



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

MATERIALS MANAGEMENT DIVISION

SOLID WASTE DISPOSAL AREA 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: GFL North Michigan Landfill

LICENSEE/OPERATOR: GFL Environmental USA, Inc.

FACILITY OWNER: GFL Environmental USA, Inc.

PROPERTY OWNER: GFL Environmental USA, Inc.

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 391216

COUNTY: Presque Isle

LICENSE NUMBER: 9722

ISSUE DATE: December 19, 2023

EXPIRATION DATE: December 19, 2028

FACILITY DESCRIPTION: The GFL North Michigan Landfill, a Municipal Solid Waste Landfill , consists of 99.1 acres located in NE 1/4 of Section 5, Allis Township, Presque Isle County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: See Attachment A, and items 2 and 3 of this License.

RESPONSIBLE PARTY: Mark Bevelhymer
GFL Environmental USA, Inc.
20667 5 Mile Hwy
Onaway, Michigan 49765
Phone Number 231-597-8553, Email: mbevelhymer@gflenv.com

RENEWAL OPERATING LICENSE: This License Number 9722 supersedes and replaces Solid Waste Disposal Area Operating License Number 9611 issued to GFL Environmental USA, Inc. on July 28, 2020.

This license is subject to revocation by the Director of the Michigan Department of Environment, Great Lakes, and Energy, 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.

Rhonda S. Oyer, Manager, Solid Waste Section
Materials Management Division

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Operating License Number: 9722
Issue Date: December 19, 2023

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 Part Cell A East (0.5 ac), Cell B East (3.9 ac), Cell C East (3.7 ac) & Cell D East (3.5 ac), Cell E East (3.8 ac), Cell F East (1.6 ac), Phase 1A West (0.8 ac), Phase 1B West (0.8 ac), Phase 1C West (0.8 ac), Phase 1D West (0.8 ac), Phase 1E West (0.7 ac), Phase 2A West (0.8 ac), Phase 2B West (0.8 ac), Phase 2C West (0.8 ac), Phase 2D West (0.8 ac), Phase 2E West (0.8 ac), Phase 3C West (0.8 ac), Phase 3D West (1.8 ac), Phase 3E West (1.1 ac), Phase 4C West (1.6 ac) were authorized to receive waste by the previous license. This area's total acreage is 30.2 acres.

3. The following portions of the Facility **WILL BE** authorized to receive solid waste by this license following approval by EGLE of construction certification:

UNCONSTRUCTED AREA(S) WITH FINANCIAL ASSURANCE: The area(s) identified as Phase 3 A-B and Phase 4 A-B West, totaling 5.5 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 EGLE, as required by Section 11516(3) of Part 115, and determined by EGLE 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:

UNCLOSED AREA(S): The area(s) identified as Cell A East are at final grade but have not had final cover certification approved by EGLE. This area's total acreage is 3.5 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 EGLE on October 4, 2023, with revisions received on October 6, 2023, 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 EGLE's MMD Gaylord District Supervisor, of any inaccuracies in the information in the Application upon discovery.

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7. This license is issued based on EGLE's review of the Application, submitted by GFL Environmental USA, Inc. , for the GFL North Michigan Landfill, dated October 3, 2023, and revised October 6, 2023. The Application consists of the following:

- a. Application Form EQP 5507.
- b. Application fee in the amount of \$4,000.00.
- c. Certification of construction by N/A, dated N/A.
- d. Waste Characterization: N/A.
- e. Restrictive Covenant:

The GFL North Landfill restrictive covenant on 39.2 acres is on file at the Presque Isle County Register of Deeds recorded on May 13, 2013, as Liber 536 pages 408-412. A copy is on file with EGLE.

- f. Perpetual Care Fund Agreement (PCF), established as a standby trust account, signed by Patrick Dovigi, President , GFL North Michigan LLC on February 20, 2019, was executed by EGLE on February 27, 2019.
- g. Financial Assurance.

- i. Financial Assurance Required:

The amount of financial assurance required for this Facility was calculated based on the calculation worksheet form EQP5507ACE entitled, "Form A, Financial Assurance Required," and is \$14,224,092.00.

The Facility has provided financial assurance totaling \$15,783,231.11, 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, a Landfill Care Fund established under Section 11525d, 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 Bond:

The following financial assurance has been received from the Applicant to meet the amount of financial assurance required:

Surety Bonds	\$14,224,092.00
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Total Amount Received: \$14,224,092.00

- iii. Financial Assurance Provided Via a Perpetual Care Fund:

The Perpetual Care Fund Agreement statement showed a balance of \$1,559,139.11 in the Facility's Perpetual Care Fund as of September 29, 2023. Of this amount, EGLE has granted the request to use \$1,559,139.11 toward the total amount of financial assurance required.

- iv. Financial Assurance Provided Via a Financial Test for a Type II Landfill: N/A.

- 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

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assurance must be adjusted annually for the costs of inflation. The corresponding financial assurance, as adjusted for inflation and other factors, is due one year from the date of this license, and each year thereafter.

- vi. Other Required Financial Assurance: N/A.
8. The following documents approved with Construction Permit Number(s) 0265 and 0389 issued to Elk Run Landfill on July 7, 1992, and June 18, 2001, are incorporated in this license by reference:
- a. Allis Park Construction Permit Application dated May 29, 1992.
 - b. Report of Hydrogeological Investigation for proposed Allis Park Landfill, dated June 1992.
 - c. Elk Run Landfill Construction Permit Modification Application dated February 2001.
 - d. Elk Run Landfill Engineering Plans, dated February 2001, revisions dated May 2001.
 - e. Hydrogeological Monitoring Plan dated May 2001.
 - f. Hydrogeological Monitoring Plan Statistical Monitoring Plan dated May 2001.
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. Elk Run Landfill Leachate Recirculation Plan dated November 2006.
 - b. Elk Run Landfill Gas Management Plan, prepared by Cornerstone Environmental Group, LLC, dated July 2009.
 - c. Elk Run Landfill Hydrogeological and Statistical Monitoring Plan, dated June 2012, revisions dated October 2013.
 - d. Elk Run Landfill Construction Quality Assurance Plan, prepared by BEL Environmental Engineering, LLC, dated January 2013, revisions dated March 2017.
 - e. Elk Run Landfill Vector Control Plan dated May 2016.
 - f. Elk Run Landfill Odor Management Plan for Landfill Operations, prepared by Rob Moore, dated May 2017.
 - g. GFL North Michigan Landfill Construction Quality Assurance Plan, prepared by NTH Consultants, Ltd., dated January 2013, revised June 2020, approved June 10, 2020..
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 EGLE.
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 EGLE before receiving waste in that portion of the certified liner or leachate collection system. The licensee shall submit the recertification to EGLE's MMD Gaylord District Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated June 2012, with revisions dated October 2013. The sampling analytical results shall be submitted to EGLE's MMD Gaylord District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by EGLE's MMD Gaylord Supervisor. Proposed revisions must be submitted in a format specified by EGLE.
15. Leachate may be recirculated if a leachate recirculation plan has been approved, in writing, by EGLE's MMD Gaylord 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 EGLE's MMD Gaylord District Supervisor.

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17. Requests for alternate daily cover may be approved, in writing, by EGLE's MMD Gaylord 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) designed with a double-liner system 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 secondary collection system is 25 gallons/acre/day, except Cell C-East and Cell D-East which are 100 gallons/acre/day.

19. **VARIANCES:** The licensee is granted the following variance(s) from Part 115 and/or the Part 115 Rules: 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 MMD, 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:

As approved in the GFL Alternate Daily Cover Materials Plan dated June 1, 2020.

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 EGLE 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 Appendix 2 of Policy and Procedure OWMRP-115-10, 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 upon expiration of this operating license.

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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

If you need this information in an alternate format, contact EGLE-Accessibility@Michigan.gov or call 800-662-9278.

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