



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: Montmorency-Oscoda-Alpena Landfill

LICENSEE/OPERATOR: Montmorency-Oscoda-Alpena Solid Waste Management Authority

FACILITY OWNER: Montmorency-Oscoda-Alpena Solid Waste Management Authority

PROPERTY OWNER: Montmorency-Oscoda-Alpena Solid Waste Management Authority

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 450267

COUNTY: Montmorency

LICENSE NUMBER: 9184

ISSUE DATE: October 14, 2008

EXPIRATION DATE: October 14, 2013

FACILITY DESCRIPTION: The Montmorency-Oscoda-Alpena Landfill, a municipal solid waste landfill, consists of 89.14 acres located at 6751 Landfill Road, Loud Township, Montmorency County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: Active cells not at final grade: Cell 6 - 5.09 acres; Cell A, Phase I - 4.87 acres; Cell A, Phase II - 4.08; and Cell A, Phase III - 4.06 acres, a total of 18.10 acres. Constructed and certified with this application: Cell B, Phase I - 3.15 acres.

RESPONSIBLE PARTY: Mr. Lyle VanWormer, Chairman
Montmorency-Oscoda-Alpena Solid Waste Management Authority
6751 Landfill Road
P.O. Box 13
Atlanta, Michigan 49709
Phone: 989-785-6500

RENEWAL OPERATING LICENSE: This License Number 9184 supersedes and replaces Solid Waste Disposal Area Operating License Number 9048 issued to Montmorency-Oscoda-Alpena Solid Waste Management Authority on October 15, 2004.

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

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Issue Date: October 14, 2008

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:
 - a. **ACTIVE PORTIONS NOT AT FINAL GRADE:** The area(s) identified as Cell 6 - 5.09 acres; Cell A, Phase I - 4.87 acres; Cell A, Phase II - 4.08 acres; and Cell A, Phase III - 4.06 acres were authorized to receive waste by the previous license. This area's total acreage is 18.10 acres.
 - b. **CONSTRUCTED AREAS CERTIFIED WITH THIS APPLICATION:** The area(s) identified as Cell B, Phase I were not authorized to receive solid waste by the previous license, but are authorized to receive waste by this license. This area's total acreage is 3.15 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:
 - a. **UNCONSTRUCTED AREA(S) WITHOUT FINANCIAL ASSURANCE:** The area(s) identified as Cell B (minus Cell B, Phase I) and Cell C 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 14.80 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:

PRE-EXISTING UNIT(S): The unit(s) identified as Cells 1, 2, 3, and 4, and the Dividing Berm had final closure certified on November 11, 1985; September 3, 1986; July 19, 1990; and July 1991. This certification was reviewed and approved by the MDEQ. This area's total acreage is 18.14 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 August 11, 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), Cadillac 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 the Montmorency-Oscoda-Alpena Solid Waste Management Authority, for the Montmorency-Oscoda-Alpena Landfill, dated August 1, 2008, and revised August 25, 2008, and October 6, 2008. The Application consists of the following:
 - a. Application Form EQP 5507.
 - b. Application fee in the amount of \$500.00.
 - c. Certification of construction by GZA GeoEnvironmental for Cell B, Phase I, dated August 8, 2008.
 - d. Waste Characterization: N/A.

e. Restrictive Covenant:

The March 27, 2000 restrictive covenant on 86 acres is on file at the Montmorency County Register of Deeds recorded on June 5, 2000, as Liber 00437 pages 0418-0422. A copy is on file with the MDEQ.

f. Perpetual Care Fund Agreement, established as an escrow account, signed by Mr. Roger Frye, Chairman, Montmorency-Oscoda-Alpena Solid Waste Management Authority on March 27, 2000, was executed by the MDEQ on April 21, 2000.

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 \$4,649,929.26.

The Facility has provided financial assurance totaling \$4,649,929.26, 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, iii, and iv, 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 \$861,015.99 in the Facility's Perpetual Care Fund as of June 30, 2008. Of this amount, the MDEQ has granted the request to use \$861,015.99 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:

Escrow Account	\$1,353,064.99
Total Amount Received:	\$1,353,064.99

iv. Financial Assurance Provided Via a Financial Test for a Type II Landfill:

A financial test may be used by the owner of a Type II landfill as a means to meet an amount up to, but not exceeding, 70 percent of the closure, postclosure, and corrective action cost estimate pursuant to Section 11523a of Part 115. This Facility has provided a financial test in the amount of \$2,435,848.28. Financial capability demonstrated by a financial test must be updated each fiscal year. The next update is due June 1, 2009, and each year thereafter. If the owner/operator fails to update the test, or is no longer able to satisfy the test, the owner/operator must obtain alternate financial assurance within 210 days following the close of the owner/operator's fiscal year.

v. 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

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for the costs of inflation. The corresponding financial assurance, as adjusted for inflation and other factors, is due on October 14, 2009, and each year thereafter.

8. The following documents approved with Construction Permit Number(s) 0369 issued to the Montmorency-Oscoda-Alpena Solid Waste Management Authority on October 28, 1998, are incorporated in this license by reference:
 - a. Landfill Expansion Construction Permit Application (Engineering Report), dated June 1998, which includes the following documents:
 - i. Closure Plan (Section 7)
 - ii. Post-Closure Plan (Section 8)
 - iii. Construction Quality Assurance (Section 9)
 - b. Engineering Plans entitled, "Construction Permit Application, Montmorency-Oscoda-Alpena Solid Waste Management Authority, Type II Municipal Solid Waste Landfill Vertical Expansion of Cell 6 and Horizontal Expansion of New 40 Acre, Section 6, T29N, R3E, Loud Township, Montmorency County, Michigan," dated June 1998, and prepared by Capitol Consultants Engineers.
 - c. Environmental Assessment, dated January 14, 1998.
 - d. Hydrogeological Investigation Report dated January 14, 1998.
 - e. Hydrogeological Monitoring Plan dated January 14, 1998.
 - f. Leachate Recirculation Plan dated September 1998.
 - g. Final Cover Removal Plan dated October 19, 1998.
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. Hydrogeological Monitoring Plan, revised May 19, 2008.
 - b. Cell A, Phase I - Construction Certification, dated March 2000.
 - c. Cell A, Phase II - Construction Certification, dated August 2002.
 - d. Cell A, Phase III - Construction Certification, dated November 2004.
 - e. Cell B, Phase I - Construction Certification, dated August 8, 2008.
 - f. Remedial Action Plan, dated December 20, 1999, and revised November 3, 2004, and March 15, 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, Cadillac District Supervisor, for review and approval.

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13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated May 19, 2008. The sampling analytical results shall be submitted to the MDEQ's WHMD, Cadillac District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by the WHMD, Cadillac 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, Cadillac 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, Cadillac District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by the Waste and Hazardous Materials Division, Cadillac 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 that is in compliance with the provisions of R 299.4422(3) of the Part 115 Rules and that is capable of detecting and collecting leakage through the primary composite liner. The action flow rate for each unit containing a leak detection system is 50 gallons/acre/day. The response flow rate for each unit containing a leak detection system is 200 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 WHMD, 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) Fly Ash	Hillman Power Company	1,100 cubic yards
(2) Concover	New Waste Concepts	N/A
(3) Fabrisoil	Fabrisoil, Inc.	N/A

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

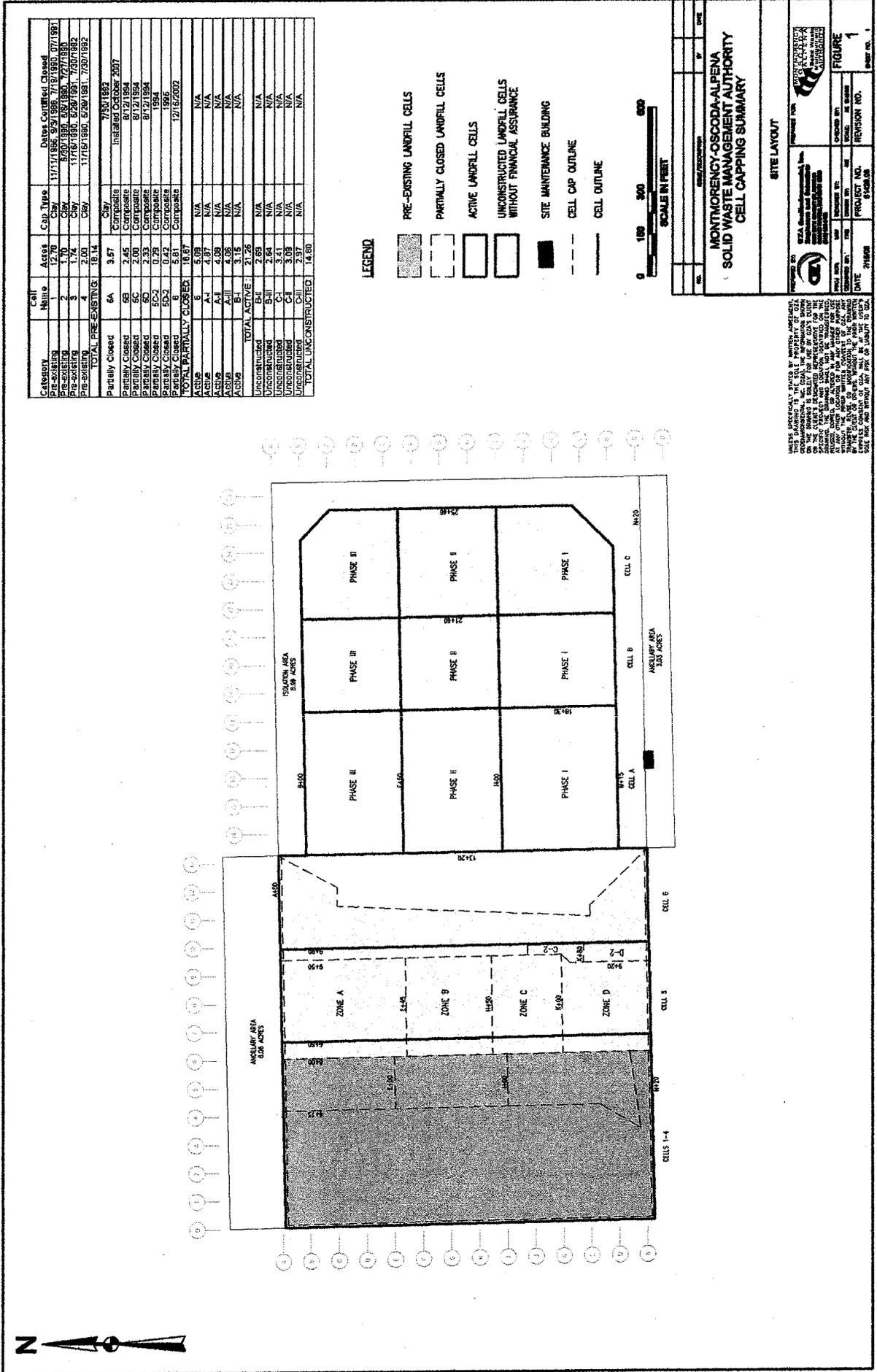
- (1) The licensee shall use the material as daily cover only. The material cannot be used for road building or fill in other areas of the Facility's operation.
- (2) The licensee shall maintain written authorization on-site, from the generator of the material, to use the material as daily cover.
- (3) 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.

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- (5) This approval shall immediately become void upon documentation by the MDEQ that the alternate cover is not being used in accordance with the listed conditions, that the alternate cover is not providing the necessary protection, or that the process producing the waste has changed.
 - (6) If the material does not meet the guidelines from Attachment 2 of the WHMD's Operational Memo 115-10, Revision 1, 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 alternate cover shall expire upon the expiration of this operating license.
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



Category	Cell Name	Acres	Cell Type	Dates Certified/Closed
Pre-existing	1	12.70	Cell	11/17/1985, 9/23/1986, 7/19/1990, 07/1991
Pre-existing	2	1.70	Cell	8/20/1990, 09/1990, 7/27/1990
Pre-existing	3	1.74	Cell	11/16/1991, 8/29/1991, 7/30/1992
TOTAL PRE-EXISTING		16.14		
Partially Closed	6A	3.57	Cell	7/30/1992
Partially Closed	5B	2.45	Composite	Installed October 2007
Partially Closed	5C	2.00	Composite	8/12/1994
Partially Closed	5D	2.33	Composite	8/12/1994
Partially Closed	5C-2	0.78	Composite	1994
Partially Closed	5D-2	0.78	Composite	1994
Partially Closed	5E	5.67	Composite	12/15/2002
TOTAL PARTIALLY CLOSED		18.67		
Active	6	5.09	N/A	N/A
Active	A-I	4.87	N/A	N/A
Active	A-II	4.09	N/A	N/A
Active	B-I	3.15	N/A	N/A
Active	B-II	2.82	N/A	N/A
Active	C-I	3.41	N/A	N/A
Active	C-II	3.05	N/A	N/A
Active	C-III	2.97	N/A	N/A
TOTAL UNCONSTRUCTED		14.60		

- LEGEND**
- PRE-EXISTING LANDFILL CELLS
 - PARTIALLY CLOSED LANDFILL CELLS
 - ACTIVE LANDFILL CELLS
 - UNCONSTRUCTED LANDFILL CELLS WITHOUT FINANCIAL ASSURANCE
 - SITE MAINTENANCE BUILDING
 - CELL CAP OUTLINE
 - CELL OUTLINE



SITE LAYOUT

**MONTMORENCY-OSCODA-ALPENA
SOLID WASTE MANAGEMENT AUTHORITY
CELL CAPPING SUMMARY**

PROJECT NO.	DATE	PROJECT NO.	DATE
1	7/19/91	1	7/19/91

FIGURE 1

UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE PROPERTY OF THE STATE OF MICHIGAN. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE STATE OF MICHIGAN. THE STATE OF MICHIGAN DOES NOT WARRANT THE ACCURACY OF THIS DRAWING OR THE DATA THEREON. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR VERIFYING THE DATA AND INFORMATION ON WHICH THIS DRAWING IS BASED.