



Michigan Department of Environmental Quality
Resource Management Division

SOLID WASTE DISPOSAL AREA OPERATING LICENSE

This license is issued under the provisions of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.11501 et seq., and authorizes the operation of this solid waste disposal area (Facility) in the state of Michigan. This license does not obviate the need to obtain other authorizations as may be required by state law.

FACILITY NAME: C&C Landfill

LICENSEE/OPERATOR: C&C Expanded Sanitary Landfill, LLC

FACILITY OWNER: C&C Expanded Sanitary Landfill, LLC

PROPERTY OWNER: C&C Expanded Sanitary Landfill, LLC

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 405721

COUNTY: Calhoun

LICENSE NUMBER: 9310

ISSUE DATE: May 17, 2011

EXPIRATION DATE: May 17, 2016

FACILITY DESCRIPTION: The C&C Landfill, a municipal solid waste landfill, consists of 223 acres located in the NE 1/4, SE 1/4 and W 1/2 of Section 28, T1S, R6W, Convis Township, Calhoun County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: Identified in Item 2.

RESPONSIBLE PARTY: Mr. Glen Goestenkers, Operations Manager
C&C Landfill
14800 P Drive North
Marshall, Michigan 49068
269-781-9742

RENEWAL OPERATING LICENSE: This License Number 9310 supersedes and replaces Solid Waste Disposal Area Operating License Number 9156 issued to C&C Expanded Sanitary Landfill, LLC on March 23, 2007.

This license is subject to revocation by the Director of the Michigan Department of Environmental Quality, if the Director finds that this Facility is not being constructed or operated in accordance with the approved plans, the conditions of a permit or license, Part 115, or the rules promulgated under Part 115. Failure to comply with the terms and provisions of this license may result in legal action leading to civil and/or criminal penalties pursuant to Part 115. This license shall be available through the licensee during its term and remains the property of the Director.

THIS LICENSE IS NOT TRANSFERABLE.

Steven R. Sliver, Chief, Solid Waste and Land Application Section
Resource Management Division

Licensee: C&C Expanded Sanitary Landfill, LLC
Facility Name: C&C Landfill
Operating License Number: 9310
Issue Date: May 17, 2011

The licensee shall comply with all terms of this license and the provisions of Part 115 and the administrative rules implementing Part 115 (Part 115 Rules). This license includes the license application and any attachments to this license.

1. The licensee shall operate the Facility in a manner that will prevent violations of any state or federal law.
2. The following portions of the Facility are authorized to receive solid waste by this license:

ACTIVE PORTIONS NOT AT FINAL GRADE: The area(s) identified as Phase IV A-C and Phase VA1, VA2, and Phase VB were authorized to receive waste by the previous license. This area's total acreage is 44.64 acres.

3. The following portions of the Facility **WILL BE** authorized to receive solid waste by this license following approval by the Michigan Department of Environmental Quality (MDEQ) of construction certification:

UNCONSTRUCTED AREA(S) WITH FINANCIAL ASSURANCE: The area(s) identified as Phase VC and the Phase VC Overliner Area, totaling 17.44 acres, are included in the calculation of financial assurance as required by Section 11523 of Part 115. This portion(s) of the Facility shall be authorized to receive waste, as part of this license, when acceptable certification is submitted to the MDEQ, as required by Section 11516(5) of Part 115, and determined by the MDEQ to be consistent with Part 115 and the Part 115 Rules. The certification shall verify that construction of this area(s) was in accordance with the Construction Permit(s) listed in Item 8 of this license, Part 115, and the Part 115 Rules.

4. The following portions of the Facility are **NOT** authorized to receive solid waste by this license:

- a. **UNCONSTRUCTED AREA(S) WITHOUT FINANCIAL ASSURANCE:** The area(s) identified as Phase VD are not constructed and are not included in the calculation of financial assurance as required by Section 11523 of Part 115. This area's total acreage is 9.9 acres.

- b. **CLOSED UNIT(S) OR A PORTION OF A UNIT WHERE THE FINAL COVER HAS BEEN CERTIFIED CLOSED AND ACCEPTED BY THE MDEQ:** The following unit(s) and/or portion(s) are closed:

EXISTING UNIT(S): The unit(s) identified as portions of Phase IV-A (6 acres) and portions of Phase IV-A, IV-B, and IV-C (5.5 acres) had final closure certified on January 1, 2002, and January 14, 2005. These certifications were reviewed and approved by the MDEQ on February 24, 2003, and March 3, 2005. The unit identified as Phase I, II, and III, less 0.49 acres of permitted overfill of VA-1 and 7.64 acres of overfill over Phase II, had final closure certified on September 17, 1999. This certification was reviewed and approved by the MDEQ on December 3, 1999. This area's total acreage is 44.71 acres.

5. The attached map (Attachment A) shows the Facility, the area permitted for construction, monitoring points, leachate storage units, site roads, other disposal areas, and related appurtenances.
6. Issuance of this license is conditioned on the accuracy of the information submitted by the Applicant in the Application for License to Operate a Solid Waste Disposal Area (Application) received by the MDEQ on March 14, 2011, and any subsequent amendments. Any material or intentional inaccuracies found in that information is grounds for the revocation or modification of this license and may be grounds for enforcement action. The licensee shall inform the MDEQ's Resource Management Division (RMD), Kalamazoo District Supervisor, of any inaccuracies in the information in the Application upon discovery.

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7. This license is issued based on the MDEQ's review of the Application, submitted by C&C Expanded Sanitary Landfill, LLC, for the C&C Landfill, dated March 11, 2011. The Application consists of the following:

- a. Application Form EQP 5507.
- b. Application fee in the amount of \$10,000.00.
- c. Certification of construction by N/A.
- d. Waste Characterization: N/A.
- e. Restrictive Covenant:

The September 27, 2002, restrictive covenant on 223 acres is on file at the Calhoun County Register of Deeds recorded on April 5, 2004, as Liber 2810 pages 250-253. A copy is on file with the MDEQ.

- f. Perpetual Care Fund Agreement, established as a trust account, signed by Mr. John C. Myers, P.E., District Vice President, BFI of Michigan, Inc. on February 10, 1997, was executed by the MDEQ on May 28, 1997.
- g. Financial Assurance.

i. Financial Assurance Required:

The amount of financial assurance required for this Facility was calculated based on the calculation worksheet form EQP 5507A entitled, "Form A, Financial Assurance Required," and is \$12,231,755.25.

The Facility has provided financial assurance totaling \$12,232,890.41, based on the requirements of Section 11523 of Part 115, consisting of a combination of the Perpetual Care Fund established under Section 11525 of Part 115, bonds, and the financial capability of the Applicant as evidenced by a financial test. The financial assurance mechanisms used by the Facility are summarized below in Items ii and iii, respectively.

ii. Financial Assurance Provided Via a Perpetual Care Fund:

- (1) The amount of the required financial assurance can be reduced pursuant to Section 11524 of Part 115, if the amount of money in the Perpetual Care Fund plus the amount of the reduced financial assurance equals the amount of financial assurance required in Section 11523 of Part 115 and is approved by the MDEQ.
- (2) The Perpetual Care Fund Agreement statement showed a balance of \$1,859,890.41 in the Facility's Perpetual Care Fund as of January 31, 2011. Of this amount, the MDEQ has granted the request to use \$1,859,890.41 toward the total amount of financial assurance required.

iii. Financial Assurance Provided Via Bond:

The following financial assurance has been received from the Applicant to meet the amount of financial assurance required:

Surety Bond	\$10,373,000.00
Total Amount Received:	\$10,373,000.00

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iv. Financial Assurance Updates Required:

For Type II landfills, the financial assurance cost estimates of closure and postclosure activities must be updated annually and the corresponding requisite amount of financial assurance must be adjusted annually for the costs of inflation. The corresponding financial assurance, as adjusted for inflation and other factors, is due on May 17, 2012, and each year thereafter.

8. The following documents approved with Construction Permit Number(s) 0403 issued to BFI Waste Systems of North America, Inc. on April 16, 2002, are incorporated in this license by reference:
 - a. Construction Permit Application Volume 1 and 2, revised March 12, 2002.
 - b. Engineering Plan Sheets 1-38, revised March 12, 2002.
9. The following additional documents, approved since the issuance of the construction permit(s) referenced in Item 8, are incorporated in this license by reference:
 - a. Solidification Facility Plan, submitted February 11, 2005.
 - b. Leachate Recirculation Plan, submitted August 30, 2004.
 - c. Alternate Daily Cover Request and Operations Plan, revised on May 5, 2004.
 - d. Gas System Layout Plan Sheet 34.
 - e. Beneficial Reuse-Scrap Drywall for Road Building Plan, submitted November 1, 2006.
 - f. Hydrogeologic Monitoring Plan, submitted December 2007, approved July 2008.
 - g. North Lift Station Redesign, submitted January 2011, approved March 2011.
 - h. Phase VB Outer Haul Road, submitted October 2010, approved March 2011.
 - i. CQA Plan Updates, submitted March 2011, approved March 2011.
 - j. Phase VB Piggyback Redesign, submitted February 2011, approved March 2011.
10. Consent Order/Judgment Number: N/A.
11. The licensee shall repair any portion of the certified liner or leachate collection system that is found to be deficient or damaged during the term of this license unless determined otherwise by the MDEQ.
12. The licensee shall have repairs to any portion of the certified liner or leachate collection system recertified by a registered professional engineer in accordance with R 299.4921 of the Part 115 Rules and approved by the MDEQ before receiving waste in that portion of the certified liner or leachate collection system. The licensee shall submit the recertification to the MDEQ's RMD, Kalamazoo District Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated December 2007. The sampling analytical results shall be submitted to the MDEQ's RMD, Kalamazoo District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by the RMD, Kalamazoo District Supervisor. Proposed revisions must be submitted in a format specified by the MDEQ.
15. Leachate may be recirculated if a leachate recirculation plan has been approved, in writing, by the RMD, Kalamazoo District Supervisor.

16. Modifications to approved engineering plans that constitute an upgrading, as defined in R 299.4106a(l) of the Part 115 Rules, may be approved, in writing, by the RMD, Kalamazoo District Supervisor.

17. Requests for alternate daily cover may be approved, in writing, by the RMD, Kalamazoo District Supervisor.

18. Leakage Control Criteria:

The active portions of the unit(s) authorized to receive waste by this license is an unmonitorable unit(s) designed with a double-liner systems, which is in compliance with the provisions of R 299.4422(3), and that is capable of detecting and collecting leakage through the primary composite liner. The action flow rate for Phase IV Cell A is 40.4 gallons/acre/day. The response flow rate for Phase IV Cell A is 162.9 gallons/acre/day. The action flow rate for Phase IV Cell B is 36.6 gallons/acre/day. The response flow rate for Phase IV Cell B is 147.8 gallons/acre/day. The action flow rate for Phase IV Cell C is 37.4 gallons/acre/day. The response flow rate for Phase IV Cell C is 151.2 gallons/acre/day. The action flow rate for Phase V Cell A -C is 5.0 gallons/acre/day. The response flow rate for Phase V Cell A -C is 25.0 gallons/acre/day.

19. **VARIANCES:** None.

20. **SPECIAL CONDITIONS:**

a. The licensee shall place a compacted layer of not less than six inches of earthen material, unless an exemption is granted, of suitable cover material on all exposed solid waste by the end of each working day, as required by R 299.4429(1) of the Part 115 Rules. Suitable cover shall be either uncontaminated soil or an alternate cover approved by the RMD, listed in Item i, below. Alternate cover shall be restricted as indicated in Item ii and applied as per the approved operational plan submitted by the licensee.

i. Approved alternate cover shall be any of the following:

<u>Product/Waste Material</u>	<u>Source</u>	<u>Monthly Volume</u>
(1) Geosynthetic Materials	Varies	Varies
(2) Petroleum Contaminated Soils consistent with the Calhoun County Solid Waste Management Plan	Varies	Varies

ii. The above materials are approved for daily cover when used in the following manner:

- (1) The licensee shall use the material as daily cover only. The material cannot be used for road building or fill in other areas of the Facility's operation.
- (2) The licensee shall maintain copies of the testing performed on Class B and Class C materials in the facility operating record.
- (3) The licensee shall only stockpile material in a secure manner within the active cell.
- (4) This approval does not preclude the licensee from disposing of the material as waste in the active fill area instead of using the material as daily cover.
- (5) This approval shall immediately become void upon documentation by the MDEQ that the alternative cover is not being used in accordance with listed conditions, that the alternative cover is not providing the necessary protection, that the material no longer meets the alternative daily cover guidelines, or that the process producing the waste material has changed.

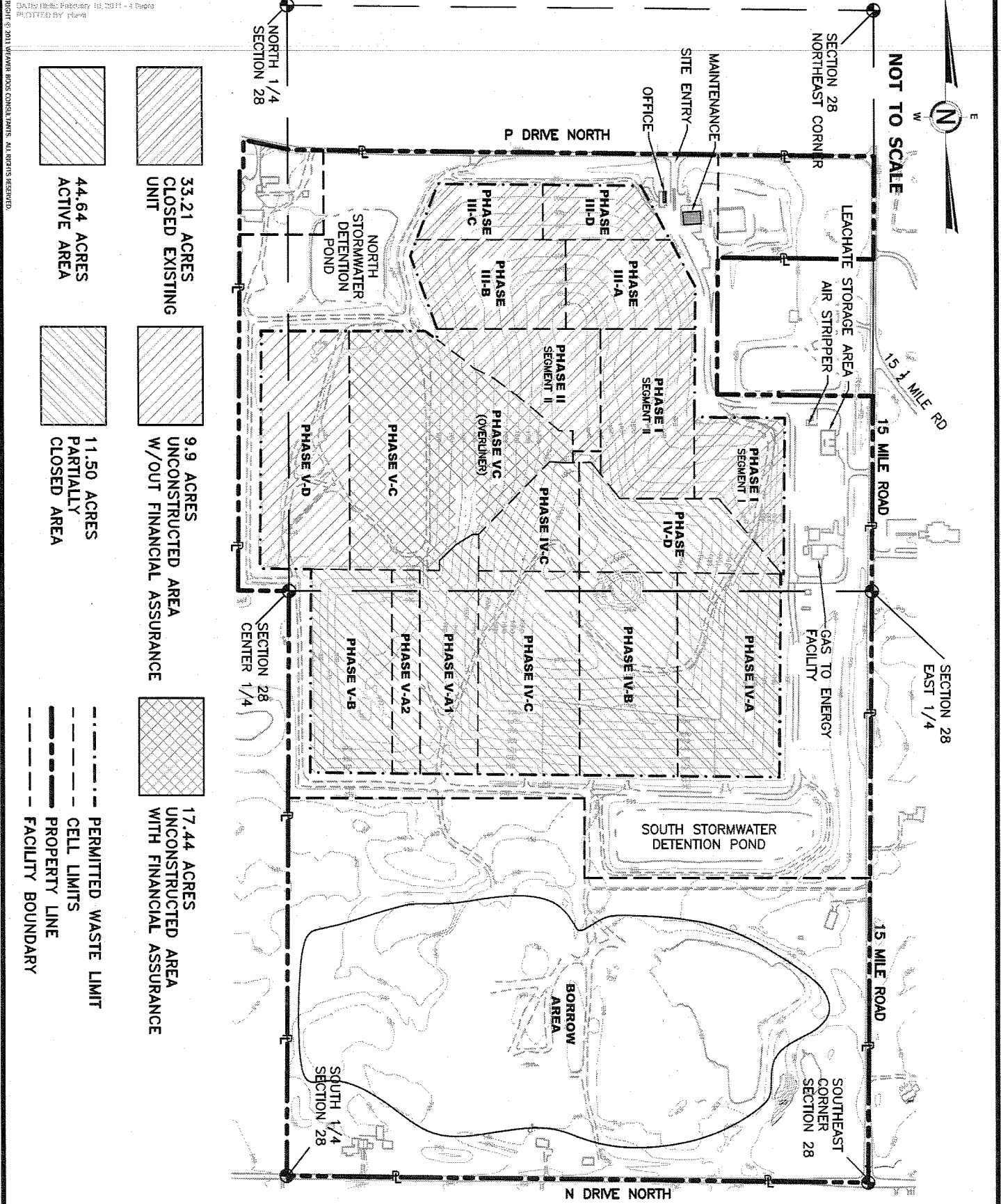
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- (6) If the material does not meet the guidelines from Attachment 2 of Operational Memo 115-10, Revision 2, for nonvolatiles, the licensee shall ensure that fugitive dust emissions from this material do not occur. Acceptable methods to ensure fugitive emissions do not occur are:
- (a) Implement a schedule to wet down material; or
 - (b) Cover the material with a tarp; or
 - (c) Apply an approved foam or other appropriate commercial dust control product.
- (7) This approval to use alternative cover shall expire upon the expiration of this operating license.
- (b) Prior to licensing of any new landfill cells, the licensee shall demonstrate permanent minimum clearances from the top of the primary liner of 10 feet from natural groundwater level and 7 feet to the permanently depressed groundwater level.
- (c) The licensee shall monitor the effectiveness of the slurry wall used as part of the engineering controls to permanently depress the groundwater level. If monitoring demonstrates that the slurry wall is no longer effectively controlling infiltration into the area, the permittee, within 30 days, shall submit to the MDEQ for review and approval, a plan to restore the slurry wall or modify the slurry wall to ensure continued operation of the engineering controls to permanently depress the groundwater level.
- (d) The licensee shall monitor the effect of the slurry wall used as part of the engineering controls to permanently depress the groundwater level. If the monitoring demonstrates that adverse impacts are observed on the on-site wetland area and north sedimentation pond, the permittee within 30 days shall submit to the MDEQ for review and approval an evaluation of the cause of the adverse impacts. If the adverse impacts are found to be caused by landfill activities and the slurry wall or other engineering controls, the licensee within 30 days, shall submit to the MDEQ for review and approval, a plan to mitigate the adverse impacts, and upon approval, shall implement that plan in accordance with the schedule contained therein.
21. **TERM:** This license shall remain in effect until its expiration date, unless revoked or continued in effect, as provided by, the Administrative Procedures Act, 1969 PA 306, as amended, or unless superseded by the issuance of a subsequent license.

END OF LICENSE

ATTACHMENT A

LOCATED: 02/10/2011 10:12:00 - Albers 12S-72 UTM Lambert Conformal Conic Projection 2011 License Application C&C 2011 License Map.mxd
 LAYOUT: 02/10/2011 10:12:00 - Albers 12S-72 UTM Lambert Conformal Conic Projection 2011 License Application C&C 2011 License Map.mxd
 DATE: 02/10/2011 10:12:00
 PROJECT: 2011 License Application



DRAWN BY: JDA CHECKED BY: PEB REVIEWED BY: PEB DATE: 02/10/2011 FILE: 0120-472-10-03 C&C 2011 LICENSE MAP	WEAVER BOOS CONSULTANTS GRAND RAPIDS, MICHIGAN (616) 452-9827 • www.weaverboos.com	2011 LICENSE APPLICATION FACILITY MAP C & C EXPANDED SANITARY LANDFILL - MARSHALL, MICHIGAN <small>SCALE OF REFERENCE</small> This document, and the designs incorporated herein, as an instrument of professional service, is the property of Weaver Boos Consultants, and is not to be used in whole or in part for any other project without the written consent of Weaver Boos Consultants.	PREPARED FOR C & C EXPANDED SANITARY LANDFILL 14800 P DRIVE NORTH MARSHALL, MICHIGAN
	FIGURE 1	33.21 ACRES CLOSED EXISTING UNIT	9.9 ACRES UNCONSTRUCTED AREA W/OUT FINANCIAL ASSURANCE
44.64 ACRES ACTIVE AREA	11.50 ACRES PARTIALLY CLOSED AREA	PERMITTED WASTE LIMIT CELL LIMITS PROPERTY LINE FACILITY BOUNDARY	