



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: Manistee County Landfill

LICENSEE/OPERATOR: Harland's Sanitary Landfill, Inc.

FACILITY OWNER: Harland's Sanitary Landfill, Inc.

PROPERTY OWNER: Harland's Sanitary Landfill, Inc.

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 398561

COUNTY: Manistee

LICENSE NUMBER: 9572

ISSUE DATE: September 27, 2019

EXPIRATION DATE: September 27, 2024

FACILITY DESCRIPTION: The Manistee County Landfill, a municipal solid waste landfill, consists of 376.4 acres located in the NW 1/4 of the NE 1/4 of Section 32, and a portion of the SE 1/4 of Section 29, Township 21 North, Range 16 West, Stronach Township, Manistee County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: There are 45.48 acres authorized to receive solid waste (Please see numbers 2 and 3 on page 2 for specifics).

RESPONSIBLE PARTY: Mr. Todd Harland
Manistee County Landfill
3890 Camp Road
Manistee, Michigan 49660
(231) 723-4850

RENEWAL OPERATING LICENSE: This License Number 9572 supersedes and replaces Solid Waste Disposal Area Operating License Number 9456 issued to Harland's Sanitary Landfill, Inc. on October 22, 2015.

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: Harland's Sanitary Landfill, Inc.
Facility Name: Manistee County Landfill
Operating License Number: 9572
Issue Date: September 27, 2019

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 Cells 1, 2, 3, IV-A, IV-B, V, 6, 7, 8, 9, 10, 11, 12A, and 12B were authorized to receive waste by the previous license. This area's total acreage is 45.48 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 Cell 13 and Cell 14A, totaling 7.66 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 Cell 14B and Cells 15 through 20 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 32.34 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:

- i. **PRE-EXISTING UNIT(S):** The unit(s) identified as Phase I had final closure certified on June 6, 1995. This certification was reviewed and approved by EGLE on June 27, 1995. This area's total acreage is 10.2 acres.
- ii. **EXISTING UNIT(S):** The unit(s) or portion(s) of unit(s) identified as portions of Cells 1, 3, 5, and 7 had final closure certified on October 18, 2001, January 2004, December 11, 2008, and January 11, 2010. This certification was reviewed and approved by EGLE on September 12, 2002, May 20, 2004, and February 3, 2010, respectively. This area's total acreage is 8.52 acres.
- iii. **OTHER DISPOSAL AREAS:** Act 87, Unit closed on March 4, 1991, totaling 14.8 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 July 2, 2019, 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 Cadillac 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 Harland's Sanitary Landfill, Inc., for the Manistee County Landfill, dated July 1, 2019, and revised on September 10, 2019. The Application consists of the following:
 - a. Application Form EQP 5507.
 - b. Application fee in the amount of \$2,500.00.

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- c. Certification of construction by N/A.
- d. Waste Characterization: N/A.
- e. Restrictive Covenant:

The September 27, 2002, restrictive covenant on 225.2 acres is on file at the Manistee County Register of Deeds recorded on March 17, 2003, as Liber 0843 pages 0744-0747. A copy is on file with EGLE.

- f. Perpetual Care Fund Agreement, established as a standby trust account, signed by Ms. Marsna A. Lacy on September 29, 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 \$11,084,795.00.

The Facility has provided financial assurance totaling \$11,085,000.00, 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 \$2,257,000.00 in the Facility's Perpetual Care Fund as of October 14, 2018. Of this amount, EGLE has granted the request to use \$2,257,000.00 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	\$8,828,000.00
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Total Amount Received:	\$8,828,000.00
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- 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 Numbers(s) 0275, 0404, and 4122 issued to the Harland's Sanitary Landfill, Inc. on October 26, 1992, June 7, 2002, and February 15, 2012, respectively, are incorporated in this license by reference:

- a. Construction Permit Application prepared by Golder Associates, Inc., dated February 2002.

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The following documents are contained in the Construction Permit Application:

- i. Environmental Assessment, dated December 2001, prepared by Golder Associates, Inc.
- ii. Hydrogeological Study and Sampling and Analysis Plan, dated July 30, 2001, and revised October 10, 2001, prepared and revised by the Hutchinson Group, LTD.
- iii. Operation Plan, dated December 2001, prepared by Golder Associates, Inc.; revised April 2003 and May 2013 by Golder Associates, Inc. and Republic Services, Inc., respectively.

The following documents are contained in the Operation Plan:

1. Leachate and Landfill Gas Condensate Recirculation Plan, dated October 31, 2001, prepared by Manistee County Landfill.
 2. Solidification Plan, dated October 2002, prepared by Environmental Resources Management Group, Inc.
 3. Prohibited Waste Plan dated April 2005 and revised May 2013.
 - iv. Construction Quality Assurance Plan, dated December 2001, prepared by Golder Associates, Inc.; revised on January 2012 and January 2013 by Engineering and Environmental Solutions, Inc. and BEL Environmental Engineering, LLC, respectively.
 - b. Engineering Plans dated February 2002, and modified January 2012, prepared by Golder Associates, Inc., and modified by Engineering & Environmental Solutions, LLC.
 - c. Construction Permit Modifications, prepared by Engineering & Environmental Solutions, LLC, dated October 2011, with amendments dated January 2012, and signed by Mr. Blaine A. Litteral, P.E.
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. Operations and Maintenance Procedures for the Primary Leachate Collection System dated May 1, 2006.
 - b. Remedial Action Plan dated July 2008, prepared by Engineering and Environmental Solutions, LLC.
 - c. Interim Gas Management Plan, dated October 2009, and modified June 2013, prepared and modified by Republic Services, Inc.
 - d. Environmental Monitoring Plan dated July 2011, and modified on May 7, 2014, prepared and modified by Engineering and Environmental Solutions, LLC
 - e. 2018 Landfill Gas Collection and Control System Design Plan, dated December 2018, prepared by BEL Environmental Engineering, LLC.
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 Cadillac District Supervisor, for review and approval.

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13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated July 2011, and modified on May 7, 2014, prepared and modified by Engineering and Environmental Solutions, LLC. The sampling analytical results shall be submitted to EGLE's MMD Cadillac District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by EGLE's MMD Cadillac 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 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 EGLE's MMD Cadillac District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by EGLE's MMD Cadillac 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:**

- a. On or before December 1, 2019, the Operator/Applicant shall submit to EGLE a revised Corrective Action Cost Estimate as stipulated in Section 5.5 in the Agreement for a Limited Residential Remedial Action, DNRE Reference Number LEA-ERMD-115-2010-03.
- b. 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>
Paper Mill Sludge	PCA Filer City - Primary Clarifier	4,250 cubic yards
Bark Fines	PCA Filer City	1,818 cubic yards

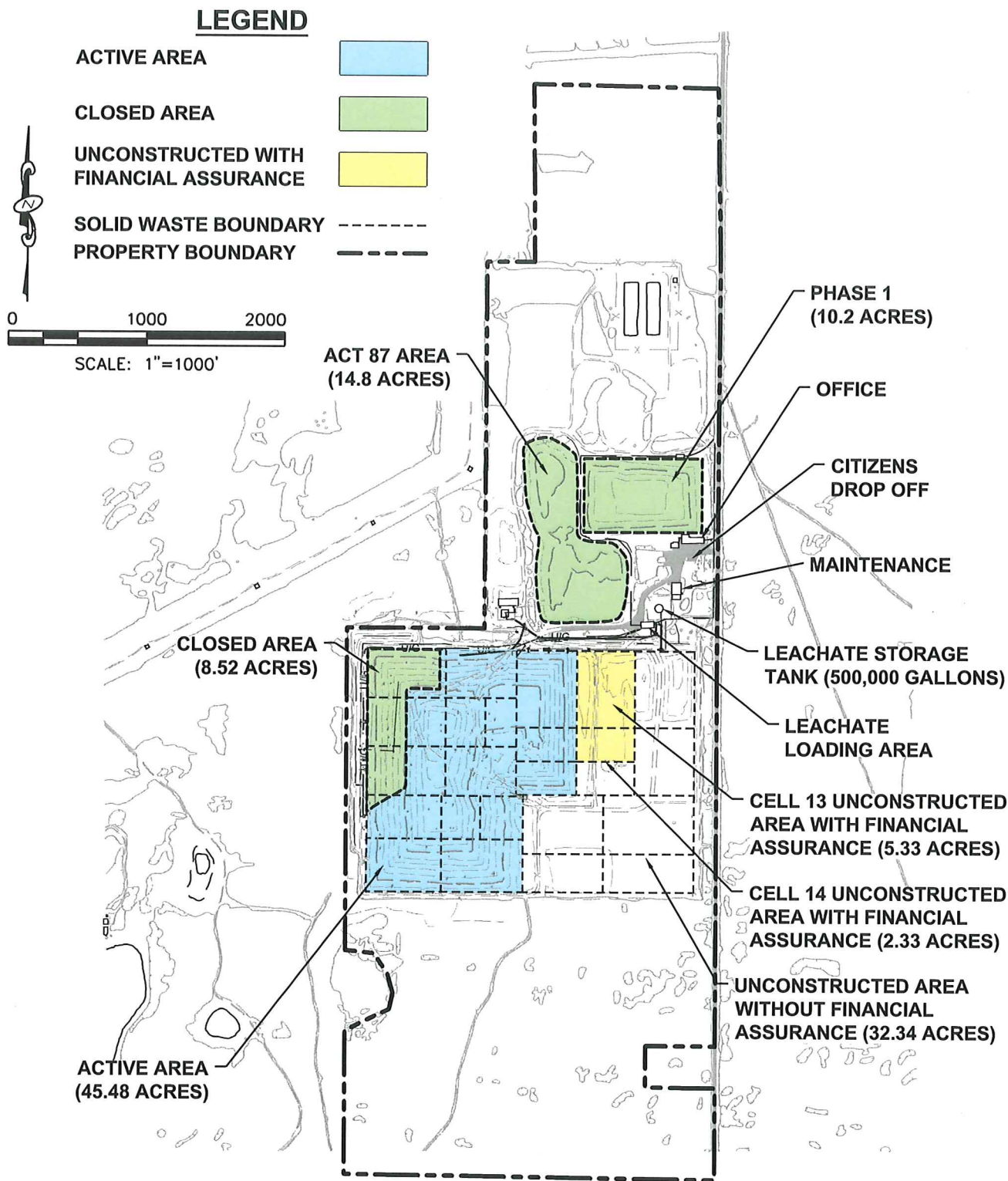
- ii. The above materials are approved for daily cover when used in the following manner:
 - (1) The licensee shall use the material as daily cover only. The material cannot be used for road building or fill in other areas of the Facility's operation.
 - (2) The licensee shall maintain copies of the 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.

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- (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.
- c. Waste solidification, as detailed in the Operation Plan (contained in the Construction Permit Application), dated October 2002.
 - d. Leachate recirculation, as detailed in the Operation Plan (contained in the Construction Permit Application), dated October 31, 2001.
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



CLIENT
MANISTEE COUNTY LANDFILL
SECTIONS 29&32, T.21N., R.16W., STRONACH TOWNSHIP, MI.

PROJECT
MANISTEE COUNTY LANDFILL LICENSE

CONSULTANT	YYYY-MM-DD	2019-08-05
DESIGNED	DJS	
PREPARED	DJS	
REVIEWED	BAL	
APPROVED	BAL	



TITLE
FACILITY AREA SUMMARY PLAN

PROJECT NO.
19123565.001

REV.
C

FIGURE
1

1 in IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM ANSI D