

Michigan Department of Natural Resources and Environment
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: Whitefeather Landfill

LICENSEE/OPERATOR: Republic Services of Michigan IV, LLC

FACILITY OWNER: Republic Services of Michigan IV, LLC

PROPERTY OWNER: Republic Services of Michigan IV, LLC

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 449252

COUNTY: Bay

LICENSE NUMBER: 9274

ISSUE DATE: June 30, 2010

EXPIRATION DATE: June 30, 2015

FACILITY DESCRIPTION: The Whitefeather Landfill, a municipal solid waste landfill, consists of 111.04 acres located in the N 1/2 of the SE 1/4 and the SE 1/4 of the SE 1/4, Section 2, T17N, R4E, Pinconning Township, Bay County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: Trenches or Cells 2, 3, 4, 5, and portions of 6.

RESPONSIBLE PARTY: Mr. Jeff Tucker, General Manager
Republic Services of Michigan IV, LLC
2401 East Whitefeather Road
Pinconning, MI 48650
989-879-2700

RENEWAL OPERATING LICENSE: This License Number 9274 supersedes and replaces Solid Waste Disposal Area Operating License Number 9081 issued to Republic Services of Michigan IV, LLC on March 14, 2005.

This license is subject to revocation by the Director of the Michigan Department of Natural Resources and Environment, 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: Republic Services of Michigan IV, LLC
Facility Name: Whitefeather Landfill
Operating License Number: 9274
Issue Date: June 30, 2010

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 portions of Cells 2-4, 6, and all of Cell 5 were authorized to receive waste by the previous license. This area's total acreage is 19.73 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 Natural Resources and Environment (DNRE) of construction certification:

UNCONSTRUCTED AREA(S) WITH FINANCIAL ASSURANCE: The area(s) identified as portions of Cell 6 and Cell 7, totaling 7.79 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 DNRE, as required by Section 11516(5) of Part 115, and determined by the DNRE 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 Cells 8 and 9 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 12.33 acres.

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

EXISTING UNIT(S): The unit(s) identified as Cell 1 and portions of Cells 2 and 3, and portions of Cells 3 and 4 had final closure certified on June 8, 2000, and February 2008. This certification was reviewed and approved by the DNRE on September 14, 2000, and April 8, 2008. This area's total acreage is 17.36 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 DNRE on March 4, 2010, 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 DNRE's Waste and Hazardous Materials Division (WHMD), Saginaw Bay District Supervisor, of any inaccuracies in the information in the Application upon discovery.
7. This license is issued based on the DNRE's review of the Application, submitted by Mr. Brad Runkel, for the Republic Services of Michigan IV, LLC, and dated March 2, 2010. The Application consists of the following:
 - a. Application Form EQP 5507.
 - b. Application fee in the amount of \$5,000.00.
 - c. Certification of construction by N/A.
 - d. Waste Characterization: N/A.

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e. Restrictive Covenant:

The December 28, 1999, restrictive covenant on 104.13 acres is on file at the Bay County Register of Deeds recorded on September 15, 2000, as Liber 1706 pages 424-430. A copy is on file with the DNRE.

f. Perpetual Care Fund Agreement, established as an escrow account, signed by Mr. David A. Barclay, Vice President, Republic Services of Michigan IV, LLC on January 19, 1999, was executed by the DNRE on February 11, 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 \$5,408,404.00.

The Facility has provided financial assurance totaling \$5,408,404.00, 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 DNRE.
- (2) The Perpetual Care Fund Agreement statement showed a balance of \$1,805,038.00 in the Facility's Perpetual Care Fund as of December 31, 2009. Of this amount, the DNRE has granted the request to use \$1,805,038.00 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	\$3,603,366.00
Total Amount Received:	\$3,603,366.00

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 June 30, 2011, and each year thereafter.

8. The following documents approved with Construction Permit Number(s) 0424 and 4097 issued to Traxler Development Company and Republic Services of Michigan IV, LLC on November 14, 1989, and October 7, 2008, are incorporated in this license by reference:

- a. Hydrogeologic Investigation Report, prepared by Gosling Czubak Associates, dated January 1989.
- b. Construction Permit Application for Traxler Regional Landfill, prepared by Wade-Trim/Edmands, dated June 2, 1989.

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- c. Revised Construction Plans, sheets 3 of 9, 4 of 9, 5 of 9, and 7 of 9, prepared by Wade-Trim/Edmands, and dated June 19, 1989.
 - d. Revised Construction Plans, sheets 8 of 9 and 8A of 9, prepared by Wade-Trim/Edmands, and dated September 20, 1989.
 - e. A letter from Traxler Landfill, Inc., dated October 31, 1989, regarding construction permit supplemental data, including Manufacturing and Field Quality Manuals prepared by the National Seal Company.
 - f. A letter from Wade-Trim/Edmands, regarding the Traxler Landfill re-application, dated August 1, 1989, and approved by Glen Traxler on October 31, 1989.
 - g. Application for Vertical Expansion Engineering Report, Volumes I and II, dated April 2008, revised June 2008, and September 2008, and received on April 24, 2008, June 5, 2008, and September 16, 2008, respectively, prepared by Cornerstone Environmental Group, LLC.
 - h. Hydrogeological Monitoring Plan with Statistical Monitoring Plan dated April 2008, revised September 2008, and received on April 24, 2008, and September 16, 2008, prepared by Golder Associates.
 - i. Plans for 2008 Vertical Expansion of Whitefeather Landfill (Sheets 1-16) dated April 22, 2008, revised on June 4, 2008, and September 9, 2008, and received on April 24, 2008, June 5, 2008, and September 9, 2008, respectively, prepared by Cornerstone Environmental Group, LLC.
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. Construction Certification for Trench 1, prepared by Wade-Trim/Edmands, dated December 1990.
 - b. Construction Certification for Trench 2, prepared by Wade-Trim/Edmands, dated October 1991.
 - c. Certification Report - Wetland Remediation for Whitefeather Landfill, prepared by Wade-Trim/Edmands, dated August 1992.
 - d. As-built plans for Trench 2 (7 sheets), prepared by Wade-Trim/Edmands, dated August 31, 1991.
 - e. Construction Certification for Trench 3, prepared by Wade-Trim/Edmands, dated November 1992.
 - f. Submission of Record Upgrade to Cells 4 through 9, prepared by Golder Associates, Inc., dated May 1995, and revised July, September, and November 1995.
 - g. Construction Certification of Trench 4, prepared by Golder Construction Services, Inc., dated January 15, 1997.
 - h. Construction Documentation Report for Final Closure of Portions of Trenches 1, 2, and 3, prepared by EMCON/OWT Solid Waste Services, dated June 2000.
 - i. Construction Documentation Report for Cell 5, prepared by EMCON/OWT Solid Waste Services, dated March 2001.
 - j. Storage tank and piping as-built plan and cross-section, prepared by Shaw EMCON/OWT, Inc., dated October 16, 2003.
 - k. Cell 6A Construction Documentation Report, prepared by CTI and Associates, Inc., dated December 2004.
 - l. Gas Collection System Upgrade Plans, prepared by Conestoga-Rovers & Associates, dated February 2006.
 - m. Cell 6B Construction Certification, prepared by CTI and Associates, Inc., dated July 2006.
 - n. Design Modifications for Cells 1, 2, and 3 Leachate Cleanouts, prepared by CTI and Associates, Inc., dated October 25, 2006.

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- o. Construction Certification titled, "Geomembrane Repair and Cell 6A/6B Intercell Berm Removal," prepared by CTI and Associates, Inc., dated December 7, 2006.
 - p. Leachate Loadout Pad Corrective Action Plan prepared by Republic Waste Services Inc., dated January 17, 2008.
 - q. Final Cover Construction Certification for portions of Cells 3 and 4, prepared by CTI and Associates, Inc., dated February 2008.
 - r. Construction Certification titled, "Final Cover Geomembrane Repair" for Cell 3, prepared by CTI and Associates, Inc., dated July 28, 2008.
 - s. Construction Drawings titled, "Whitefeather Landfill, Leachate Facility Improvements," prepared by CTI and Associates, Inc., dated July 2008 and revised October 2008.
 - t. Gas Collection Improvements titled, "Gas Trench Layout" and "Details," prepared by CTI and Associates, Inc., dated October 15, 2008.
 - u. Repair Certification titled, "Final Cover Geomembrane Repair," prepared by CTI and Associates, Inc., dated September 25, 2008.
 - v. Construction Certification titled, "Gas Trench and Final Cap Tie-in Construction Documentation Report," prepared by CTI and Associates, Inc., dated July 16, 2009.
 - w. Construction Certification titled, "Leachate System Improvements, Construction Documentation Report," dated June 2009 and revised August 31, 2009.
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 DNRE.
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 DNRE before receiving waste in that portion of the certified liner or leachate collection system. The licensee shall submit the recertification to the DNRE's WHMD, Saginaw Bay District Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated September 2008. The sampling analytical results shall be submitted to the DNRE's WHMD, Saginaw Bay District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by the WHMD, Saginaw Bay District Supervisor. Proposed revisions must be submitted in a format specified by the DNRE.
15. Leachate may be recirculated if a leachate recirculation plan has been approved, in writing, by the Waste and Hazardous Materials Division, Saginaw Bay 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, Saginaw Bay District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by the Waste and Hazardous Materials Division, Saginaw Bay District Supervisor.
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 that is in compliance with the provisions of R 299.4422(2) of the Part 115 Rules.
19. **VARIANCES:** None.

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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>
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(1) Material specifically described in the approved Alternative Daily Cover Materials Operations Plan in the current Construction Permit Application, prepared by Cornerstone Environmental Group, LLC., dated April 2008, revised June 2008 and September 2008.		
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ii. The above materials are approved for daily cover when used in the following manner:

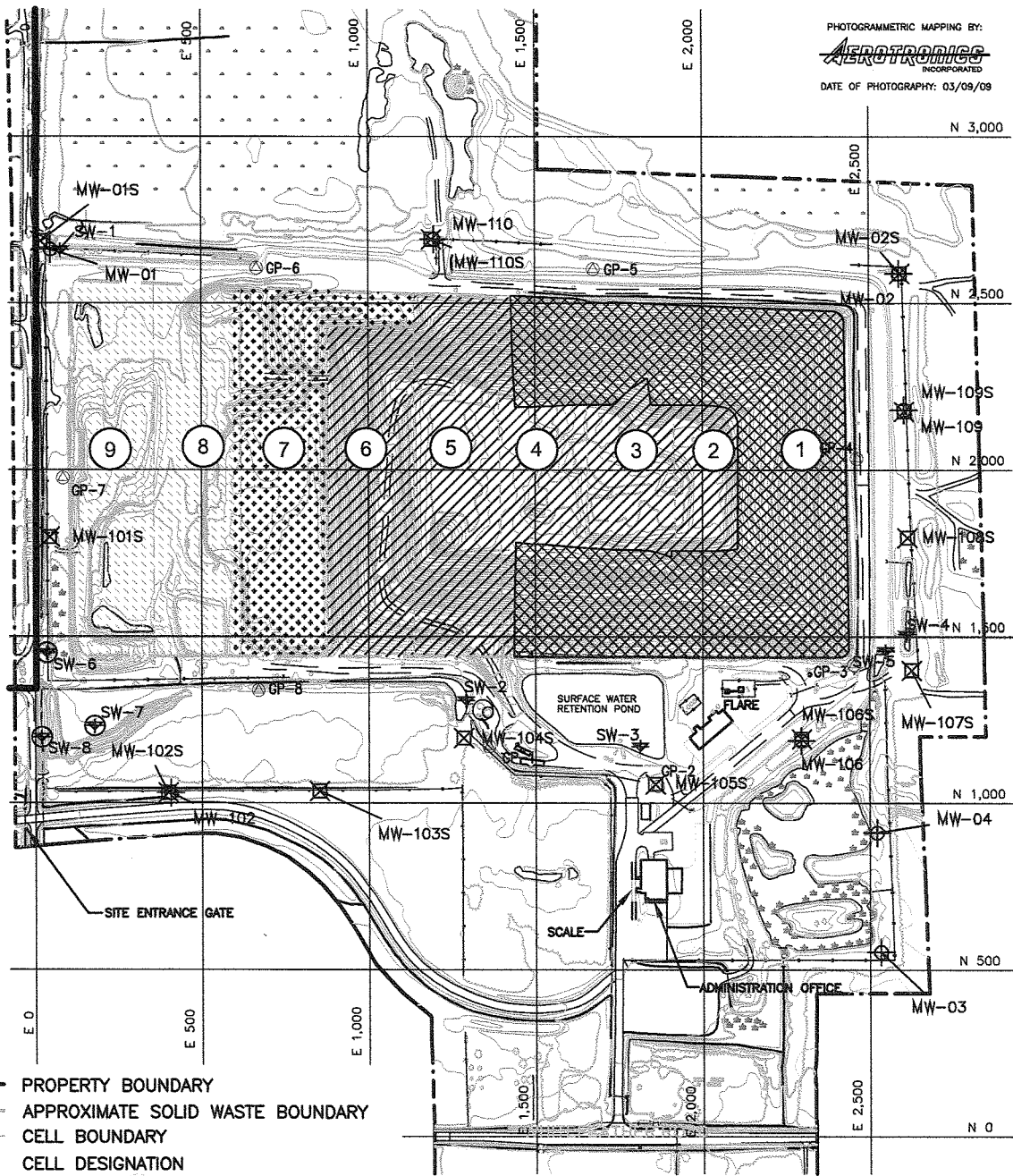
- (1) The licensee shall use the material as daily cover only. The material cannot be used for road building or fill in other areas of the Facility's operation.
- (2) The licensee shall maintain copies of the testing performed on Class B and Class C materials in the facility operating record.
- (3) The 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 DNRE 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.
- (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 on 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

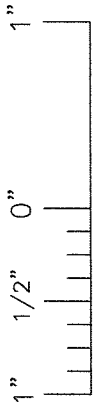
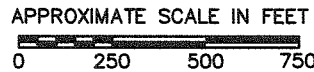
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PHOTOGRAMMETRIC MAPPING BY:
AEROTRONICS
 INCORPORATED
 DATE OF PHOTOGRAPHY: 03/09/08



LEGEND

- PROPERTY BOUNDARY
- APPROXIMATE SOLID WASTE BOUNDARY
- CELL BOUNDARY
- ① CELL DESIGNATION
- ⊙ GP-8 LANDFILL GAS PROBE LOCATION
- ⊙ SW-2 SURFACE WATER SAMPLE LOCATION
- ⊙ SW-7 PROPOSED SURFACE WATER SAMPLE LOCATION
- ⊙ MW-01 DEEP MONITORING WELL
- ⊙ MW-01S SHALLOW MONITORING WELL (UPPERMOST AQUIFER)
- ▨ PARTIALLY CLOSED CELLS
- ▨ ACTIVE CELLS
- ▨ UNCONSTRUCTED CELLS WITH FINANCIAL ASSURANCE
- ▨ UNCONSTRUCTED CELLS WITHOUT FINANCIAL ASSURANCE



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DATE 02/01/09
 DWN JAW
 APP JGW
 REV
 PROJECT NO.
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ATTACHMENT A
 REPUBLIC SERVICES OF MICHIGAN IV, LLC
 WHITEFEATHER LANDFILL
 BAY COUNTY, MICHIGAN

SITE PLAN