



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: Osceola Landfill

LICENSEE/OPERATOR: Osceola Development, L.L.C.

FACILITY OWNER: Osceola Development, L.L.C.

PROPERTY OWNER: Osceola Development, L.L.C.

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 424474

COUNTY: Osceola

LICENSE NUMBER: 9109

ISSUE DATE: August 23, 2005

EXPIRATION DATE: August 23, 2010

FACILITY DESCRIPTION: The Osceola Landfill, a Municipal Solid Waste Landfill, consists of 80 acres located in the S ½ of the NE ¼ of Section 30, T17N, R10W, Richmond Township, Osceola County, Michigan, as identified in Attachment A and fully described in this license.

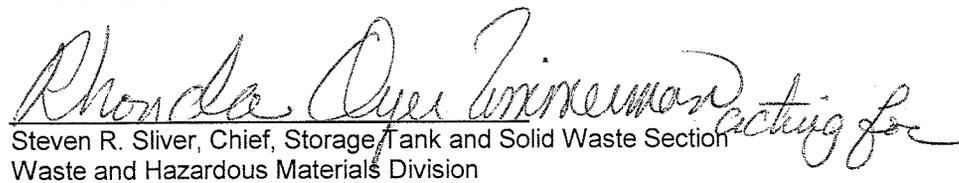
AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: As identified in Item 2 of this license.

RESPONSIBLE PARTY: Mr. Robert Shoemaker
Osceola Development, L.L.C.
2635 Wilson Avenue SW
Grand Rapids, Michigan 49544
231-832-9451

FIRST OPERATING LICENSE: This License Number 9109 is the first operating license issued for this Facility to this licensee.

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: Osceola Development, L.L.C.
Facility Name: Osceola Landfill
Operating License Number: 9109
Issue Date: August 23, 2005

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:

CONSTRUCTED AREAS CERTIFIED WITH THIS APPLICATION: The area(s) identified as Southwest Cell Phase IV 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 3.32 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 (DEQ) of construction certification: N/A.
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 Southwest Cell Phase II, III, and Southeast Cell 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 15.21 acres.
 - b. **CLOSED UNIT(S) OR A PORTION OF A UNIT WHERE THE FINAL COVER HAS BEEN CERTIFIED CLOSED AND ACCEPTED BY THE DEQ:** The following unit(s) and/or portion(s) are closed:
 - i. **PRE-EXISTING UNIT(S):** The unit(s) identified as Northwest Cell had final closure certified on September 15, 1991. This certification was reviewed and approved by the DEQ on (no approval letter in file. Therefore considered approved as is). This area's total acreage is 2.5 acres.
 - ii. **EXISTING UNIT(S):** The unit(s) identified as Southwest Cell Phase I had final closure certified on December 2003. This certification was reviewed and approved by the DEQ on February 18, 2004. This area's total acreage is 1.8 acres.
 - iii. **OTHER DISPOSAL AREAS:** Act 87 (unlined) closed May 1, 1990, totaling 20.3 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 DEQ on June 15, 2005, 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 DEQ's Waste and Hazardous Materials Division, Cadillac District Supervisor, of any inaccuracies in the information in the Application upon discovery.
7. This license is issued based on the DEQ's review of the Application, submitted by Osceola Development, LLC, for the Osceola Landfill, dated June 13, 2005, and revised July 7, 2005. The Application consists of the following:
 - a. Application Form EQP 5507.
 - b. Application fee in the amount of \$1,000.00.
 - c. Certification of construction by Fleis & Vandenbrink Engineering, Inc., dated June 17, 2005.
 - d. Waste Characterization: N/A.

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e. Restrictive Covenant:

A restrictive covenant on 80 acres signed by the Applicant on January 14, 2005, was included in the Application and will be signed by the DEQ and filed with the Osceola County Register of Deeds.

f. Perpetual Care Fund Agreement, established as an escrow account, signed by Robert Shoemaker, Member, Osceola Development, LLC on March 22, 2005, was executed by the DEQ on June 29, 2005.

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 \$856,452.08.

The Facility has provided financial assurance totaling \$856,452.08, 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 DEQ.
- (2) The Perpetual Care Fund Agreement statement showed a balance of \$100.00 in the Facility's Perpetual Care Fund as of March 22, 2005. Of this amount, the DEQ has granted the request to use \$100.00 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:

Irrevocable Letter of Credit	\$856,352.08
Total Amount Received:	\$856,352.08

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 for the costs of inflation. The corresponding financial assurance, as adjusted for inflation and other factors, is due on August 23, 2006; and each year thereafter.

8. The following documents approved with Construction Permit Number(s) 0234 issued to Richmond Sanitary Landfill, Inc., on July 24, 1992, are incorporated in this license by reference:

- Engineering plans titled Richmond Landfill, prepared by Westshore Consulting, dated 1989, and amended by Westshore Consulting; titled Richmond Landfill Site Plan, dated July 1992, and approved by the Department of Natural Resources on July 24, 1992.

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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. Revised Leachate Sump Design Phase IV Southwest Cell, prepared by Fleis and Vandenbrink Engineering, dated October 8, 2004, approved by the DEQ on October 12, 2004.
 - b. Final Closure Drawings Phase I Southwest Cell, Prepared by Earth Tech, dated January 2003, approved by the DEQ June 25, 2003.
 - c. Construction Details for Leachate Storage, prepared by Westshore Consulting, dated May 2003, approved by the DEQ May 30, 2005.
 - d. Plans to Upgrade Phase IV of the Southwest Cell of Richmond Landfill for Redhawk Resources, dated 2000, approved by the DEQ on January 12, 2001.
 - e. Osceola County Landfill Hydrogeological Monitoring Plan, dated August 2004.
10. Consent Order/Judgment Number: Consent Judgement in the matter of the MDEQ v Osceola Development, LLC, Ingham County Circuit Court Number 05-880-CE entered on July 18, 2005, is incorporated into this license by reference.
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 DEQ.
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 DEQ before receiving waste in that portion of the certified liner or leachate collection system. The licensee shall submit the recertification to the DEQ's Waste and Hazardous Materials Division, Cadillac District Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated August 2004, as amended August 20, 2004, prepared by Westshore Consulting, LLC, and approved as part of the Consent Judgement in the matter of the MDEQ v Osceola Development, LLC, Ingham County, Circuit Court Number 05-880-CE entered on July 18, 2005. The sampling analytical results shall be submitted to the DEQ's Waste and Hazardous Materials Division, Cadillac 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, Cadillac District Supervisor. Proposed revisions must be submitted in a format specified by the DEQ.
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), may be approved, in writing, by the Waste and Hazardous Materials Division, 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 which is in compliance with the provisions of R 299.4422(3) and which 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 5 gallons/acre/day. The response flow rate for each unit containing a leak detection system is 5 gallons/acre/day.
19. **VARIANCES:** None.
20. **SPECIAL CONDITIONS:** N/A.

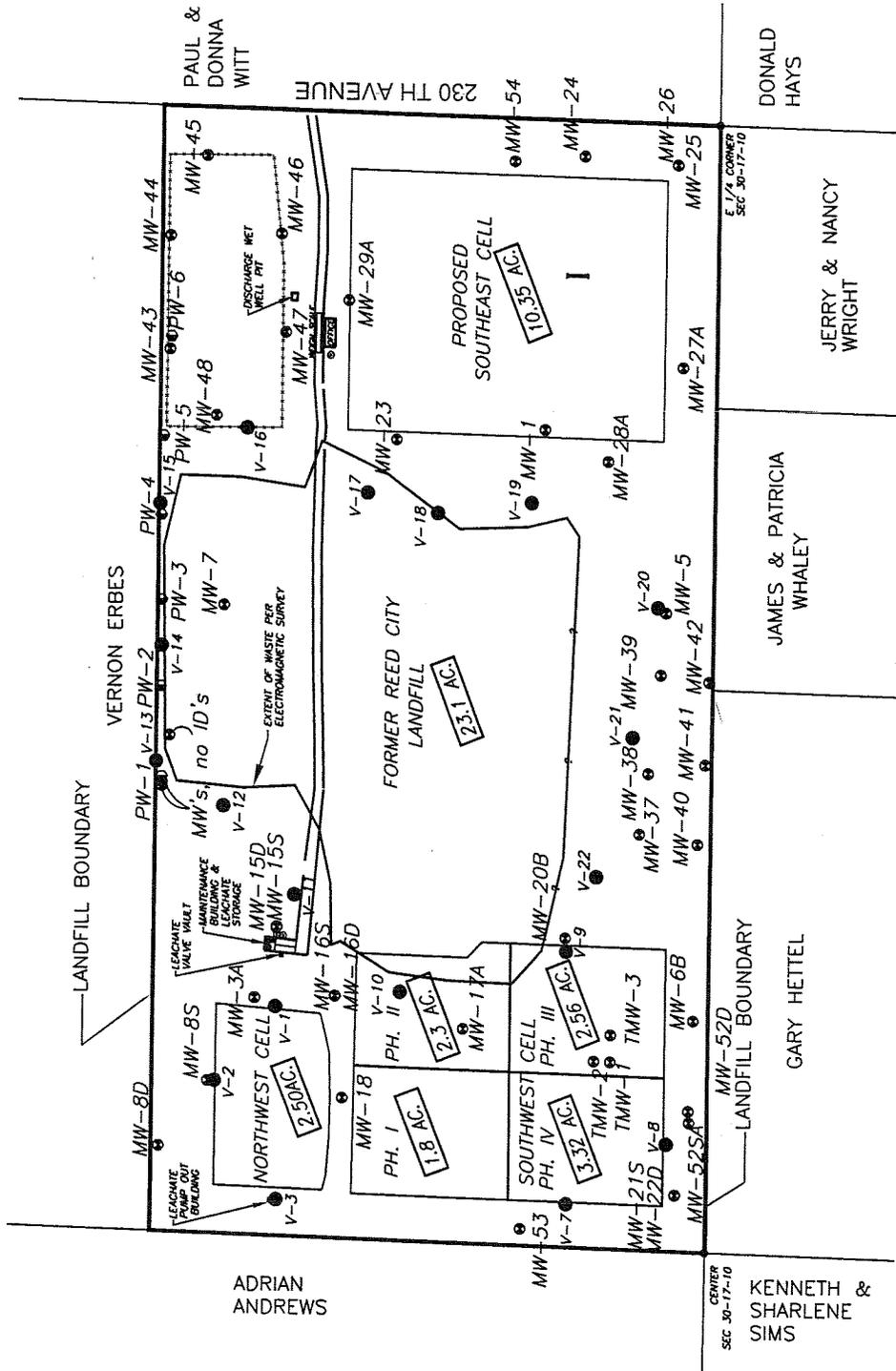
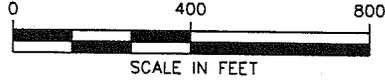
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21. **TERM:** This license shall remain in effect until its expiration date, unless revoked or continued in effect, as provided by, the Administrative Procedures Act, 1969 PA 306, as amended, or unless superseded by the issuance of a subsequent license.

END OF LICENSE

ATTACHMENT A

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LANDFILL PROPERTY LEGAL DESCRIPTION:

Township of Richmond, County of Osceola, State of Michigan, legally described to as:

The South Half (1/2) of the Northeast One-Quarter (1/4) of Section Thirty (30), Township Seventeen (17) North, Range Ten (10) West.

LEGEND	
●	MONITORING WELL
○	VAPOR MONITORING POINT

NOTE:
ADAPTED FROM WESTSHORE DWG.
3266-4-8X11-FOR-MARC.DWG

OSCEOLA COUNTY LANDFILL
Richmond Township, Osceola County, Michigan

SITE MAP