



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: Westside Recycling and Disposal Facility

LICENSEE/OPERATOR: Waste Management of Michigan, Inc.

FACILITY OWNER: Waste Management of Michigan, Inc.

PROPERTY OWNER: Waste Management of Michigan, Inc.

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 470449

COUNTY: St. Joseph

LICENSE NUMBER: 9726

ISSUE DATE: February 22, 2024

EXPIRATION DATE: February 22, 2029

FACILITY DESCRIPTION: The Westside Recycling and Disposal Facility, a municipal solid waste landfill, consists of 504 acres located in Sections of 22, 23, 26, and 27, Fabius Township, St. Joseph 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: Michael O'Rourke
Waste Management of Michigan, Inc.
14094 M-60 West
Three Rivers, Michigan 49093
616-258-0389

RENEWAL OPERATING LICENSE: This License Number 9726 supersedes and replaces Solid Waste Disposal Area Operating License Number 9633 issued to Waste Management of Michigan, Inc., on January 12, 2021.

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: Waste Management of Michigan, Inc.
Facility Name: Westside Recycling and Disposal Facility
Operating License Number: 9726
Issue Date: February 22, 2024

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 6, Cell 7A, Cell 7B, Cell 8, Cell 9, Cell 10, Cell 11, Cell 12, Cell 13, Cell 14, Cell 15A, Cell 15B, Cell 15C, and Cell 15D were authorized to receive waste by the previous license. This area's total acreage is 96.2 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 Cell 16, totaling 10.3 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(3) 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 Cells 17-27 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 152.6 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 Cells 1-4 had final closure certified on April, 1995. This certification was reviewed and approved by EGLE on June 30, 1995. This area's total acreage is 32.5 acres.

ii. **EXISTING UNIT(S):** The unit(s) or portion(s) of unit(s) identified as Cells 7, 10, 11, and 12 had final closure certified on December 18, 2000. This certification was reviewed and approved by EGLE on February 6, 2001. This area's total acreage is 6.6 acres.

iii. **OTHER DISPOSAL AREAS:** The area identified as the Unlined Cell is closed. Final closure of this area authorized under the Garbage and Refuse Ac, 1965 PA 87 (Act 87), was certified on February 6, 1986. The Act 87 area was re-closed, and a closure certification was submitted on February 7, 1997. This area's acreage is 19 acres minus a 6-acre permitted overfill by Cell 13, for a total acreage of 13 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 November 8, 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 Kalamazoo 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 Robert Pliska of Waste Management of Michigan, Inc., for the Westside Recycling and Disposal Facility (Type II

Landfill), dated October 31, 2023, and revised February 8, 2024. The Application consists of the following:

- a. Application Form EQP 5507.
- b. Application fee in the amount of \$12,500.00.
- c. Certification of construction by N/A, dated N/A.
- d. Waste Characterization: N/A.
- e. Restrictive Covenant:

The May 6, 2002, restrictive covenant on 504 acres is on file at the St. Joseph County Register of Deeds recorded on August 5, 2002, as Liber 1073 pages 233-236. A copy is on file with EGLE.

- f. Perpetual Care Fund Agreement (PCF), established as a standby trust account, signed by Diana Seng, Authorized Representative, on January 13, 2015, was executed by EGLE on January 30, 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 EQP5507ACE entitled, "Form A, Financial Assurance Required," and is \$26,287,495.00.

The Facility has provided financial assurance totaling \$26,287,495.00, 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, a Landfill Care Fund established under Section 11525d, 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 Bond:

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

Surety Bond	\$23,320,495.00
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Total Amount Received: \$23,320,495.00

- iii. Financial Assurance Provided Via a Perpetual Care Fund:

The Perpetual Care Fund Agreement statement showed a balance of \$2,967,000.00 in the Facility's Perpetual Care Fund as of October 30, 2023. Of this amount, EGLE has granted the request to use \$2,967,000.00 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:

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

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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) 0401 issued to Waste Management of Michigan, Inc. on March 13, 2002, are incorporated in this license by reference:
 - a. Construction Permit Application Volume I-IV including:
 - i. Environmental Assessment in Volume I.
 - ii. Construction Quality Assurance Plan in Volume I.
 - iii. Closure and Post-Closure Plans in Volume I.
 - iv. Operations Plan in Volume I.
 - v. Basis of Design Report in Volume II.
 - vi. Supplemental NSPS Collection and Control System Design Plan and Monitoring Plan in Volume II.
 - vii. Hydrogeological Report in Volume III.
 - viii. Hydrogeological Monitoring Plan in Volume IV.
 - b. Engineering Plan Sheets 1-42.
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. Construction Quality Assurance Plan Changes dated March 2016, and the Responses to CQA Plan Updates dated July 14, 2023.
 - b. Revised Stability Analysis dated October 24, 2008.
 - c. Request for Improvements to Approved Plans dated July 31, 2007.
 - d. Gas Management System Extension Report and Plan Sheets 1-5 dated January 13, 2010.
 - e. Cell 13 Construction Certification Approval dated December 18, 2003.
 - f. Cell 14 Overliner Construction Certification Approval dated February 2, 2011.
 - g. Revised Hydrogeological Monitoring Plan for the closed Type II Cells 1-4 dated October 18, 2011.
 - h. Cell 15A Construction Certification Approval dated July 24, 2013.
 - i. Cell 15B and 15C Construction Certification Approval dated February 10, 2017.
 - j. Cell 15D Construction Certification Approval dated January 12, 2021.
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 Kalamazoo District Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated November 2001 and a revised hydrogeological monitoring

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plan for the closed Type II Cells 1-4 dated October 18, 2011. The sampling analytical results shall be submitted to EGLE's MMD Kalamazoo District Office.

14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by EGLE's MMD Kalamazoo 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 Kalamazoo 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 Kalamazoo District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by EGLE's MMD Kalamazoo 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. 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>
(1) Core Butts	CMI Permanent Mold	1,000 cubic yards
(2) Core Butts and Excess Mold Sand	Metal Technologies	500 cubic yards
(3) Petroleum Contaminated Soils St. Joseph County Solid Waste Management Plan	Sources consistent with the	Varies
(4) One Inch and Larger Tire Chips	Varies	Varies
(5) 300 ST Fabric Cover and 400 R Fabric Cover used with 300 ST	Synthetic Industries	N/A
(6) Fabrisoil		N/A
(7) Engineered Wood Chips	Michiana Mulch, Inc.	2,000 yds.

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.

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- (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 Appendix 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. Additional authorizations and/or reporting obligations may be required by Part 115. If material recovery, composting, waste diversion, electronics recycling, scrap tire collection, or solid waste processing/transfer activities are also being conducted at this Facility, please contact your MMD District Office to evaluate the need for additional authorizations and/or reporting.

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 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.

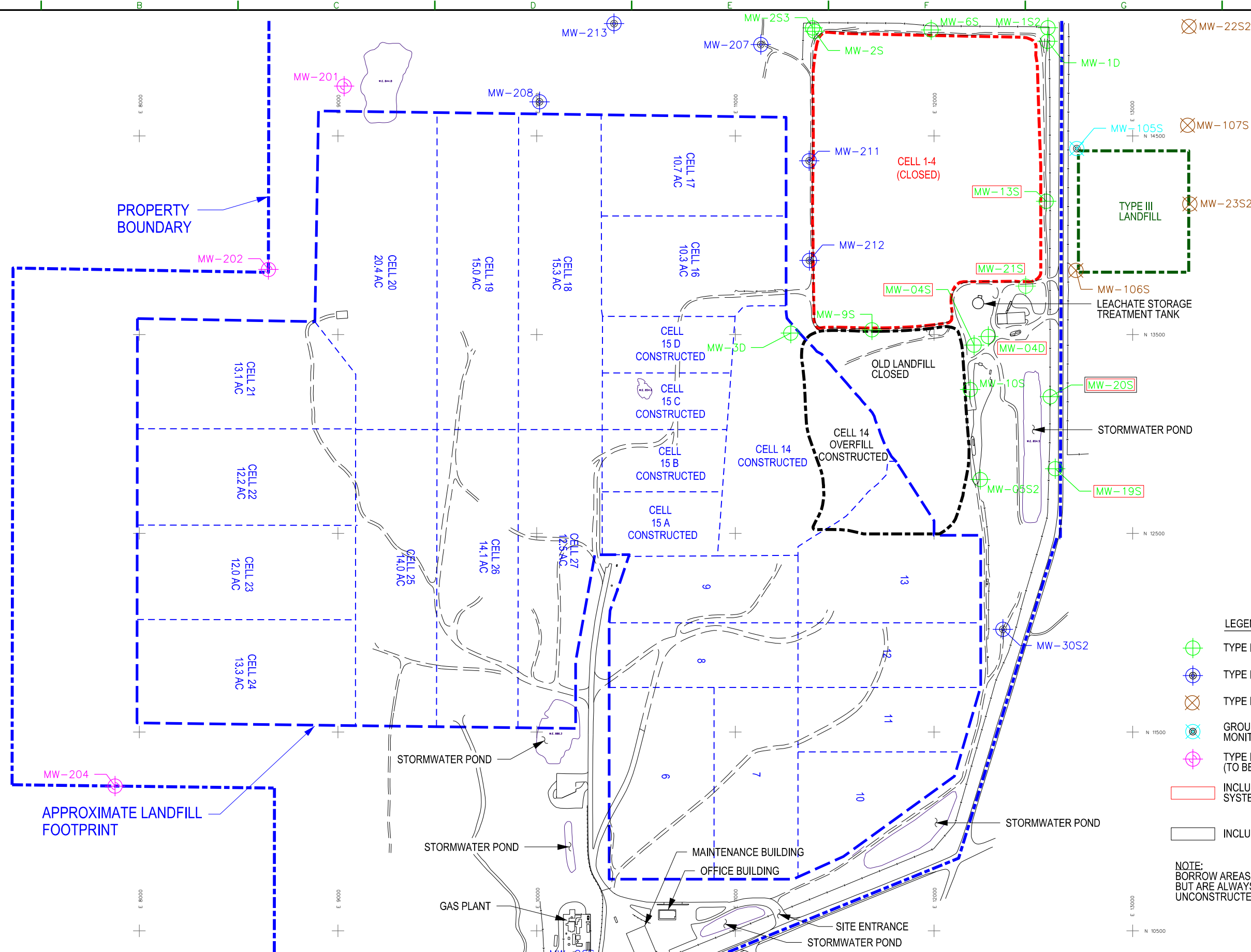
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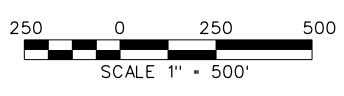
PROPERTY BOUNDARY

APPROXIMATE LANDFILL FOOTPRINT



- LEGEND:**
- TYPE II CLOSED MONITORING WELL
 - TYPE II ACTIVE MONITORING WELL
 - TYPE III MONITORING WELL
 - GROUNDWATER TREATMENT SYSTEM MONITORING WELL
 - TYPE II MONITORING WELL (TO BE PHASED IN)
 - INCLUDING GROUNDWATER TREATMENT SYSTEM MONITORING WELL
 - INCLUDING TYPE III MONITORING WELL

NOTE:
BORROW AREAS VARY IN LOCATION BUT ARE ALWAYS IN AREAS OF UNCONSTRUCTED CELLS.



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Revisions		
No.	Description	Date

Approved By: Eric Shafer
Checked By: Eric Shafer
Drawn By: Corp. CADD

Project Location:
**WESTSIDE LANDFILL
THREE RIVERS, MICHIGAN**

ATTACHMENT "A"

Drawing No.	MI30-2894-AIR-01	
Scale:	As Shown	Sheet Number:
Date:	December 2016	1