



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: JH Campbell Landfill

LICENSEE/OPERATOR: Consumers Energy Company

FACILITY OWNER: Consumers Energy Company

PROPERTY OWNER: Consumers Energy Company

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

FACILITY ID NUMBER: 395496

COUNTY: Ottawa

LICENSE NUMBER: 9682

ISSUE DATE: October 12, 2022

EXPIRATION DATE: October 12, 2027

FACILITY DESCRIPTION: The JH Campbell Landfill, a Type III low hazard industrial landfill and Type III industrial waste surface impoundment, consists of 410 acres located in the SE 1/4 of Section 10, the SW 1/4 of Section 11, the NW 1/4 of Section 14, and portions of Section 15, Port Sheldon Township, Ottawa County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: Identified in Item 2.

RESPONSIBLE PARTY: Caleb Batts
Consumers Energy Company
17000 Croswell St.
West Olive, MI 49460
989-891-3019

RENEWAL OPERATING LICENSE: This License Number 9682 supersedes and replaces Solid Waste Disposal Area Operating License Number 9542 issued to Consumers Energy Company on January 23, 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

Licensee: Consumers Energy Company
Facility Name: JH Campbell Landfill
Operating License Number: 9682
Issue Date: October 12, 2022

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:
 - a. **ACTIVE PORTIONS NOT AT FINAL GRADE:** The area(s) identified as portions of Cells 1, 2, 3, 4, and 5 were authorized to receive waste by the previous license. This area's total acreage is 34.0 acres.
 - b. **CONSTRUCTED AREAS CERTIFIED WITH THIS APPLICATION:** The area(s) identified as Cell 6 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 7.2 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 Cells 7, 8, and 9 totaling 20 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:

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:

- i. **PRE-EXISTING UNIT(S):** The unit(s) identified as Cells B, C, D-South, D-Mid South, D-Mid, D-North, F, G-1, G-2, H, J, and K had final closure certified pursuant to the Consumers Energy Remedial Action Plan prepared on August 9, 1999, and last revised January 31, 2008. This certification was prepared on August 9, 1999, and last revised January 31, 2008. This certification was reviewed and approved by the EGLE. This area's total acreage is 142 acres.
 - ii. **EXISTING UNIT(S):** The unit(s) or portion(s) of unit(s) identified as portions of Cells 1-4 consisting of the Phase I - Phase VI closure projects have had final closure certified by Consumers Energy Company. These certifications were reviewed and approved by EGLE. This area's total acreage is 42.8 acres.
 - iii. **OTHER DISPOSAL AREAS:** The unit identified as Pond A was authorized to be closed with waste in place by WMRPD Consent Order 115-01-2018. It was certified closed on October 4, 2019, and was reviewed and approved by EGLE on November 25, 2019. This area's total acreage is 10 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 May 9, 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.

Licensee: Consumers Energy Company
Facility Name: JH Campbell Landfill
Operating License Number: 9682
Issue Date: October 12, 2022

7. This license is issued based on EGLE's review of the Application, submitted by Consumers Energy Company, for the JH Campbell Landfill, dated May 5, 2022. The Application consists of the following:

- a. Application Form EQP 5507.
- b. Application fee in the amount of \$13,000.00.
- c. Certification of construction by David M. List, PE, dated January 27, 2022.
- d. Waste Characterization: N/A.
- e. Restrictive Covenant:

The February 12, 1999, restrictive covenant on 410 acres is on file at the Ottawa County Register of Deeds recorded on March 16, 1999, as Liber 2601 pages 25-27. A copy is on file with EGLE.

- f. Perpetual Care Fund Agreement, established as a standby trust account, signed by Mr. Dennis D. Dobb, Vice President, Generation and Engineering Services, Consumers Energy Company on January 16, 2015, was executed by EGLE on March 9, 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 5507 entitled, "Form A, Financial Assurance Required," and includes a Surety Bond of \$20,000.00 per acre of licensed landfill, and the Perpetual Care Fund requirement.

The Facility has provided financial assurance totaling \$1,594,160.00 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 a Perpetual Care Fund:

The Perpetual Care Fund Agreement statement showed a balance of \$594,160.00 in the Facility's Perpetual Care Fund as of October 30, 2021. Of this amount, EGLE has granted the request to use \$594,160.00 toward the total amount of financial assurance required.

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

iv. Financial Assurance Updates Required: N/A.

v. Other Required Financial Assurance: N/A.

8. The following documents approved with Construction Permit Number(s) 4173 issued to the Consumers Energy Company on November 30, 2021, are incorporated in this license by reference:

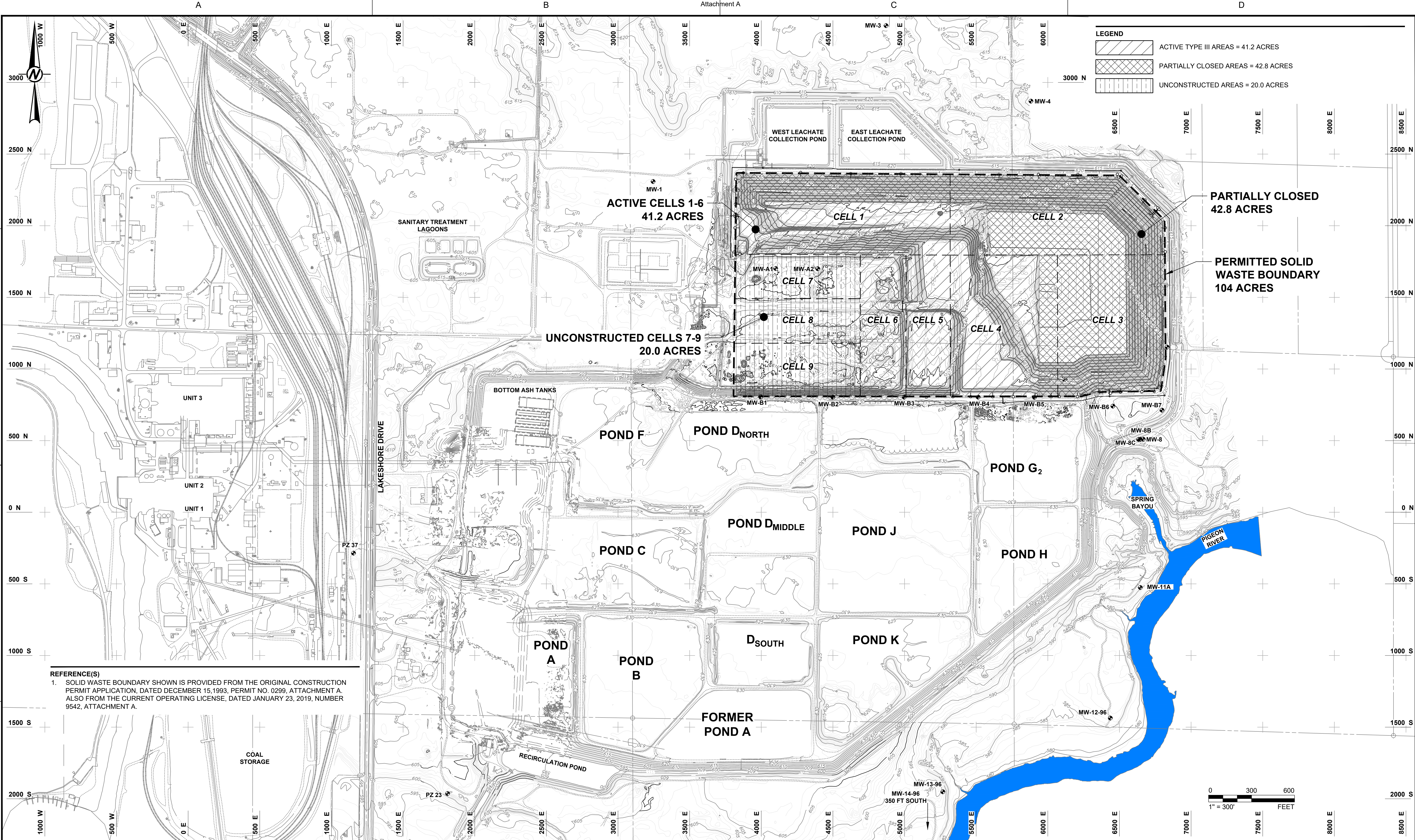
Landfill Expansion Construction Permit Application dated July 2021, prepared by Golder Associates Inc. and TRC which includes the following sections.

- 1. Environmental Assessment
- 2. Hydrogeologic Investigation Report
- 3. Hydrogeologic Monitoring Plan
- 4. Topographic Map Report


Licensee: Consumers Energy Company
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5. Engineering Report
 6. Operations Reports
 7. Construction Quality Assurance Plan
 8. Engineering Drawings Sheets 1-34.
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: None.
10. Consent Order/Judgment Number: OWMRP Consent Order Number 115-01-2018 entered on December 21, 2018, is incorporated into this license by reference.
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 October 2021. 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 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 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:** The licensee is granted the following variance(s) from Part 115 and/or the Part 115 Rules: None.
20. **SPECIAL CONDITIONS:** None.
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



REFERENCE(S)
1. SOLID WASTE BOUNDARY SHOWN IS PROVIDED FROM THE ORIGINAL CONSTRUCTION PERMIT APPLICATION, DATED DECEMBER 15, 1993, PERMIT NO. 0299, ATTACHMENT A. ALSO FROM THE CURRENT OPERATING LICENSE, DATED JANUARY 23, 2019, NUMBER 9542, ATTACHMENT A.

																		 J.H. CAMPBELL PLANT WEST OLIVE, MI	FACILITY MAP UPDATED MAY 2022			
REFERENCE DRAWINGS	REV	DATE	DESCRIPTION	DR	BY	CHK	APP	CO	REV	DATE	DESCRIPTION	DR	BY	CK	APP	CO			SCALE: 1" = 300'	DRAWING NO.	SHEET	REV.
																		JOB: PT-02661				