



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: DTE Electric Monroe Power Plant Ash Basin

LICENSEE/OPERATOR: DTE Electric Company

FACILITY OWNER: DTE Electric Company

PROPERTY OWNER: DTE Electric Company

FACILITY TYPE(S): Coal Ash Surface Impoundment and Coal Ash Landfill

FACILITY ID NUMBER: 397800

COUNTY: Monroe

LICENSE NUMBER: 9725

ISSUE DATE: February 16, 2024

EXPIRATION DATE: February 16, 2029

FACILITY DESCRIPTION: The DTE Electric Monroe Power Plant Ash Basin, a Coal Ash Surface Impoundment and Coal Ash Landfill, consists of 410.57 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: See Attachment A, and items 2 and 3 of this license.

RESPONSIBLE PARTY: Ben Goehmann
DTE Electric Company
One Energy Plaza
Detroit, MI 48226
(313) 384-0595

RENEWAL OPERATING LICENSE: This License Number 9725 supersedes and replaces Solid Waste Disposal Area Operating License Number 9579 issued to DTE Electric Company on December 4, 2019.

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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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 the Coal Ash Impoundment (331.57 acres) and the Vertical Extension Dry Ash Landfill (79 acres) were authorized to receive waste by the previous license. This area's total acreage is 410.57 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: None.
4. The following portions of the Facility are **NOT** authorized to receive solid waste by this license: N/A
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 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 Jackson District Supervisor, of any inaccuracies in the information in the Application upon discovery.
7. This license is issued based on EGLE's review of the Application, submitted by DTE Electric Company, for the DTE Electric Monroe Power Plant Ash Basin, dated October 6, 2023, and revised January 5, 2024, and February 6, 2024. The Application consists of the following:
 - a. Application Form EQP 5508.
 - b. Application fee in the amount of \$26,000.00.
 - c. Certification of construction by N/A, dated N/A.
 - d. Waste Characterization: N/A.
 - e. Restrictive Covenant:

The June 22, 1999 restrictive covenant on 410.57 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 EGLE.

- f. Perpetual Care Fund Agreement (PCF), established as a standby trust account, signed by David Murphy, Assistant Treasurer, Detroit Edison Company on December 10, 2014, was executed by EGLE on January 6, 2015.
- 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 5508 entitled, "Form A, (CCR ONLY) Financial Assurance Required," and is 3,923,845.12 includes a Surety Bond of \$20,000.00 per acre of licensed landfill, and the Perpetual Care Fund requirement.

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The Facility has provided financial assurance totaling \$3,923,900.00 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, 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 Bond:

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

Surety Bond	\$2,580,000.00
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Total Amount Received:	\$2,580,000.00
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iii. Financial Assurance Provided Via a Perpetual Care Fund:

The Perpetual Care Fund Agreement statement showed a balance of \$1,343,900.00 in the Facility's Perpetual Care Fund as of October 30, 2023. Of this amount, EGLE has granted the request to use \$1,343,900.00 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: N/A.

vi. Other Required Financial Assurance: N/A.

8. The following documents approved with the initial license under the Garbage and Refuse Disposal Act 1965 PA 87, as amended, issued to Detroit Edison Company on September 4, 1974, and Construction Permit Number(s) 4147, issued July 31, 2015, are incorporated in this license by reference:

- a. Plum Creek Property Proposed Fly Ash Basin Monroe Power Plant, Generalized Subsurface Profiles, July 1971.
- b. Plum Creek Property Proposed Fly Ash Basin Monroe Power Plant, Logs of Test Borings and Auger Borings, July 1971.
- c. Drawing 6A695H-4 Offsite Settling Basin Plan, 1971.
- d. Drawings 6A695H-3, 4, 5, 6, July 1974.
- e. Drawing 10MS695-57, August 1974.
- f. Drawing 10MS695-56, August 1974.
- g. Untitled Topo, August 1974.
- h. Specification 3026-43, Site Preparation - Offsite Ash Disposal Dike.
- i. Drawing 6C695H-106, Solid Waste Disposal Act 641 P.A. 1978, 1979.
- j. Drawing 6C695H-133, Ash Basin Warm/Cold /Discharge Sequence, 1987.
- k. Drawing 6C695H-134, On-Site Fly Ash Disposal Basin Fill Progression, 1987.
- l. Drawing 6C695H-135, On-Site Fly Ash Disposal Basin Sections, 1990.
- m. May 1999 Hydrogeological Assessment, prepared by Detroit Edison and dated May 4, 1999.
- n. Groundwater Monitoring Program titled "June 1999 Hydrogeological Monitoring Plan" prepared by Detroit Edison and dated June 18, 1999.
- o. Drawing 6C695H-136, Final Grade Plan, 2001.
- p. Engineering Drawings titled "DTE Energy Monroe Fly Ash Basin Construction Permit Application Modification," prepared by Golder Associates, Inc., and dated April 16, 2015.
- q. Engineering Report prepared by Golder Associates, Inc., and dated April 16, 2015.
- r. Closure/Post-Closure Plan prepared by Golder Associates, Inc., and dated April 2015.
- s. Operations, Monitoring, and Action Plan, DTE Energy Monroe Power Plant and Ash Basin, prepared by Golder Associates, Inc., and dated April 2015.
- t. Construction Quality Assurance Plan, Monroe Power Plant Fly Ash Basin Overliner Construction, prepared by Golder Associates, Inc., and dated April 2015.

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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. Technical Report #85 Revision A, Monroe Fly Ash Disposal Basin, June 1978.
 - b. Drawing 6C695-106, November 15, 1979.
 - c. Drawing 80-104-0221 rev O, February 1980.
 - d. Drawing 80-104-0215 rev B, March 1980.
 - e. Drawing 6C695W-56 Rev E, June 1980.
 - f. Drawing 6C695W-57 rev C, June 1980.
 - g. Drawing 6C695-134 Rev B, October 24, 1989.
 - h. Drawing 6C695-133, Rev B, December 7, 1989.
 - i. Drawing 6A695H-133, dated January 1990.
 - j. Drawing 6C695-134 Rev C, November 5, 1991.
 - k. Drawing 6C695-135 Rev A, November 5, 1991.
 - l. Drawing 6A695H-4, dated 1993.
 - m. Drawing 6A695H-5 rev H, June 1993.
 - n. Drawing 6C695-134 Rev D, July 22, 1993.
 - o. Drawing 6C695-135 Rev B, July 27, 1993.
 - p. Monroe Ash Basin Closure Plan May 12, 1995, as approved by WMD letter, dated September 12, 1997.
 - q. Drawing 6C695-134 Rev E, November 22, 1995.
 - r. Drawing 6C695-135 Rev C, November 22, 1995.
 - s. Drawing 6C695-134 Rev F, December 19, 1997.
 - t. Information Update on the Monroe Power Plant Ash Basin (Hydrogeologic Investigation), May 4, 1999.
 - u. Revised Results of Hydraulic Conductivity and Water Level Monitoring by Golder Associates, May 14, 1999.
 - v. Updated Monroe Ash Basin Groundwater Monitoring Plan, June 18, 1999.
 - w. Drawing 6A695H-106, dated March 2000.
 - x. Drawing 6A695H-135, dated March 2001.
 - y. Drawing 6A695H-136, dated March 2001.
 - z. Drawing 6C695-134 Rev H, June 21, 2001.
 - aa. Amendments to Closure Plan, dated May 12, 1995, including the following:
 - 1) Drawing 6C695H-134-1, September 19, 2001.
 - 2) Drawing 6C695H-135-1, September 19, 2001.
 - 3) Drawing 6C695H-136, September 19, 2001.
 - bb. Drawing 6A695H-7 rev F, September 2001.
 - cc. Drawing 6A695H-134, dated August 2003.
 - dd. Fugitive Dust Control Plan, dated September 21, 2015.
 - ee. In Flow Design Flood Control System Plan, prepared by Geosyntec, dated October 17, 2016.
 - ff. Periodic Structural Stability Assessments, prepared by Geosyntec, dated October 17, 2016.
 - gg. Safety Factor Assessment, prepared by Geosyntec Consultants, dated October 17, 2016.
 - hh. History of Construction Report, prepared by Geosyntec Consultants, dated October 2016.
 - ii. "Proposed Disposal Volume," prepared by Golder Associates Inc., dated April 12, 2019.
 - jj. "Hydrogeological Monitoring Plan" prepared by TRC, dated November 4, 2019, and revised November 27, 2019.
 - kk. "Operations, Monitoring, and Action Plan" prepared by Golder Associates Inc., dated April 2019.
 - ll. Fly Ash Basin Closure Plan, dated January 4, 2024.
 - mm. Fly Ash Basin Closure Plan, dated January 4, 2024.
 - nn. Vertical Extension Landfill Closure Plan, dated October 6, 2023.
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

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collection system. The licensee shall submit the recertification to EGLE's MMD Jackson District Supervisor, for review and approval.

13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated November 4, 2019, and revised November 27, 2019. The sampling analytical results shall be submitted to EGLE's MMD Jackson District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by EGLE's MMD Jackson 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 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 EGLE's MMD Jackson District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by EGLE's MMD 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:** The licensee is granted the following variance(s) from Part 115 and/or the Part 115 Rules:

Under the authority of R 299.4108 the facility is authorized to place landfill cover materials over the entire surface more than 6 months after waste placement, as specified in R 299.4317(1), provided that a final closure certification in compliance with R 299.4921 is submitted to EGLE by expiration date of this license. The licensee may request an additional extension with their next license application.

20. **SPECIAL CONDITIONS:**

- a. Licensee to provide 90 percent design drawings for District review and approval. 60 days following receipt of the drawing package, a response will be provided.
- b. 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.
- c. DTE has re-calculated the facility's total permissible disposal volume, from 26.7 to 29.4 million cubic yards, based on re-analysis of drawings that are referenced in item 9 of this 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

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

EGLE does not discriminate on the basis of race, sex, religion, age, national origin, color, marital status, disability, political beliefs, height, weight, genetic information, or sexual orientation in the administration of any of its programs or activities, and prohibits intimidation and retaliation, as

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required by applicable laws and regulations. Questions or concerns should be directed to the Nondiscrimination Compliance Coordinator at EGLE-NondiscriminationCC@Michigan.gov or 517 249-0906.

This form and its contents are subject to the Freedom of Information Act and may be released to the public.



DTE ELECTRIC COMPANY
OPERATING LICENSE
FACILITY MAP

date 10/05/23
 designed A. MYERS

project 151630

contract -

FIGURE 1