



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: Ottawa County Farms Landfill

LICENSEE/OPERATOR: Ottawa County Landfill, Inc.

FACILITY OWNER: Ottawa County Landfill, Inc.

PROPERTY OWNER: Ottawa County Landfill, Inc.

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 403061

COUNTY: Ottawa

LICENSE NUMBER: 9160

ISSUE DATE: June 4, 2007

EXPIRATION DATE: June 4, 2012

FACILITY DESCRIPTION: The Ottawa County Farms Landfill, a Municipal Solid Waste Landfill, consists of 246 acres located in the W 1/2 of the SW 1/2 of Section 26, and the SE 1/4 of Section 27, T8N, R14W, Polkton Township, Ottawa County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: Includes Cells A-E, extensions of Cells A and B, Phases 1-A, 1-B, 2, 3, 4A, 4B, 5A and a portion of 5B, consisting 116.13 acres.

RESPONSIBLE PARTY: Mr. Robert Carr, General Manager
Ottawa County Landfill, Inc.
15550 68th Avenue
Coopersville, Michigan 49404
616-837-8195

RENEWAL OPERATING LICENSE: This License Number 9160 supersedes and replaces Solid Waste Disposal Area License Number 9075 issued to Ottawa County Landfill, Inc., on February 14, 2005.

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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The licensee shall comply with all terms of this license and the provisions of Part 115 and its administrative 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 Cells A-E, extensions of Cells A and B, and Phases 1-A, 1-B, 2, 3, 4A, and 4B were authorized to receive waste by the previous license. This area's total acreage is 108.77 acres.
 - b. **CONSTRUCTED AREAS CERTIFIED WITH THIS APPLICATION:** The area(s) identified as 5A and a portion of 5B 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 7.36 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 the remainder of 5B, totaling 4.55 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 administrative 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 administrative rules implementing Part 115.
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 Phases 6, 7, and 8 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 39.90 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 Cells A-E to Station E-34 and portions of Phase A Extension A had final closure certified on December 2, 1988, and April 3, 1998, respectively. This certification was reviewed and approved by the MDEQ on May 1, 1998. This area's total acreage is 30.44 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 13, 2007, 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, Grand Rapids 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 Ottawa County Landfill, Inc., for the Ottawa County Farms Landfill, dated February 27, 2007, and revised April 4, 2007. 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 ERM, dated December 2006, and updated March 2007.
- d. Waste Characterization: N/A.
- e. Restrictive Covenant:

The October 3, 2000, restrictive covenant on 240 acres is on file at the Ottawa County Register of Deeds recorded on June 1, 2001, as Liber 3090 pages 414-417. A copy is on file with the MDEQ.

- f. Perpetual Care Fund Agreement, established as an escrow account, signed by Mr. Richard Van Hatten Jr., President, Ottawa County Farms Landfill, Inc., on June 9, 1999, was executed by the MDEQ on June 14, 1999.
- 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 \$14,216,322.76.

The Facility has provided financial assurance totaling \$14,216,323.13, based on the requirements of Section 11523 of Part 115, consisting of a combination of the Perpetual Care Fund established under Section 11525, 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 and is approved by the MDEQ.
- (2) The Perpetual Care Fund Agreement statement showed a balance of \$1,683,069.13 in the Facility's Perpetual Care Fund as of January 31, 2007. Of this amount, the MDEQ has granted the request to use \$1,683,069.13 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:

Insurance	\$12,533,254.00
Total Amount Received:	\$12,533,254.00

iv. Financial Assurance Updates Required:

For Type II landfills, the financial assurance cost estimates of closure and post-closure 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 June 4, 2007, and each year thereafter.

8. The following documents approved with Construction Permit Number(s) 0418, 0335, and 0399 issued to Laidlaw Waste Systems (Michigan), Inc., on August 14, 1989, December 28, 1995, and February 20, 2002, respectively, are incorporated in this license by reference:
 - a. "Environmental Assessment," dated March 1981, and revised August 1995, and December 1995.
 - b. "Hydrogeological Site Characterization of Ottawa County Farms Landfill, Laidlaw Waste Systems Inc., 15550 68th Avenue, Coopersville, Michigan 49404," dated August 1995, and revised December 1995.
 - c. "Ottawa County Farms Landfill Phase 2 Expansion," dated March 1989.
 - d. "Ottawa County Farms Landfill Engineering Plans," dated January 1995.
 - e. "Ottawa County Farms Landfill, Landfill Gas Collection and Control System Design Plan" dated February 2003.
 - f. "Engineering Report for Ottawa County Farms Landfill, 15550 68th Avenue, Coopersville, Michigan, 49404, Revision 2 - Update of August 1995 Report," dated October 2001.
 - g. "Ottawa County Farms Landfill, Environmental Monitoring Plan, Revision 7, Update of January 1998 Plan", dated October 2001.
 - h. "Ottawa County Farms Landfill, Engineering Plans, Sheets 1-25," dated October 2001, revised February 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: N/A.
10. Consent Order/Judgment Number: N/A.
11. The licensee shall repair any portion of the certified liner or leachate collection system which 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 Part 115 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 Waste and Hazardous Materials Division, Grand Rapids District Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated October 2001. The sampling analytical results shall be submitted to the MDEQ's Waste and Hazardous Materials Division, Grand Rapids District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing by the Waste and Hazardous Materials Division, Grand Rapids 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, Grand Rapids District Supervisor.
16. Modifications to approved engineering plans that constitute an upgrading, as defined in R 299.4106a(l), may be approved, in writing, by the Waste and Hazardous Materials Division, Grand Rapids District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by the Waste and Hazardous Materials Division, Grand Rapids District Supervisor.

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18. Leakage Control Criteria:

The active portions of the unit(s) authorized to receive waste by this license is a monitorable unit(s) which is located over a natural soil barrier and which is in compliance with the provisions of R 299.4422(2).

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(l). Suitable cover shall be either uncontaminated soil or an alternate cover approved by the Waste and Hazardous Materials Division, 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>SourceMonthly</u>	<u>Volume</u>
Fly Ash	S.D. Warren Holland Board of Public Works Grand Haven Board of Light and Power	Varies
Auto Fluff	Louis Padnos Iron & Metal	Varies
Treated Sediments	Velsico, Pine River	Varies
Shredded Tires	Varies	Varies
Retention Pond Sediment	GM Grand Rapids Metal Plant	Varies
Foundry Sand	Sparta Foundry, CMI, and Tri Cast	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 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.
- (5) This approval shall immediately become void upon documentation by the MDEQ that the alternate cover is not being used in accordance with listed conditions, that the alternate cover is not providing the necessary protection, or that the process producing the waste has changed.

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- (6) If the material does not meet the guidelines from Attachment 2 of Operational Memo 115-10 Revision 1 for non-volatiles, the licensee shall ensure that fugitive dust emissions from this material do not occur. Acceptable methods to assure 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.
 - b. A revised Leachate Recirculation Plan is being developed and will be submitted for review and approval within 60 days from the issuance of this license.
 - c. Solidification is approved in accordance with the "Solidification Plan" dated February 27, 2002, including the use of shredder fluff as a solidifying agent which was approved on June 15, 2004.
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

