



Michigan Department of Environment, Great Lakes, and Energy
Materials Management Division

SOLID WASTE DISPOSAL AREA OPERATING LICENSE

Effective April 22, 2019, the Michigan Department of Environmental Quality, by Executive Order Number 2019-06, became the Michigan Department of Environment, Great Lakes, and Energy (EGLE). Effective April 22, 2019, the Waste Management and Radiological Protection Division became the Materials Management Division (MMD).

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 and Solid Waste Processing Plant

FACILITY ID NUMBER: 403061

COUNTY: Ottawa

LICENSE NUMBER: 9701

ISSUE DATE: March 8, 2023

EXPIRATION DATE: March 8, 2028

FACILITY DESCRIPTION: The Ottawa County Farms Landfill, a municipal solid waste landfill and solid waste processing plant, consists of 321.54 acres located in the W 1/2 of the SW 1/2 of Section 26 and the SE 1/4 of Section 27, Polkton Township, Ottawa 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.

RESPONSIBLE PARTY: Thomas Mahoney, General Manager
Ottawa County Farms Landfill
15550 68th Avenue
Coopersville, Michigan 49404
616-837-8195

RENEWAL OPERATING LICENSE: This License Number 9701 supersedes and replaces Solid Waste Disposal Area Operating License Number 9615 issued to Ottawa County Farms Landfill on August 27, 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

Licensee: Ottawa County Landfill, Inc.
Facility Name: Ottawa County Farms Landfill
Operating License Number: 9701
Issue Date: March 8, 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 portions of Cell B, Cell B Extension, Cell C, Cell D, Cell E, Phases 1-7, Phase 9, and Phase 10 were authorized to receive waste by the previous license. This area's total acreage is 144.08 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 11, 12, and 13, totaling 33.00 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(5) 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:

a. **UNCONSTRUCTED AREA(S) WITHOUT FINANCIAL ASSURANCE:** The area(s) identified as Phase 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 15.03 acres.

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

EXISTING UNIT(S): The unit(s) or portion(s) of unit(s) identified as Cells A-E to Station E-34 and portions of Phase A Extension A, and Portions of Phase 3, 4, 5, 6, and 7 had final closure certified on December 2, 1988, April 3, 1998, May 19, 2016, and May 13, 2020. This certification was reviewed and approved by EGLE on May 1, 1998, June 23, 2016, and July 10, 2020. This area's total acreage is 50.01 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 December 12, 2022, 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 Grand Rapids 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 Ottawa County Landfill, Inc., for the Ottawa County Farms Landfill, dated December 8, 2022. The Application consists of the following:
 - a. Application Form EQP 5507.
 - b. Application fee in the amount of \$10,500.00.
 - c. Certification of construction by N/A, dated N/A.
 - d. Waste Characterization: N/A.

e. Restrictive Covenant:

The October 3, 2000, restrictive covenant on 246 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 EGLE.

f. Perpetual Care Fund Agreement, established as a standby trust account, signed by Ms. Marsha Lacey, Assistant Treasurer, on October 14, 2014, was executed by EGLE on October 30, 2014.

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 \$41,686,567.65.

The Facility has provided financial assurance totaling \$41,688,000.00, 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, iii, and iv, respectively.

ii. Financial Assurance Provided Via a Perpetual Care Fund:

The Perpetual Care Fund Agreement statement showed a balance of \$2,840,000.00 in the Facility's Perpetual Care Fund as of August 27, 2022. Of this amount, EGLE has granted the request to use \$2,840,000.00 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	\$38,848,000.00
Total Amount Received:	\$38,848,000.00

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 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) 4156 issued to the Ottawa County Landfill, Inc. on October 7, 2016, are incorporated in this license by reference:

- a. Ottawa County Farms Landfill Lateral & Vertical Expansion Volumes I-IV.
- b. Engineering Plan Sheets 1-34 amended September 9, 2016.
- c. "Environmental Monitoring Plan," amended September 2016.

Licensee: Ottawa County Landfill, Inc.
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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:

Ottawa County Farms Landfill Gas Upgrade, Belly Collector Plans Phase 10, dated June 3, 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 Grand Rapids District Supervisor, for review and approval.

13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated September 2016. The sampling analytical results shall be submitted to EGLE's MMD Grand Rapids District Office.

14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by EGLE's MMD Grand Rapids District 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 Grand Rapids 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 Grand Rapids District Supervisor.

17. Requests for alternate daily cover may be approved, in writing, by EGLE's MMD Grand Rapids 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:** 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:

<u>Product/Waste Material</u>	<u>Source</u>	<u>Monthly Volume</u>
Autofluff	Louis Padnos Iron & Metal	Varies
Foundry Sand	CMI and Tri Cast	Varies

ii. The above materials are approved for daily cover when used in the following manner:

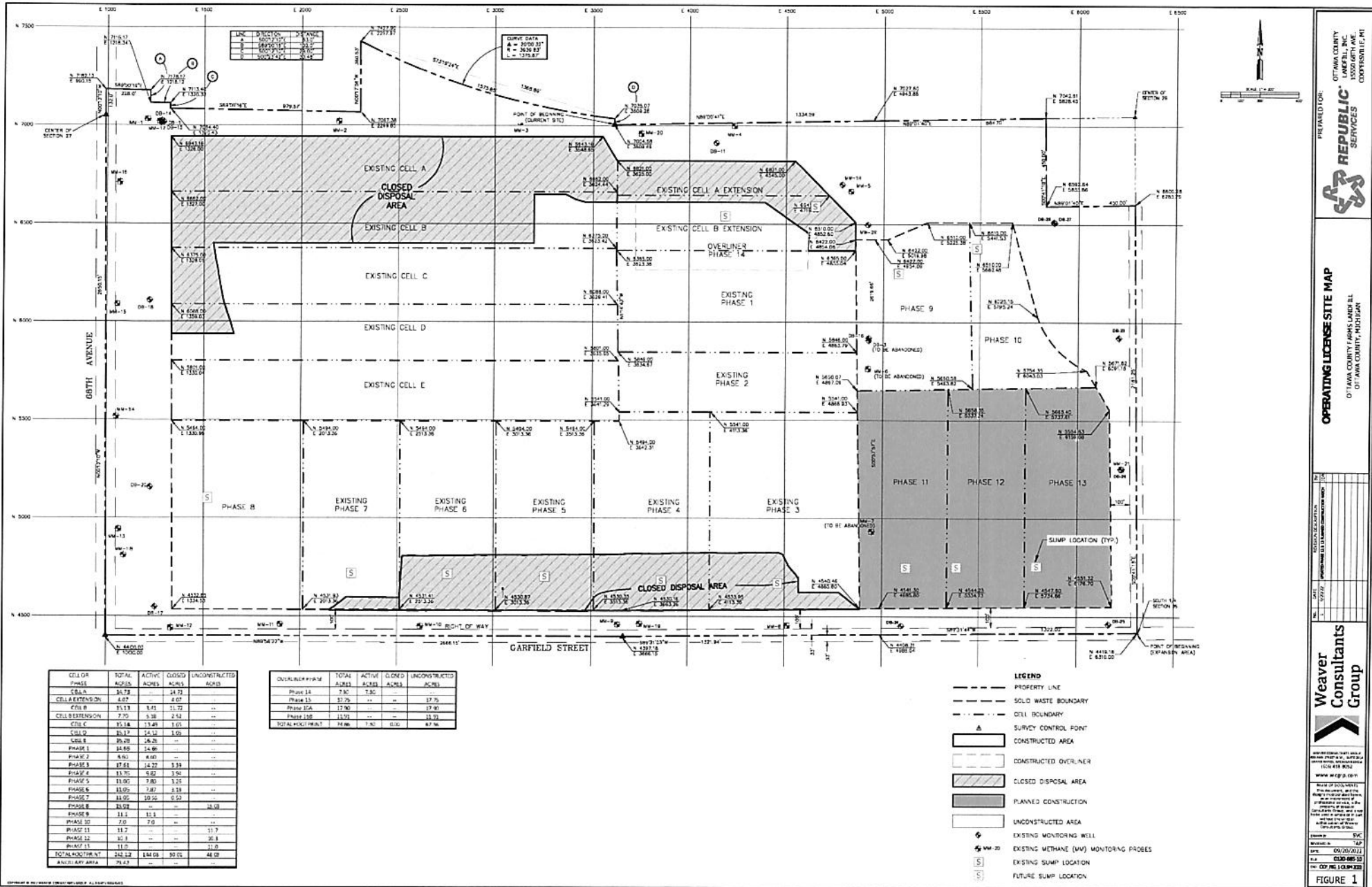
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- (1) The licensee shall use the material as daily cover only. The material cannot be used for road building or fill in other areas of the Facility's operation.
- (2) The licensee shall maintain copies of the testing performed on Class B and Class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

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



PREPARED FOR: OTTAWA COUNTY LANDFILL, INC. 15500 68TH AVE. COONAPOLIS, MN
 OPERATING LICENSE SITE MAP
 OTTAWA COUNTY PARKS, LANDFILL & OTTAWA COUNTY, HUSBAND

Weaver Consultants Group
 www.wcg.com
 DATE: 09/20/2011
 BY: [Signature]
 CHECKED: [Signature]
 FIGURE 1