



Michigan Department of Environmental Quality  
Waste and Hazardous Materials 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: Kalamazoo Valley Group Low Hazard Type III Pulp and Paper Mill Waste Landfill

LICENSEE/OPERATOR: Kalamazoo Valley Group

FACILITY OWNER: Kalamazoo Valley Group

PROPERTY OWNER: Kalamazoo Valley Group

FACILITY TYPE(S): Type III Low Hazard Industrial Landfill

FACILITY ID NUMBER: 437730

COUNTY: Kalamazoo

LICENSE NUMBER: 9197

ISSUE DATE: February 5, 2009

EXPIRATION DATE: February 5, 2014

FACILITY DESCRIPTION: The Kalamazoo Valley Group Low Hazard Type III Pulp and Paper Mill Waste Landfill, a Type III low hazard industrial landfill, consists of 201 acres located in the N 1/2 of the SE 1/4, the S 1/2 of the NE 1/4, and a portion of the N 1/2 of the NE 1/4 of Section 29, T2S, R9W, Charleston Township, Kalamazoo County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: Identified in Item 2 of this operating license..

RESPONSIBLE PARTY: Mr. Robert H. Miller III, Chairman  
Kalamazoo Valley Group  
c/o Graphic Packaging Company  
1500 North Pitcher Street  
Kalamazoo, Michigan 49007  
269-383-5344

**RENEWAL OPERATING LICENSE:** This License Number 9197 supersedes and replaces Solid Waste Disposal Area Operating License Number 8977 issued to Kalamazoo Valley Group on November 25, 2003.

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, Storage Tank and Solid Waste Section  
Waste and Hazardous Materials Division

Licensee: Kalamazoo Valley Group  
Facility Name: Kalamazoo Valley Group Type III Pulp and Paper Mill Waste Landfill  
Operating License Number: 9197  
Issue Date: February 5, 2009

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 Cell 1 and Cell 2 were authorized to receive waste by the previous license. This area's total acreage is 18.4 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: None.
4. The following portions of the Facility are **NOT** authorized to receive solid waste by this license:  
**UNCONSTRUCTED AREA(S) WITHOUT FINANCIAL ASSURANCE:** The area(s) identified as Cells 3-10 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 66.1 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 October 28, 2008, 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 Waste and Hazardous Materials Division (WHMD), Kalamazoo District Supervisor, of any inaccuracies in the information in the Application upon discovery.
7. This license is issued based on the MDEQ's review of the Application, submitted by Kalamazoo Valley Group, for the Kalamazoo Valley Group Low Hazard Type III Pulp and Paper Mill Waste Landfill, dated October 27, 2008, and revised January 22, 2009. The Application consists of the following:
  - a. Application Form EQP 5507.
  - b. Application fee in the amount of \$2,500.00.
  - c. Certification of construction by N/A.
  - d. Waste Characterization: N/A.
  - e. Restrictive Covenant:  

The January 23, 2002, restrictive covenant on 18.4 acres is on file at the Kalamazoo County Register of Deeds recorded on August 7, 2002, as Liber File Number 2002-041749 pages 1-4. A copy is on file with the MDEQ.
  - f. Perpetual Care Fund Agreement, established as an escrow account, signed by Mr. C. Richard Larrick, General Manager, Kalamazoo Valley Group, on August 15, 1997, was executed by the MDEQ on October 6, 1997.

Licensee: Kalamazoo Valley Group  
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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 includes a bond of \$20,000.00 per acre of licensed landfill, and the Perpetual Care Fund requirement.

The Facility has provided financial assurance totaling \$432,731.98, 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, and the bonding requirements of Section 11523 (1)(a) of Part 115. 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:

The Perpetual Care Fund Agreement statement showed a balance of \$64,731.98 in the Facility's Perpetual Care Fund as of June 30, 2008.

iii. Financial Assurance Provided Via Bond:

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

Irrevocable Letter of Credit	\$333,000.00
Cash Bond	\$35,000.00
Total Amount Received:	\$368,000.00

8. The following documents approved with Construction Permit Number(s) 0338 issued to Kalamazoo Valley Group on March 25, 1996, are incorporated in this license by reference:
- a. The "Kalamazoo Valley Group Pulp and Paper Mill Waste Landfill Construction Permit Application" Volume 1 and Volume 2, dated November 1995, revised February 13, 1996, and February 23, 1996.
  - b. Plan Sheets 1-22 dated November 1995, revised February 13, 1996, and February 23, 1996.
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. Temporary Berm Modification request and details, dated July 2, 1997.
  - b. Hydro Monitoring Plan revisions, dated May 21, 1997.
  - c. CQA Plan Modifications, dated March 23, 1999.
  - d. Detail Changes submitted by RMT, dated May 6, 1999.
  - e. Well Installation and Abandonment Plan, dated December 8, 1998.
  - f. Groundwater Monitoring License Amendment, dated July 21, 1999.
  - g. Compliance Work Plan for Kalamazoo Valley Group Landfill dated September 21, 1999.
  - h. Cell 2 Primary Liner Repair Plans, submitted on June 8, 2001.
  - i. Revised Leachate Forcemain Design Upgrade Plans, submitted on April 13, and April 18, 2001.

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- j. Track Out Best Management Practice, submitted on November 20, 2000.
  - k. Shedding/Fill Plan Phase 2 submitted on April 27, and April 28, 2005
  - l. Cell 2 Buffer Area Drainage Pipe Design Changes submitted on August 11, 2004 and revised on September 22, 2004.
  - m. Cell 2 Perimeter Access Manhole Piping changes submitted on June 12, 2006
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 WHMD, Kalamazoo District Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated November 17, 1995, including subsequent approved revisions, dated May 21, 1997, December 8, 1998, and July 21, 1999. The sampling analytical results shall be submitted to the MDEQ's WHMD, Kalamazoo District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by the WHMD, 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 Waste and Hazardous Materials Division, 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 WHMD, Kalamazoo District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by the Waste and Hazardous Materials Division, Kalamazoo District Supervisor.
18. Leakage Control Criteria:
- This Type III Facility is a monitorable unit and, therefore, does not need to be in compliance with the leakage control criteria of R 299.4422 of the Part 115 Rules.
19. **VARIANCES:** None.
20. **SPECIAL CONDITIONS:** N/A.
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.

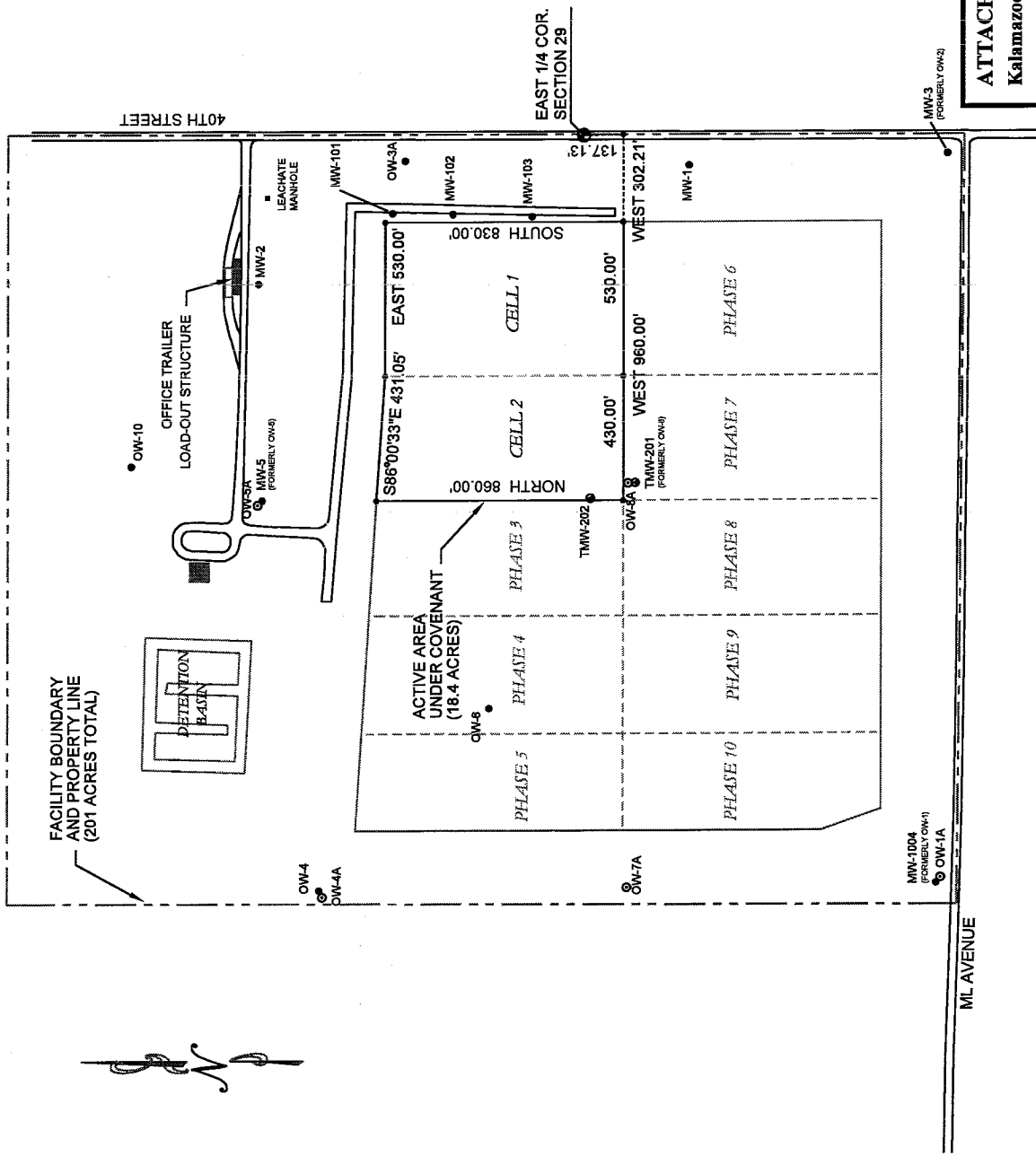
**END OF LICENSE**

**LEGEND**

- APPROXIMATE PROPERTY LINE
- ==== EXISTING PAVED ROAD
- PHASE DELINEATION LINE



SURVEY BY:  
 MONTROM & ASSOCIATES, INC., 610 W. BURR OAK ST., PO BOX 85  
 CENTERVILLE, MI 49032



**ATTACHMENT A.**  
 Kalamazoo Valley Group Landfill Facility Map.

**KIESER & ASSOCIATES**  
 ENVIRONMENTAL SCIENCE & ENGINEERING

ADAPTED FROM RMT 3RD QUARTER HYDROGEOLOGIC SAMPLING REPORT,  
 OCTOBER 27, 1999, FIGURE 1.

DRAWN BY: KBB    CHECKED BY: MSK    REVISED: 10-8-03