



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: Detroit Edison Company, Monroe Power Plant Ash Basin

LICENSEE/OPERATOR: Detroit Edison Company

FACILITY OWNER: Detroit Edison Company

PROPERTY OWNER: Detroit Edison Company

FACILITY TYPE(S): Type III Industrial Waste Surface Impoundment

FACILITY ID NUMBER: 397800

COUNTY: Monroe

LICENSE NUMBER: 9201

ISSUE DATE: February 20, 2009

EXPIRATION DATE: February 20, 2014

FACILITY DESCRIPTION: The Detroit Edison Company Monroe Power Ash Basin, a Type III industrial waste surface impoundment, consists of 410.576 acres located in Section 16, T7S, R9E, Monroe Township, Monroe 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 license.

RESPONSIBLE PARTY: Mr. Dennis Leonard, Principal Engineer
Detroit Edison Company
2000 Second Avenue, 655 GO
Detroit, Michigan 48226
313-225-8714

RENEWAL OPERATING LICENSE: This License Number 9201 supersedes and replaces Solid Waste Disposal Area Operating License Number 8980 issued to Detroit Edison Company on December 17, 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: Detroit Edison Company
Facility Name: Detroit Edison Company, Monroe Power Plant Ash Basin
Operating License Number: 9201
Issue Date: February 20, 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 East Basin and West Basin were authorized to receive waste by the previous license. This area's total acreage is 410.576 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: None
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 November 10, 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), Jackson 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 Detroit Edison Company, for the Detroit Edison Company Monroe Power Plant Ash Basin, dated November 7, 2008, and revised February 18, 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 June 22, 1999 restrictive covenant on 410.576 acres is on file at the Monroe County Register of Deeds recorded on August 12, 1999, as Liber 1832 pages 0735-0737. A copy is on file with the MDEQ.
 - f. Perpetual Care Fund Agreement, established as a trust account, signed by C. C. Arvani, Assistant, Treasurer on March 10, 1998, was executed by the MDEQ on April 10, 1998.
 - 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 Surety Bond of \$20,000.00 per acre of licensed landfill, and the Perpetual Care Fund requirement.

The Facility has provided financial assurance totaling \$1,683,864.79, based on the requirements of Section 11523 of Part 115, consisting of a combination of the Perpetual Care Fund established under

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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 \$683,864.79 in the Facility's Perpetual Care Fund as of December 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:

Surety Bond	\$1,000,000.00
Total Amount Received:	\$1,000,000.00

8. The following documents approved with the initial license under the Garbage and Refuse Act, 1965 PA 87 issued to The Detroit Edison Company on September 4, 1974, are incorporated in this license by reference:

- a. Plum Creek Property Proposed Flyash Basin Monroe Power Plant, The Detroit Edison Company, Generalized Subsurface Profiles, July 1971.
- b. Plum Creek Property Proposed Flyash Basin Monroe Power Plant, The Detroit Edison Company, Logs of Test Borings and Auger Borings, July 1971.
- c. Drawings 6A695H-3, 4, 5, 6, July 1974.
- d. Drawing 10MS695-57, August 1974.
- e. Drawing 10MS695-56, August 1974.
- f. Untitled Topographic Map, August 1974.
- g. Specification 3026-43, Site Preparation – Offsite Ash Disposal Dike.

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. Technical Report #85 Revision A, Monroe Fly Ash Disposal Basin, June 1978.
- b. Drawing 6C695-106, November 15, 1979.
- c. Drawing 6C695-134 Revision B, October 24, 1989.
- d. Drawing 6C695-133 Revision B, December 7, 1989.
- e. Drawing 6C695-134 Revision C, November 5, 1991.
- f. Drawing 6C695-135 Revision A, November 5, 1991.
- g. Drawing 6C695-134 Revision D, July 22, 1993.
- h. Drawing 6C695-135 Revision B, July 27, 1993.
- i. Monroe Ash Basin Closure Plan May 12, 1995, as approved by WMD letter, dated September 12, 1997.
- j. Drawing 6C695-134 Revision E, November 22, 1995.
- k. Drawing 6C695-135 Revision C, November 22, 1995.
- l. Drawing 6C695-134 Revision F, December 19, 1997.
- m. Information Update on the Monroe Power Plant Ash Basin (Hydrogeologic Investigation), May 4, 1999.
- n. Revised Results of Hydraulic Conductivity and Water Level Monitoring by Golder Associates, May 14, 1999.
- o. Updated Monroe Ash Basin Groundwater Monitoring Plan, June 18, 1999.
- p. Drawing 6C695-134 Revision H, June 21, 2001.
- q. Amendments to Closure Plan, dated May 12, 1995, including the following:
 - (1) Drawing 6C695H-134-1, dated September 19, 2001.
 - (2) Drawing 6C695H-135-1, dated September 19, 2001.
 - (3) Drawing 6C695H-136, dated September 19, 2001.
- r. Drawing 6A695H-5 rev. H, dated June 1993.
- s. Drawing 6A695H-7 rev. F, dated September 2001.
- t. Drawing 6C695W-56 rev. E, dated June 1980.

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- u. Drawing 6C695W-57 rev. C, dated June 1980.
- v. Drawing 80-104-0215 rev. B, dated March 1980.
- w. Drawing 80-104-0221 rev. O, dated February 1980.

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, Jackson District Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated June 18, 1999. The sampling analytical results shall be submitted to the MDEQ's WHMD, Jackson District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by the WHMD, Jackson 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, Jackson 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, Jackson District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by the Waste and Hazardous Materials Division, Jackson 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:**

- a. The licensee may continue placing interim vegetative cover on any areas that will be exposed for a period of three months or more before additional waste ash is placed in the ash basin during the operating life of the basin.
 - b. The licensee shall submit a plan for repairing surficial slides on the ash basin dike by June 30, 2009. Repairs shall be made in accordance with the approved plan and schedule.
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

