



Michigan Department of Environmental Quality
Office of Waste Management and Radiological Protection

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: Wexford County Landfill, LLC

LICENSEE/OPERATOR: Wexford County Landfill, LLC

FACILITY OWNER: Wexford County Landfill, LLC

PROPERTY OWNER: Wexford County Landfill, LLC

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 470336

COUNTY: Wexford

LICENSE NUMBER: 9405

ISSUE DATE: August 29, 2014

EXPIRATION DATE: August 29, 2019

FACILITY DESCRIPTION: The Wexford County Landfill, LLC, a municipal solid waste landfill, consists of 196.4 acres located at 990 North US Highway 131, Manton, Michigan 49663, in the W 1/2 of the NW 1/4 of Section 34 and the E 1/2 of Section 33, T23N, R9W, Cedar Creek Township, Wexford County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: Cell B, 4.8 acres; Cell C, 4.0 acres; Cell D & E, 8.2 acres; Cell F, 6.3 acres; Cell G-Phase 1, 5.3 acres; Cell G-Phase II, 4.6 acres; and Cell J1, 3.1 acres; for a total of 36.3 acres. Unconstructed Cell J2 (1.1 acres) and Cell G3, (10 acres), for a total of 11.1 acres with financial assurance, is authorized for solid waste disposal upon being constructed and having the engineering certification approved by the Michigan Department of Environmental Quality (MDEQ).

RESPONSIBLE PARTY: Mr. Edward G. Ascione, Member
Wexford County Landfill, LLC
3947 N. US 131
P.O. Box 1030
Kalkaska, Michigan 49646
Phone: 231-258-9030

RENEWAL OPERATING LICENSE: This License Number 9405 supersedes and replaces Solid Waste Disposal Area Operating License Number 9366 issued to Wexford County Landfill, LLC, on December 12, 2013.

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, Solid Waste Section
Office of Waste Management and Radiological Protection

Licensee: Wexford County Landfill, Inc.
Facility Name: Wexford County Landfill, Inc.
Operating License Number: 9405
Issue Date: August 29, 2014

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 Cell B, 4.8 acres; Cell C, 4.0 acres; Cell D & E, 8.2 acres; Cell F, 6.3 acres; Cell G - Phase I, 5.3 acres; Cell G - Phase II, 4.6 acres; and Cell J1, 3.1 acres were authorized to receive waste by the previous license. This area's total acreage is 36.3 acres.

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

UNCONSTRUCTED AREA(S) WITH FINANCIAL ASSURANCE: The area(s) identified as Cell J2 (1.1 acres) and Cell G3 (10 acres), totaling 11.1 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 MDEQ, as required by Section 11516(5) of Part 115, and determined by the MDEQ 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:

UNCONSTRUCTED AREA(S) WITHOUT FINANCIAL ASSURANCE: The area(s) identified as the East Unit: Cell H, 11.1 acres; and Cell 1, 10.7 acres; and the West Unit: Cell 1, 7.6 acres; Cell 2, 8.8 acres; Cell 3, 12.6 acres; Cell 4, 7.4 acres; Cell 5, 7.4 acres; Cell 6, 7.5 acres; Cell 7, 5.3 acres; Cell 8, 4.5 acres; and Cell 9, 7.4 acres 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 90.3 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 MDEQ on June 3, 2014, 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 MDEQ's Office of Waste Management and Radiological Protection (OWMRP), Cadillac District Supervisor, of any inaccuracies in the information in the Application upon discovery.
7. This license is issued based on the MDEQ's review of the Application, submitted by Wexford County Landfill, LLC, for the Wexford County Landfill, LLC, dated May 28, 2014, with revisions dated June 26, 2014, and August 15, 2014. The Application consists of the following:
 - a. Application Form EQP 5507.
 - b. Application fee in the amount of \$3,750.00.
 - c. Certification of construction by N/A.
 - d. Waste Characterization: N/A.

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e. Restrictive Covenant:

The Wexford County Landfill, LLC, restrictive covenant on 196.98 acres is on file at the Wexford County Register of Deeds recorded on June 20, 2011, as Liber 640 pages 659-664. A copy is on file with the MDEQ.

f. Perpetual Care Fund Agreement, established as an escrow account, signed by Mr. Michael A. Ascione, Member, Wexford County Landfill, LLC, on August 23, 2011, was executed by the MDEQ on September 30, 2011.

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 \$8,385,937.20.

The Facility has provided financial assurance totaling \$8,441,567.82, 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 MDEQ.
- (2) The Perpetual Care Fund Agreement statement showed a balance of \$1,914,736.12 in the Facility's Perpetual Care Fund as of September 30, 2013. Of this amount, the MDEQ has granted the request to use \$1,914,736.12 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	\$6,526,831.70
Total Amount Received:	\$6,526,831.70

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 August 29, 2015, and each year thereafter.

v. Other Required Financial Assurance: The Wexford County Department of Public Works (DPW) maintains a financial assurance mechanism, totaling \$987,000.00, for the Wexford County Landfill's Remedial Action Plan (RAP), approved by the MDEQ on October 9, 2007. See Item 20. Special Conditions (b.) of this license.

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8. The following documents approved with Construction Permit Number(s) 4100 and 4127 issued to the Wexford County DPW and Wexford County Landfill, LLC, on November 17, 2008, and August 20, 2012, are incorporated in this license by reference:
 - a. 2008 Expansion Permit, Wexford County Landfill, Environmental Assessment Report, prepared by CTI and Associates, Inc. (CTI), dated May 2008.
 - b. 2008 Expansion Permit, Wexford County Landfill, Engineering Report, prepared by CTI and dated May 2008, with revisions October 2008.
 - c. 2008 Expansion Permit, Wexford County Landfill, Hydrogeological Report, prepared by CTI and dated May 2008.
 - d. 2008 Expansion Permit, Wexford County Landfill, Hydrogeological Monitoring Plan (HMP), prepared by CTI and dated May 2008. (See revised Hydrogeological Monitoring Plan (HMP), Item 9b of this license.)
 - e. 2008 Expansion Permit, Wexford County Landfill, Engineering Plan Set, Wexford County, Michigan, prepared by CTI and dated October 2008.
 - f. "Remedial Action Plan - Final Wexford County Landfill," prepared by CTI and dated August 6, 2007. It was approved by the MDEQ on August 9, 2007.
 - g. Limited Agreement for a Residential Remedial Action entered between the MDEQ and Wexford County, effective October 2007.
 - h. Wexford County Landfill, LLC, Construction Permit Application, Volumes 1 and 2, both dated April 19, 2012, and revised June 11, 2012, and July 18, 2012; and Engineering Plans entitled Construction Permit Application, 2012 Expansion Permit, Wexford County Landfill, Wexford County, dated April 2012 and revised July 17, 2012.
9. The following additional documents, approved since the issuance of the construction permits referenced in Item 8, are incorporated in this license by reference:
 - a. Wexford County Landfill, LLC, Solidification Plan, dated December 29, 2011, and approved by the MDEQ on January 11, 2012.
 - b. Wexford County Landfill, LLC, HMP dated April 2012, with revisions July 2012.
 - c. Leachate Recirculation Plan, dated July 2014.
 - d. Odor Management Plan, dated July 2014.
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 MDEQ.
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 MDEQ before receiving waste in that portion of the certified liner or leachate collection system. The licensee shall submit the recertification to the MDEQ's OWMRP, Cadillac District Office Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated April 2012, with revisions July 2012. The sampling analytical results shall be submitted to the MDEQ's OWMRP, Cadillac District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by the OWMRP, Cadillac District Supervisor. Proposed revisions must be submitted in a format specified by the MDEQ.
15. Leachate may be recirculated if a leachate recirculation plan has been approved, in writing, by the OWMRP, Cadillac 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 OWMRP, Cadillac District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by the OWMRP, Cadillac District Supervisor.

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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 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 leak detection system is 5 gallons/acre/day. The response flow rate for each unit containing a leak detection system is 25 gallons/acre/day.

19. **VARIANCES:** 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 OWMRP, 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:

(1) <u>Product/Waste Material</u>	<u>Source</u>	<u>Monthly Volume</u>
Foundry Sand	Cadillac Castings, Inc.	Unlimited
Ash	Various	250 Tons
Auto Fluff	Various	1,650 Tons
Contaminated Soils	Various	500 Tons
Solidified Drilling Muds	Various	300 Tons
Solidified Soils	Various	450 Tons
Wood Chips	Various	200 Tons
Screened Compost Rejects	Various	200 Tons
Catch Basin Solids	Various	200 Tons
Oil & Gas Solids	Various	300 Tons

(2) Other materials approved in accordance with the provisions of the Alternate Daily Cover Materials Plan approved with Construction Permit Number 4127, issued August 20, 2012

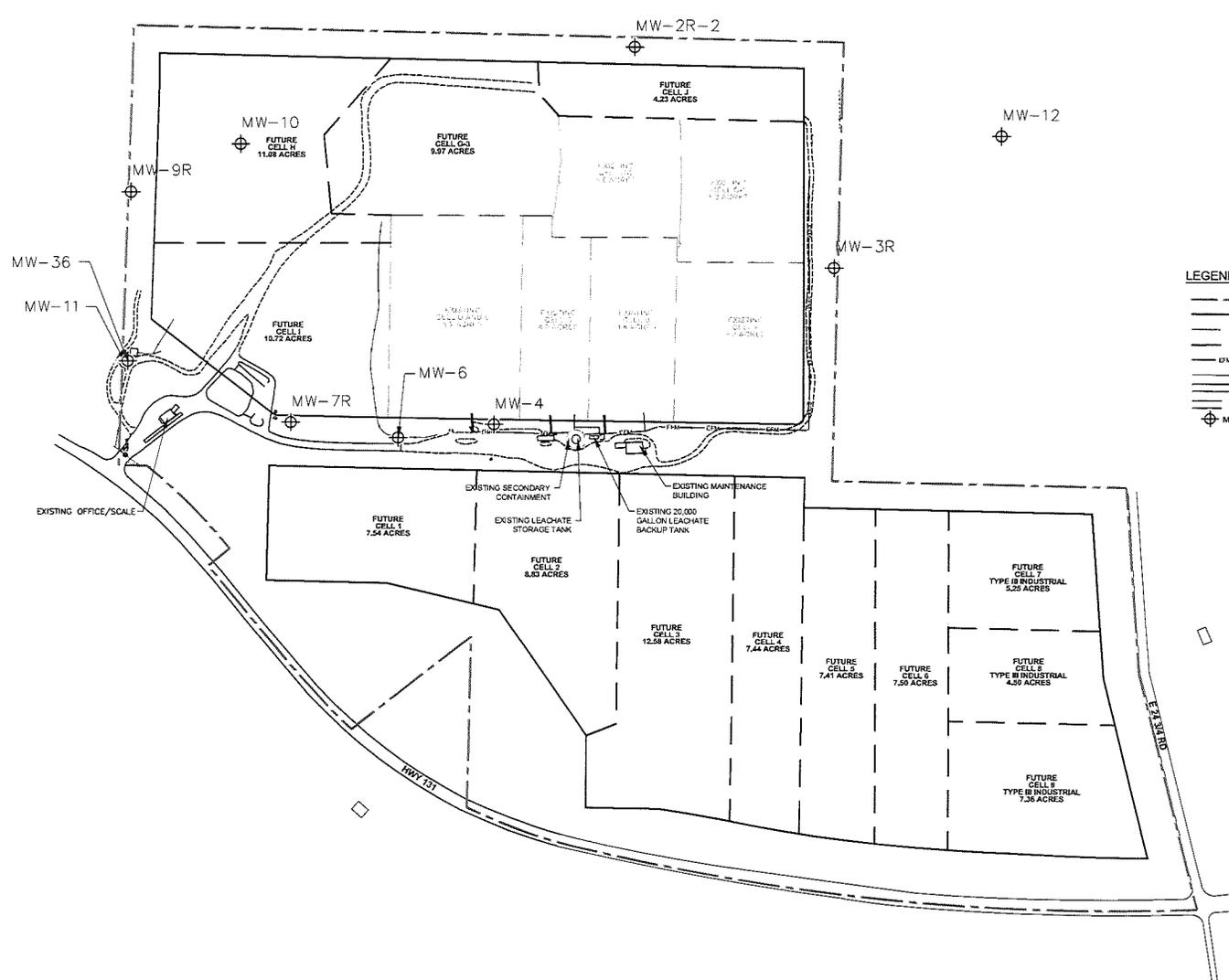
iii. The above materials are approved for daily cover when used in the following manner:

- (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 MDEQ 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.

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- (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.
- b. On October 9, 2007, the MDEQ approved a "Limited Residential Remedial Action Plan" (RAP) for the Wexford County Landfill. On October 5, 2007, the MDEQ executed an "AGREEMENT FOR A LIMITED RESIDENTIAL REMEDIAL ACTION" to specify the agreed upon conditions for approval of the RAP, MDEQ Reference No. RAP LANDUSE WHMD-2007-A (Agreement). The Agreement specifies that the Wexford County DPW retain responsibilities under the Agreement to implement the RAP, regardless of transfer of ownership. R 299.4445(1)(b) of the Part 115 Rules requires, among other things, that the owner and operator of a solid waste disposal area (Wexford County Landfill, LLC,) shall implement the approved RAP. Wexford County Landfill, LLC, and the DPW have entered a contractual arrangement to ensure implementation of the RAP and financial assurance for such. This arrangement does not limit the MDEQ's ability to take any appropriate action under the law and the Agreement to protect public health, safety, welfare, or the environment; or to prevent, abate, or minimize a release or threatened release of hazardous substance, pollutants, or contaminants on, at, or from the Facility. Wexford County Landfill, LLC, shall provide access as necessary to the DPW and their contractors to implement the approved RAP.
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



LEGEND

- LANDFILL PROPERTY BOUNDARY
- SOLID WASTE BOUNDARY
- EXISTING CELL BOUNDARY
- FUTURE CELL BOUNDARY
- EXISTING DUAL CONTAINED FORCEMAIN
- FENCE LINE
- PAVED ROAD
- UNPAVED ROAD
- ⊕ MW-XX MONITORING WELL

Received
 WRD/DEA
 JUN 9 2014
 GAYLOR



REV	DATE	REVISION DESCRIPTION	DES	CADD	CHK	REV
PROJECT WEXFORD COUNTY LANDFILL, LLC. MANTON, MICHIGAN						
TITLE FACILITY MAP						
PROJECT No		123-88763	FILE No		12388763A060	
DESIGN	VRG	2013-11-05	SCALE	AS-SHOWN		
CADD	BLK	2013-11-05	ATTACHMENT			
CHECK	VRG	2013-11-05				
REVIEW	SCP	2013-11-05	A			



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