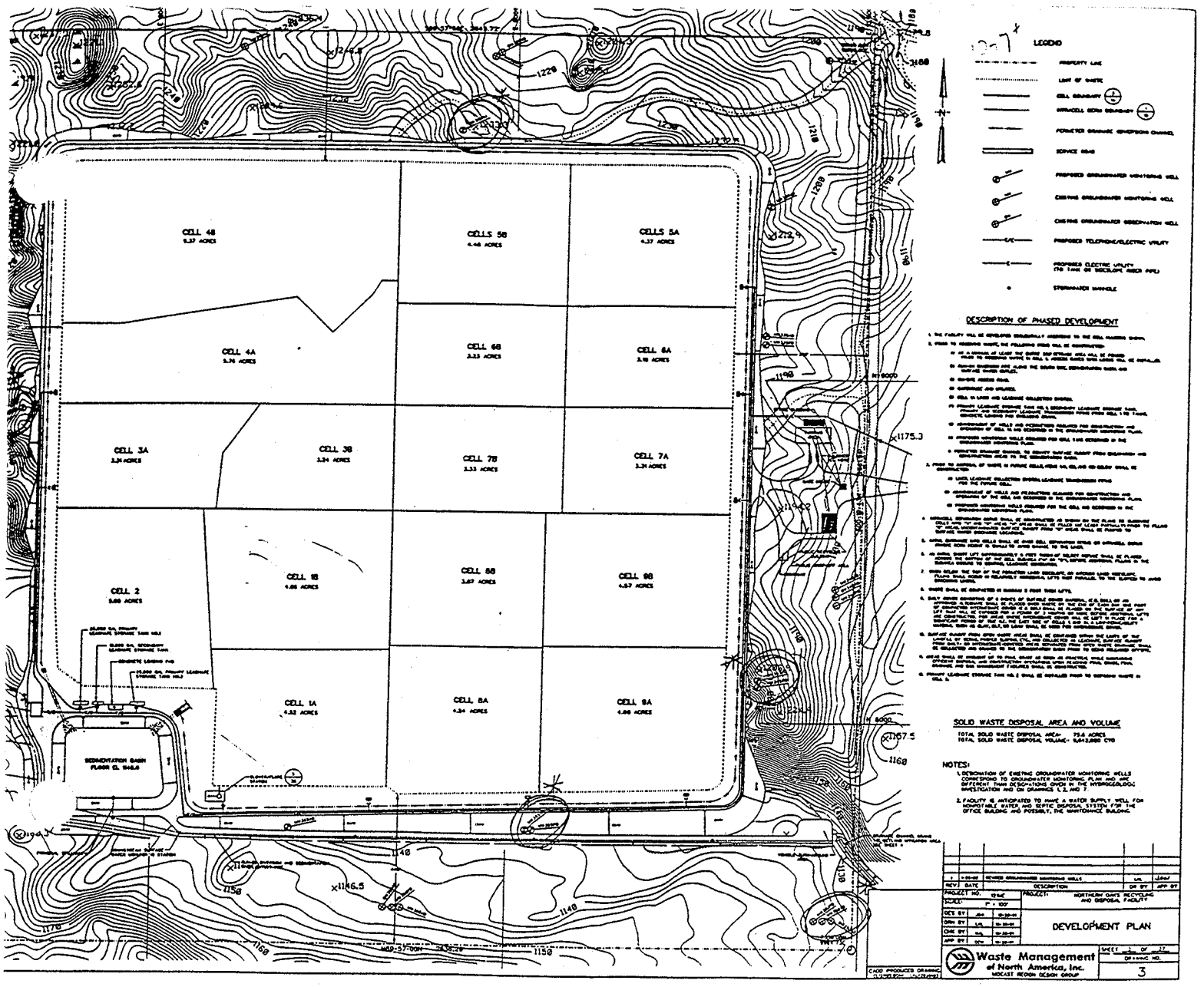
Wexford County Landfill	**Page D-3-1**
Northern Oaks	**Pages D-3-2; D-3-3**
Glen's Landfill	**Page D-3-6**

Inter-County Agreements: **Pages D-8-1 through D-8-14.**

Special conditions affecting import or export of solid waste: None.

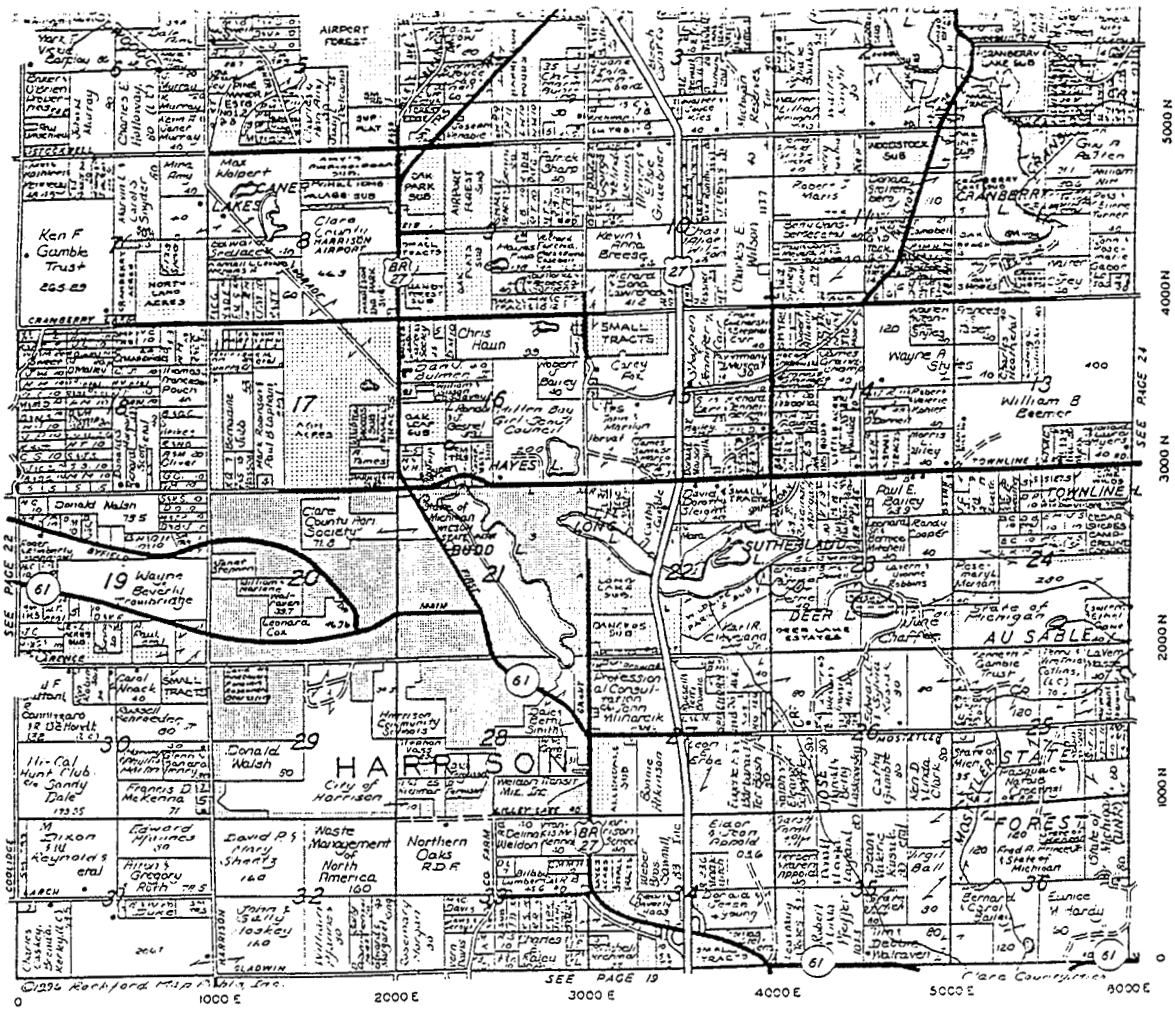
WEXFORD COUNTY LANDFILL



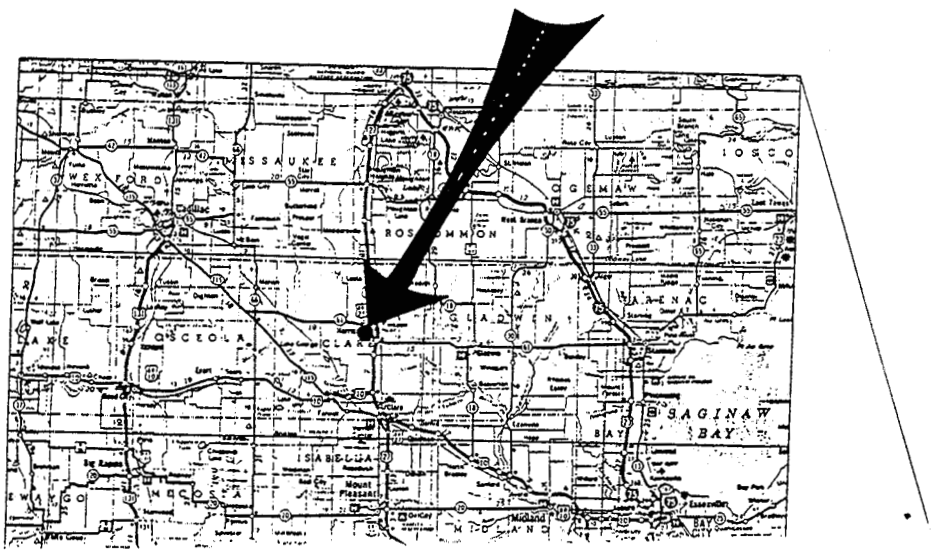


NORTHERN OAKS FACILITY

NORTHERN OAKS FACILITY

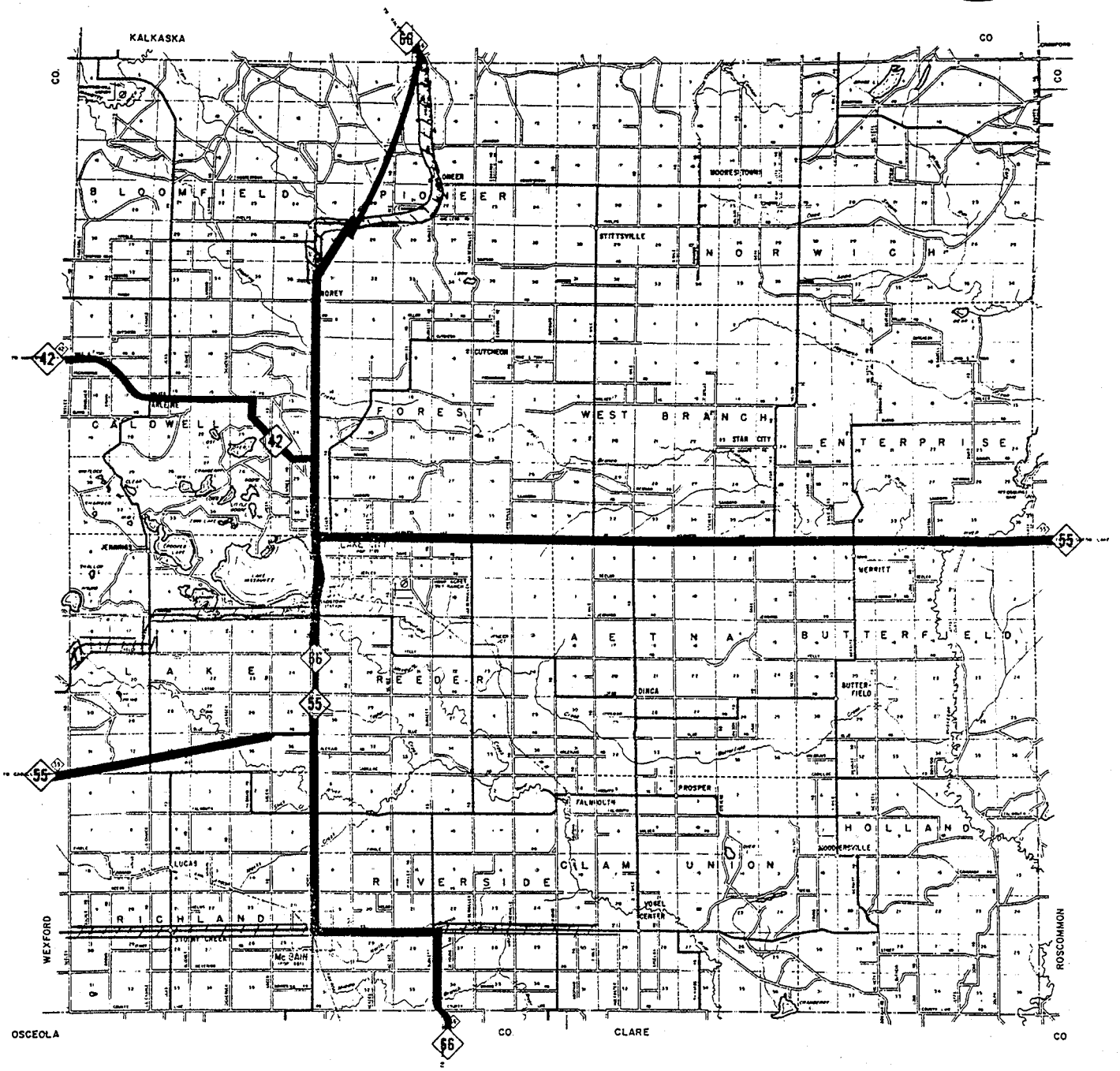


SITE LOCATION



MISSAUKEE COUNTY

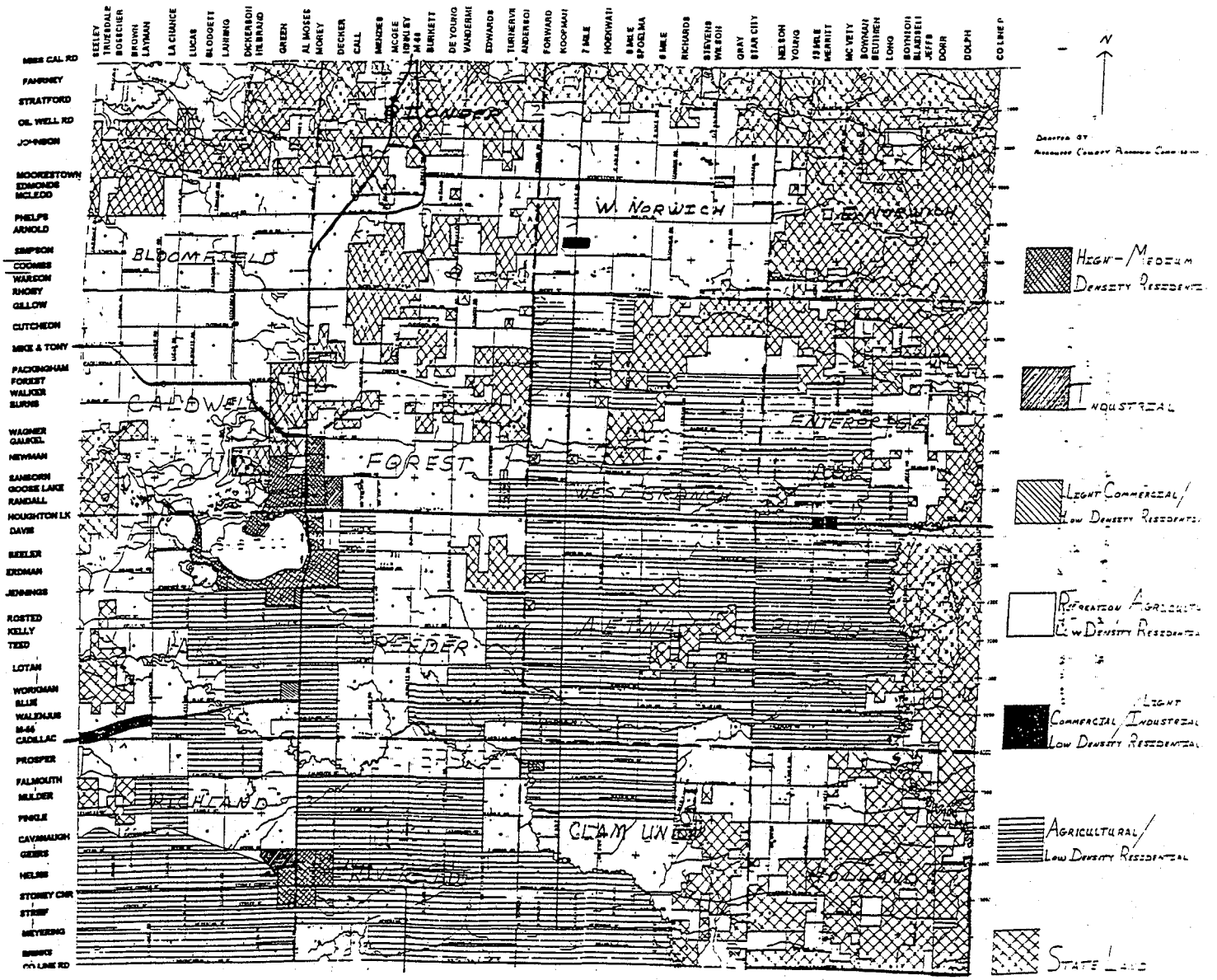
MAP 4



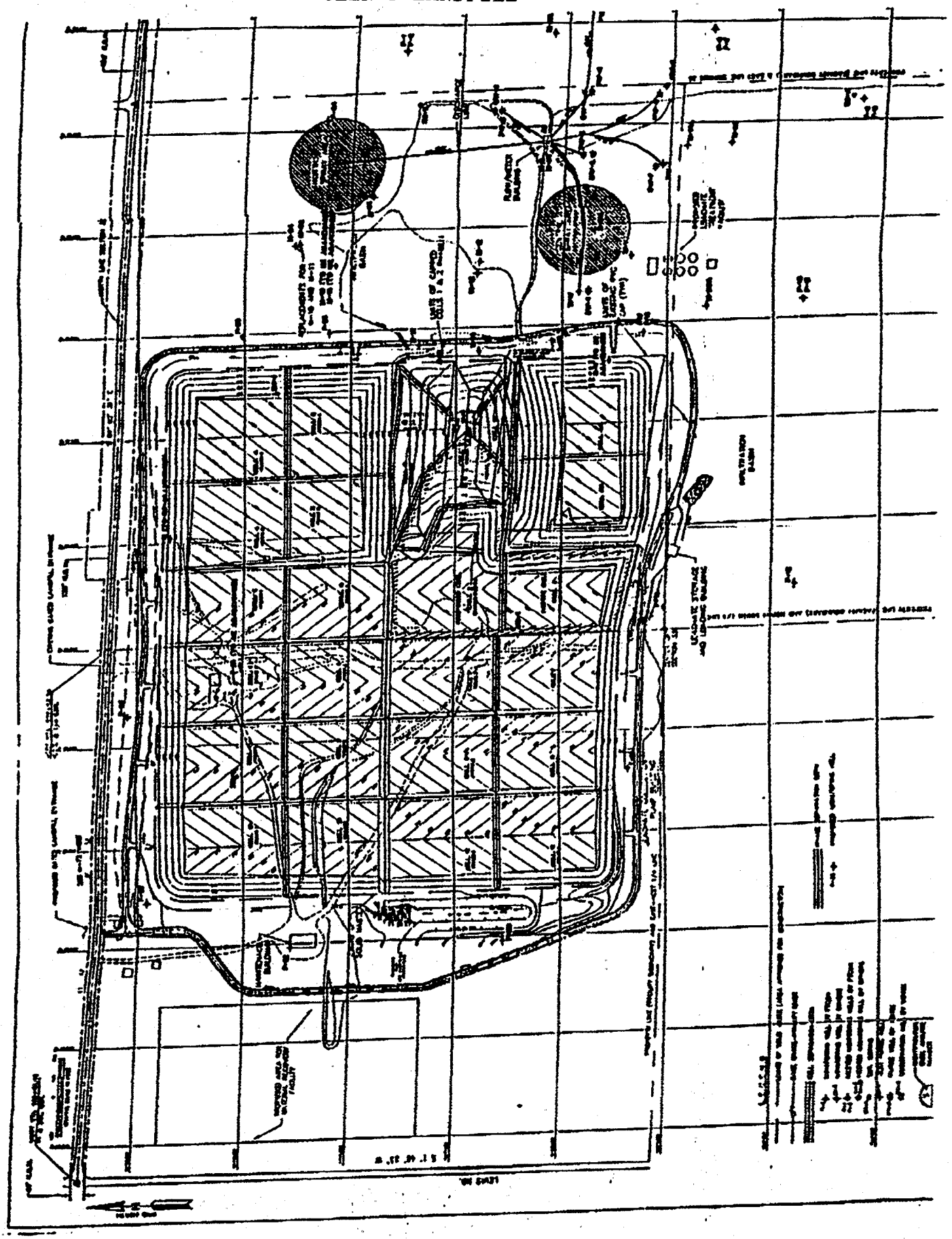
STATE HIGHWAY

COUNTY PRIMARY - ALL-SEASON

MISSAUKEE COUNTY LAND USE PLAN

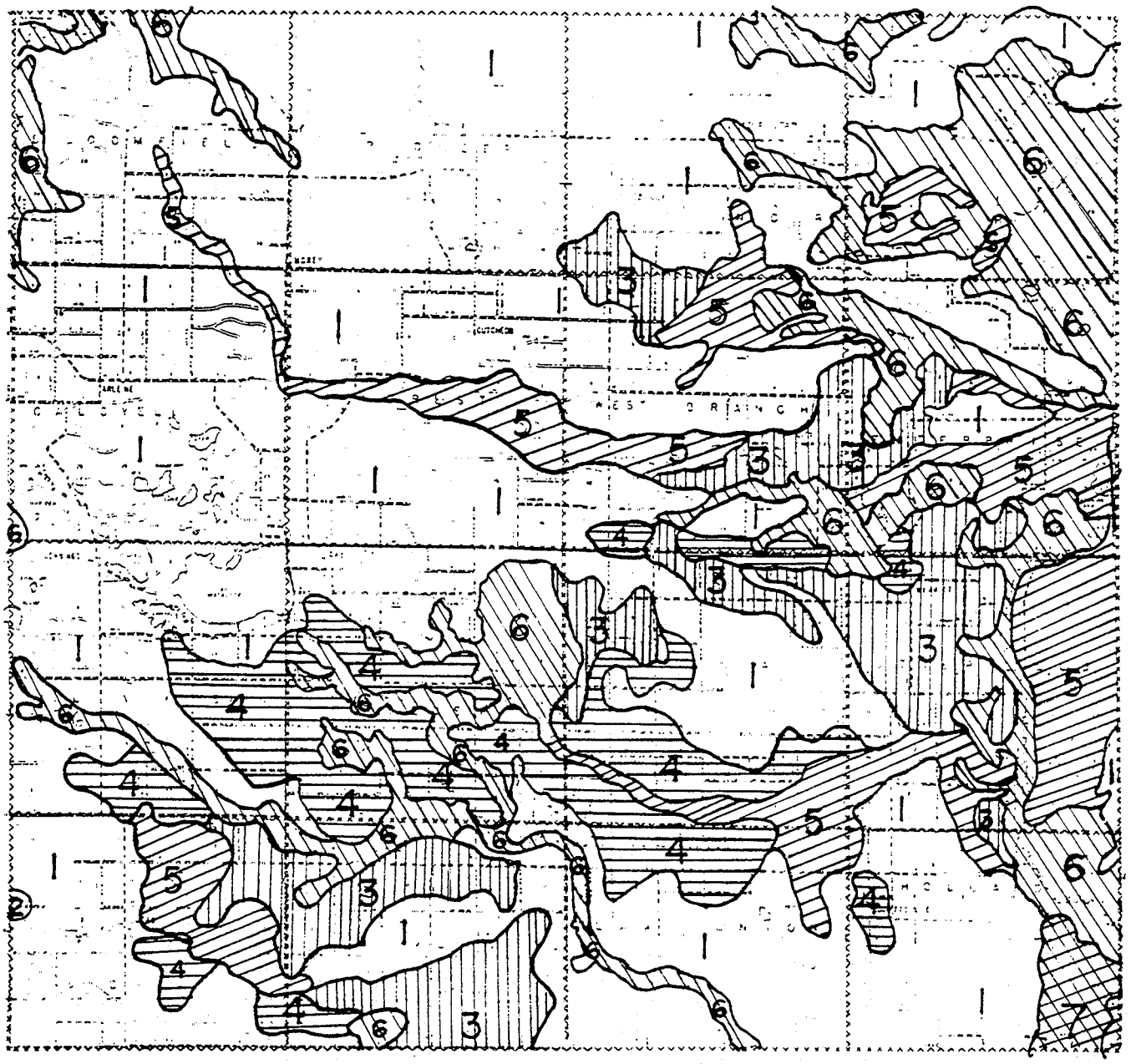


GLEN'S LANDFILL



GENERAL SOILS MAP

SOILS ASSOCIATION KEY



SOIL ASSOCIATION KEY

1. Montcalm-Rubicon-Graycalm
2. Emmet-Montcalm
3. Kawkawlin-Iosco-Sims
4. Nester-Kawkawlin-Menominee
5. AuGres-Roscommon-Tawas
6. Lupton-Tawas-Roscommon
7. Grayling

SOURCE: MISSAUKEE COUNTY SOIL CONSERVATION DISTRICT 1981

AGREEMENT FOR
RECIPROCAL INTER-COUNTY TRANSPORTATION
OF SOLID WASTE DISPOSAL

THIS AGREEMENT, is made and entered into as of September 19, 95, 1995, between the COUNTY OF MISSAUKEE, a Michigan municipal corporation, the principal offices of which are located at 111 South Canal, Lake City, Michigan, 49651, ("Missaukee County") and the Wexford County Board of Public Works, the principal offices of which are located at 3161 South Lake Mitchell Drive, Cadillac, Michigan 49601.

RECITALS

1. The Wexford County Department of Public Works operates the Wexford County Landfill pursuant to the provisions of Act No. 185 of the Public Acts of Michigan of 1957, as amended ("Act 185"), to provide for the disposal of Solid Waste in Wexford County.

2. Act No. 641 of the Public Acts of Michigan of 1978, as amended ("Act 641"), requires:

(a) all counties to adopt a solid waste management plan which must include an enforceable program and process to assure that the nonhazardous solid waste generated or to be generated for a 5 and 20 year period is collected and recovered, processed, or disposed of at facilities which comply with Act 641 and rules promulgated pursuant to the provisions of Act 641;

(b) that a municipality or a county shall assure that all solid waste is removed from sites of generation frequently enough to protect the public health and delivered to licensed solid waste disposal areas; and

(c) that the rules of the Michigan Department of Natural Resources shall require solid waste management plans to evaluate and select technically and economically feasible solid waste management options which may include resource recovery systems.

3. Wexford County and Missaukee County have adopted their Solid Waste Management Plans pursuant to the provisions of Act 641, which plans were approved by the governing bodies of the municipalities within each county and by the Director of the Michigan Department of Natural Resources, as required by Act 641.

4. The Wexford County Solid Waste Management Plan provides for Missaukee County and its residents to use the Wexford County Sanitary Landfill as a primary disposal site and that both the receiving and sending county's solid waste management plans include a mechanism to implement a reciprocal agreement prior to any shipment of solid waste.

5. The Missaukee County Solid Waste Management Plan provides for the disposal of solid waste, generated within Missaukee County, outside of Missaukee County and in Wexford County.

NOW, THEREFORE, in exchange for consideration in and referred to by this Agreement, the parties agree as follows:

ARTICLE 1

WORDS AND PHRASES DEFINED

1.1 Definitions. As used in this Agreement, the words and phrases listed below shall have the following meanings:

(a) "Acceptable Solid Waste" means waste consisting principally of wood, paper, glass, metals, plastics, rags, tires, white goods, batteries and compostable materials, including garbage, collected from residential, industrial, and commercial sources; and such other recoverable materials which shall become marketable now or in the future.

(b) "Act 641" means Act No. 641 of the Public Acts of Michigan, 1978 as amended.

(c) "Board of Public Works" means the Wexford County Board of Public Works established pursuant to Act No. 185 of the Public Acts of Michigan of 1957, as amended.

(d) "Hazardous Waste" means hazardous waste as defined in Act No. 64 of the Public Acts of Michigan of 1979, as amended, and as identified in administrative rules promulgated pursuant to said Act by the Director of the Michigan Department of Natural Resources.

(e) "Non-acceptable Waste" means toxic waste, hazardous waste, pathological and hospital waste, as defined presently or in the future by the EPA and any other applicable government authority and the following materials if more than in random quantities: paints, solvents, thinners, gasoline, gasoline storage vessels, inflammable liquids, used engine oil, used hydraulic oil, aerosol cans (not found in residential waste), pesticides, insecticides, chemicals, P.V.C. plastics in large quantities, explosive material, rendering plant waste, chemical waste, and any oversided bulky waste not collected on a daily and routine basis.

(f) "Person" means any individual, firm (public or private corporation,) partnership, trust, public or private agency or any other entity, or any group of such person.

(g) "RRF" means the Solid Waste Resource Recovery Facility that may be constructed, operated, and maintained within Wexford County.

(h) "Site of Generation" means any premises in or on which solid waste is generated by any person.

(i) "Site-Separated Materials" means recyclable materials (including, but not limited to, bottles, cans, newspapers, corrugated containers, metals, grass, leaves, brush, and yard trimmings) that are separated from solid waste after collection from a site of generation by either a waste hauler or by the operators of a disposal area to which it is delivered.

(j) "Solid Waste" means garbage, rubbish, ashes, incinerator ash, incinerator residue, street-cleanings, municipal and industrial sludges, solid commercial and solid industrial waste, and animal waste provided, however, that this definition shall not include hazardous waste, site-separated materials, source separated materials, human body waste, liquid or other waste regulated by statute, ferrous or non-ferrous scrap directed to a scrap metal processor or to a reuser of ferrous or non-ferrous products, and slag or slag products directed to a slag processor or to a reuser of slag or slag products.

(k) "Solid Waste Management Plan" means the Wexford County Solid Waste Management Plan approved by the Wexford County Board of Commissioners and the Director of the Department of Natural Resources, pursuant to the requirements and provisions of Act 641, and any amendments to the plan adopted in accordance with said Act.

(l) "Source-separated Materials" means recyclable materials (including, but not limited to, bottles, cans, newspapers, corrugated containers, metal, grass, leaves, brush, and yard trimmings) that are separated from solid waste prior to the collection of solid waste from a site of generation.

(m) "Tipping Fee" means the fee established by the Board of Public Works to be charged upon delivery of acceptable solid waste to the Wexford County Landfill/Resource Recovery Facility.

(n) "Transporting Vehicle" means any vehicle used for the purposes of collecting, transporting, delivering, or disposing of solid waste.

(o) "Waste Hauler" means any person engaged, in whole or in part, in the business of collecting, transporting, delivering, or disposing of solid waste within the County.

(p) "Wexford County Landfill"/"Landfill" means the Type II Sanitary Landfill operated by the Wexford County Department of Public Works at 990 North U.S. 131, Manton, Michigan.

1.2 Words or Phrases Not Listed. Any words or phrases not listed above shall have the means as defined in Act 641 or if not defined in Act 641, shall have their ordinary or common meanings.

ARTICLE II
MISSAUKEE COUNTY'S OBLIGATION

2.1 Waste Diversion Program. Missaukee County has established and agrees to maintain a program for diverting a portion of its waste from the Wexford County Landfill. The waste diversion program shall comply with all State regulations and be acceptable to the Wexford County Department of Public Works and shall contain, at a minimum, the following items:

a) Public Education Program
Missaukee County shall participate in a program to inform the public of proper disposal methods for various wastes so that no non-acceptable wastes are disposed of in the Wexford County Landfill. The educational program shall also inform the public as to the importance of recycling and how the public can participate.

b) Recycling Program
The Missaukee County recycling program shall include a sufficient number of drop-off sites to provide the public with an opportunity to participate in the program.

c) Composting Program
Missaukee County shall establish or participate in a composting program to prevent yard wastes and other organic wastes from being disposed of in the Wexford County Landfill.

d) Household Hazardous Waste Collections
Missaukee County agrees to participate in a household hazardous waste collection program in conjunction with Wexford County if the need arises and if funding is available. The collected wastes shall be disposed of at a facility licensed to receive that type of waste.

2.2 Hazardous and Non-acceptable Waste. Commercial solid waste haulers registered with the Missaukee County Clerk and approved thereby to haul solid waste generated in Missaukee County and to be transported out of Missaukee County and/or private citizens of Missaukee County choosing to transport their own solid waste to the Wexford County Landfill, shall not deliver any hazardous waste and/or non-acceptable waste to the Wexford County Landfill until a household hazardous waste collection center is established in Wexford County. Missaukee County acknowledges that a separate agreement may be necessary before household hazardous waste is transported to Wexford County.

2.3 Waste Haulers. Missaukee County shall maintain a list of Commercial Solid Waste haulers authorized to conduct business in Missaukee County. A copy of this list shall be provided to the Wexford County Department of Public Works.

2.4 Laws, Rules and Regulations. Missaukee County shall ensure that the collection and delivery of acceptable solid waste pursuant to this agreement complies with Act 185, Act 641, the Solid Waste Management Plans of Missaukee and Wexford County and all other applicable laws, rules, regulations, orders, determinations and licensing requirements.

2.5 Missaukee County agrees to negotiate a Flow Control Ordinance if requested by the Wexford County Department of Public Works to assure delivery of minimum and/or maximum daily volumes of solid waste to any Resource Recovery Facility constructed and operated in Wexford County.

2.6 Missaukee County agrees to accept solid waste from Wexford County on a primary day to day basis under the same terms and conditions of this Agreement if a licensed facility is constructed in Missaukee County.

ARTICLE III
WEXFORD COUNTY'S OBLIGATIONS

3.1 Disposal of Acceptable Solid Waste. Commencing on the effective date of this Agreement, the Wexford County Department of Public Works reserves the right to accept, reject or dispose of any or all solid waste originating in Missaukee County and delivered from Missaukee

County that is transported to the Wexford County Landfill or any other disposal facility in Wexford County, when, in the sole opinion of the Wexford County Department of Public Works, such acceptance, rejection or disposal is deemed desirable or necessary for the efficient and safe operation of those facilities.

3.2 Compliance with Act 641. In disposing of acceptable solid waste delivered pursuant to this Agreement, the Wexford County Department of Public Works shall comply with Act 185, Act 641, the Solid Waste Management Plan, and all other applicable laws, rules, regulations, orders, determinations, and licensing requirements.

ARTICLE IV
PAYMENTS BY WASTE HAULERS

4.1 Tipping Fees. A tipping fee shall be charged to and paid by all registered Missaukee County Solid Waste Haulers upon delivery of acceptable solid waste to the Wexford County Landfill unless other payment arrangements have been made with the Wexford County Department of Public Works.

4.2 Setting of Fees. The tipping fee(s) shall be fixed and be revised from time to time by resolution of the Wexford County Board of Public Works. The tipping fee(s) will not become effective until the Board of Public Works gives at least thirty (30) days notice to Missaukee County and the registered solid waste haulers of the amendment in the tipping fee(s). Any decision to amend the tipping fee(s) shall be made in accordance with applicable laws, rules and regulations and be the sole responsibility of the Board of Public Works. No notice of public hearing shall be required prior to any amendment in the tipping fee(s).

ARTICLE V
TERM AND TERMINATION

5.1 Effective Date. This Agreement shall become effective upon its execution.

5.2 Term. This Agreement shall be binding and remain in effect for a period of five (5) years commencing on the date of execution and may be renewed for a term of five (5) years thereafter upon mutual agreement of the parties.

5.3 Termination. Wexford County reserves the right to terminate this Agreement earlier for the following reasons:

(a) The Landfill or any other solid waste disposal facility ceases to operate due to circumstances beyond the control of the Wexford County Department of Public Works.

(b) Operation of the Wexford County Landfill or any Resource Recovery Facility is no longer feasible due to changes in federal or state laws, rules, regulations, orders, determinations, or licensing requirements.

(c) Wexford County sells, conveys or ceases to operate the Wexford County Landfill or any other disposal faiclity.

(d) The registered Missaukee County commercial solid waste haulers or Missaukee County default on the terms and conditions of this Agreement.

ARTICLE VI
INSURANCE AND INDEMNIFICATION

6.1 Insurance. Wexford County shall not obtain or maintain any insurance covering Missaukee County, its agents or its employees. Missaukee County shall obtain and maintain all necessary and appropriate insurance policies covering the negligent and wrongful acts of its employees and agents, including general liability and automobile liability coverages. Missaukee County shall provide any necessary unemployment or workers' disability compensation coverages for its employees.

6.2 Indemnification. Missaukee County shall hold Wexford County harmless from, indemnify Wexford County for and defend Wexford County against any and all claims, including claims arising from a change in federal or state laws and/or regulations, resulting from or claimed by any third party to have resulted from the disposal of solid waste, generated in Missaukee County, in the Wexford County Landfill.

ARTICLE VII
MISCELLANEOUS

7.1 Assignment. Neither party may assign any of its rights or obligations under this Agreement without the prior written consent of the other party.

7.2 Amendments. This is the entire Agreement between the parties as to its subject matter and may be amended only by a written agreement duly authorized and executed by the parties.

7.3 Notices. All notices required or permitted by this Agreement shall be in writing and shall be delivered personally or sent by certified mail, return receipt requested, postage prepaid, to the following addresses:

If to Wexford County:
Director, Department of Public Works
3161 South Lake Mitchell Drive
Cadillac, Michigan 49601

If to Missaukee County:
Chairman, Board of Commissioners
111 South Canal, P.O. Box 800
Lake City, Michigan 49651

7.4 Jurisdiction. The jurisdiction and venue of any judicial proceeding brought pursuant or related to this Agreement shall be in the Wexford County Circuit Court or any other court in Wexford County having subject matter jurisdiction.

7.5 Headings. The article and other headings in this Agreement are for reference purposes only and shall not affect its meaning or interpretation.

IN WITNESS WHEREOF, the parties have executed this Agreement on this 19th day of September, 1995.

WITNESSES:

Gary R. Fuller

Patricia A. Laskey

Dawn M. Mills

Barbara Nietling

WEXFORD COUNTY BOARD OF PUBLIC WORKS

Board of Public Works Chairperson
Robert Mackey

Board of Public Works Secretary
Gordon H. Oliver

MISSAUKEE COUNTY

Gary Birgy, Chairman of Board of Commissioners

Carolyn Flore, County Clerk

8

Solid Waste Reciprocal Agreement

WHEREAS, Missaukee County, as well as all counties in the State of Michigan, are required by Part 115 of Act 451, P.A. 1994 and Act 641, P.A. 1978, as amended, to update the current Solid Waste Plan, and;

WHEREAS, Missaukee County and Leelanau County are responsible for the final deposition of all waste generated in their respective counties, and;

WHEREAS, Part 115 of Act 451, P.A. 1994, and Act 641, P.A. 1978, as amended, require that both the receiving and the sending county's solid waste management plan include the mechanism for a signed agreement between the two counties prior to any shipment of solid waste,

THEREFORE, BE IT RESOLVED, THAT Missaukee County will agree to accept solid waste from Leelanau County so long as Missaukee County has an approved solid waste disposal site that is open for public use.

BE IT FURTHER RESOLVED, THAT Leelanau County will agree to accept solid waste from Missaukee County so long as an approved solid waste disposal site exists in Leelanau County that is open for public use.

BE IT FURTHER RESOLVED, THAT Missaukee County agrees to establish and maintain a program for diverting a portion of its waste from landfill facilities and send its ANNUAL PROJECT UPDATE AND PROGRESS REPORT to Leelanau County. The waste diversion program must be acceptable to Leelanau County and shall contain, at a minimum, the following four (4) items:

1. Public Education Program

Missaukee County shall participate in a program to inform the public of proper disposal methods for various wastes so that no improper wastes are disposed of in the landfill. The educational program shall also inform the public as to the importance of recycling and how the public can participate.

2. Recycling Program

The Missaukee County recycling program shall include a sufficient number of drop-off sites or sufficient curbside recycling to provide the public with an opportunity to participate in the program.

3. Composting Program

Missaukee County shall establish or participate in a composting program to prevent yard waste and other organic wastes from being disposed of in the landfill.

4. Household and Agricultural Hazardous Waste Collection

Missaukee County shall conduct or participate in at least one (1) household and agricultural hazardous waste collection day per year. The collected wastes shall be disposed of at a facility licensed to receive that type of waste.

BE IT FURTHER RESOLVED, THAT MISSAUKEE County agrees to implement a waste diversion program, as outlined above, within one (1) year of the adoption of the Leelanau County Solid Waste Management Plan 1998 Update.

BE IT FURTHER RESOLVED, THAT this agreement is valid until the next revision of the Leelanau County Solid Waste Plan is approved. However, either county may give one-hundred eighty (180) days written notice of intent to terminate this agreement to allow the other party time to develop another source for solid waste disposal. Each county will save and hold the other county harmless from any and all liability actions arising from the disposal of solid waste.

FOR MISSAUKEE COUNTY

Chairman
Missaukee County
Board of Commissioners

OCTOBER 13, 1998
Date

FOR LEELANAU COUNTY

J. Patrick Yoder, Chairman
Leelanau County
Board of Commissioners

11/2/98
Date

MEMORANDUM OF UNDERSTANDING FOR A RECIPROCAL AGREEMENT ON SOLID WASTE

Both Missaukee County and Osceola County are responsible for the collection and disposal of their own respective solid waste, and both are Michigan counties subject to the regulations and planning requirements of Section 11539a of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act 1994 P.A. 451, as amended.

The Act requires that both the receiving and sending county's solid waste management plan include statements as to where solid waste will be sent to and/or will be received from, before wastes can be transported between counties.

The Missaukee County Solid Waste Management Plan provided for a mechanism to enter into reciprocal agreements such as this one:

A. Missaukee County will agree to accept solid waste from Osceola County, for primary and/or standby backup disposal in solid waste facilities within its borders so long as they are open to the public and users will not be subject to discrimination in service or tipping fee price structure.

B. Osceola County will agree to accept solid waste from Missaukee County for primary and/or standby backup disposal in solid waste facilities within its borders so long as they are open to the public and users will not be subject to discrimination in services or tipping fee price structure.

This agreement may be terminated by either county upon receipt of a mutually agreeable notice adequate to provide time for another method of primary disposal. if adequate notice is not mutually agreed to, then adequate notice shall be two years.

Both counties agree to assume their own and separate liability, and assume financial responsibility for payment of any damages, fines, etc., at their own cost, as would exist if this agreement had never been entered into.

FOR MISSAUKEE COUNTY	FOR OSCEOLA COUNTY
Harry Biggs	Lorna Lindsley
Chairman, Board of Commissioners	Chairman, Board of Commissioners
10-13-98	5-29-98
Date	Date

Douglas A. Bell, AICP
Community Planning Consultant
214 East State Street
Clare, Michigan 48617
Telephone & Fax: 517-386-6491
e-mail: dabell@voyager.net

November 5, 1998

Ms. Dawn Mills
Missaukee County Planning Department
County Courthouse
P.O. Box 800
Lake City MI 49651

RE: Clare County Solid Waste Management Plan Update/Import Authorizations

Dear Ms. Mills:

The Clare County Solid Waste Management Planning Committee has recommended authorizing the importation of solid waste generated in Missaukee County for disposal at the Northern Oaks Recycling and Disposal Facility in Clare County. This information will be included in the draft Clare County Solid Waste Management Plan Update.

The Planning Committee has also proposed limiting the volume of solid waste ***from all sources*** that may be accepted for disposal at the Northern Oaks facility to a ***maximum*** of 3,000 cubic yards per day. The daily volume will be determined as a rolling five-year average.

The Planning Committee requests that you identify the Northern Oaks facility in Clare County for primary disposal of solid waste generated in Missaukee County in the "current export volume authorization" portion of your County Solid Waste Management Plan Update, subject to the overall volume limitation described above.

Please let us know if you intend to identify Clare County for acceptance of authorized solid waste exports from Missaukee County in your Solid Waste Plan Update as soon as possible. The Clare County Solid Waste Management Planning Committee will hold its next regular meeting on *November 24*, 1998. Your response by that date would be most helpful.

Thank you for giving this important matter your attention. Please call me at *517-386-6491* if you have any questions.

Sincerely,

Douglas A. Bell

Douglas A. Bell
Project Consultant to Clare County

xc: Clare County Solid Waste Management Planning Committee Members
Mr. Timothy Wolverton, Clare County Administrator

Missaukee County Planning/Emergency Services

Dawn M. Mills, PEM
County Planner/Emergency Services Coordinator
P.O. Box 800; 111 S. Canal Street
Lake City, Michigan 49651

Telephone 616/839-7988
Fax 616/839-3684

November 9, 1998

Douglas A. Bell
Project Consultant
214 East State Street
Clare, Michigan 48617

RE: Missaukee County Solid Waste Management Plan Update

Dear Mr. Bell:

The Missaukee County Solid Waste Management Planning Committee has included Clare County in our Plan Update, and this has been approved by our Board of Commissioners.

The volume maximum of 3,000 cubic yards per day has been entered on the appropriate forms (Table 2-1: Current Export Volume; Table 2-B: Future Export Volume) in our Plan. Northern Oaks Facility has been identified as a primary facility for disposal of solid waste generated in Missaukee County. Further, Clare County has been listed on Table 1-B (Future Import Volume) in the event a facility is constructed in Missaukee County.

I am enclosing a copy of the Reciprocal Agreement that was sent to Clare County for their review. Our Chairman has signed this agreement. If this type of agreement is not required by Clare County, it can be removed from our Plan.

Thank you for your consideration on this matter.

Respectfully,

Dawn M. Mills

Dawn M. Mills

cc: Tony Furlich, Chair: Solid Waste Planning Committee
Gary Birgy, Chair: Board of Commissioners

MEMORANDUM OF UNDERSTANDING FOR A RECIPROCAL AGREEMENT ON SOLID WASTE

Both Missaukee County and Clare County are responsible for the collection and disposal of their own respective solid waste, and both are Michigan counties subject to the regulations and planning requirements of Section 11539a of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act 1994 P.A. 451, as amended.

The Act requires that both the receiving and sending county's solid waste management plan include statements as to where solid waste will be sent to and/or will be received from, before wastes can be transported between counties.

The Missaukee County Solid Waste Management Plan provided for a mechanism to enter into reciprocal agreements such as this one:

A. Missaukee County will agree to accept solid waste from Clare County, for primary and/or standby backup disposal in solid waste facilities within its borders so long as they are open to the public and users will not be subject to discrimination in service or tipping fee price structure.

B. Clare County will agree to accept solid waste from Missaukee County for primary and/or standby backup disposal in solid waste facilities within its borders so long as they are open to the public and users will not be subject to discrimination in services or tipping fee price structure.

This agreement may be terminated by either county upon receipt of a mutually agreeable notice adequate to provide time for another method of primary disposal. if adequate notice is not mutually agreed to, then adequate notice shall be two years.

Both counties agree to assume their own and separate liability, and assume financial responsibility for payment of any damages, fines, etc., at their own cost, as would exist if this agreement had never been entered into.

FOR MISSAUKEE COUNTY	FOR CLARE COUNTY
Gary Bingy	
Chairman, Board of Commissioners	Chairman, Board of Commissioners
10-13-98	
Date	Date