



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: Billerud Escanaba LLC Type III Landfill

LICENSEE/OPERATOR: Billerud Escanaba LLC

FACILITY OWNER: Billerud Escanaba LLC

PROPERTY OWNER: Billerud Escanaba LLC

FACILITY TYPE(S): Type III Industrial Landfill

FACILITY ID NUMBER: 395326

COUNTY: Delta

LICENSE NUMBER: 9733

ISSUE DATE: May 20, 2024

EXPIRATION DATE: May 20, 2029

FACILITY DESCRIPTION: The Billerud Escanaba LLC Type III Landfill, a Type III Industrial Landfill, consists of 132.4 acres located in the N 1/2 of Section 36 and S 1/2 of Section 25, T40N, R23W, Wells Township, Delta 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: Zahira Sanchez Genao  
Billerud Escanaba LLC  
7100 County Road 426 M.5 Road  
Escanaba, Michigan 49829  
906-233-3145

**RENEWAL OPERATING LICENSE:** This License Number 9733 supersedes and replaces Solid Waste Disposal Area Operating License Number 9549 issued to Verso Escanaba LLC on April 10, 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: Billerud Escanaba LLC  
Facility Name: Billerud Escanaba LLC Type III Landfill  
Operating License Number: 9733  
Issue Date: May 20, 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 Portions of Phases 3 and 4, and Phases 5, 6, and 7 were authorized to receive waste by the previous license. This area's total acreage is 26.4 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: None.

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 0, and Phases 8-11 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 40.8 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 Phase 2 had final closure certified on December 28, 1995. This certification was reviewed and approved by EGLE on April 2, 1996. This area's total acreage is 9.3 acres. The unit identified as Phase 1 had final closure certified on June 13, 2013. This certification was reviewed and approved by EGLE on June 17, 2013. This area's total acreage was 7.9 acres. Portions of units Phases 3 and 4 had final closure certified on December 29, 2015. This certification was reviewed and approved by EGLE on April 6, 2016. This area's total acreage is 15.8 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 February 26, 2024, 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 Marquette 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 Billerud Escanaba LLC, for the Billerud Escanaba LLC Type III Landfill, dated February 19, 2024, and revised February 27, 2024, and April 30, 2024. The Application consists of the following:

a. Application Form EQP 5507.

b. Application fee in the amount of \$5,000.00.

c. Certification of construction by N/A, dated N/A.

d. Waste Characterization: N/A.

e. Restrictive Covenant:

The Escanaba Paper Company Type III Landfill restrictive covenant on 132.4 acres is on file at the Delta County Register of Deeds recorded on January 21, 2005, as Liber 0791 pages 778-783. A copy is on file with EGLE.

f. Perpetual Care Fund Agreement (PCF), established as escrow account, signed by Timothy Nusbaum, Treasurer, on February 8, 2017, was executed by EGLE on February 16, 2017.

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 is \$2,350,308.67 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 \$2,352,308.67 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 Bond:

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

Irrevocable Letter of Credit(s) \$1,190,000.00

Total Amount Received: \$1,190,000.00

iii. Financial Assurance Provided Via a Perpetual Care Fund:

The Perpetual Care Fund Agreement statement showed a balance of \$861,508.67 in the Facility's Perpetual Care Fund as of February 29, 2024. Of this amount, EGLE has granted the request to use \$861,508.67 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: N/A.

vi. Other Required Financial Assurance:

Corrective Action: Irrevocable Letter of Credit: \$300,800.00 for the Unlined Closure Area, Unlined Leachate Area Collection System, Underflow Pond Area, Infiltration Gallery, and Former Cytec Site.

8. The following documents approved with Construction Permit Number(s) 271 issued to Mead Paper Corporation on July 31, 1992, and 4068 issued to Escanaba Paper Company on January 24, 2005, are incorporated in this license by reference:

a. Phase 3-11 Landfill Modified Closure Plan, Escanaba Paper Company, Engineering Plans, Sheets 1-5, prepared by STS Consultants, Ltd., dated August 2004, and approved by EGLE on January 24, 2005.

b. Engineering Plans and Specifications, prepared by Dell Engineering, Inc., for Mead Corporation, dated March 1992, revised July 1, 1992, and approved by EGLE on July 31, 1992.

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- c. Environmental Assessment, prepared by Dell Engineering, Inc., for Mead Corporation, dated March 1992, revised July 1, 1992, and approved by EGLE on July 31, 1992.
  - d. Hydrogeological Investigation, prepared by Dell Engineering, Inc., for Mead Corporation, dated March 1992, revised July 1, 1992, and approved by EGLE on July 31, 1992.
  - e. Monitoring Plan, prepared by Dell Engineering, Inc., for Mead Corporation, dated March 1992, revised July 1, 1992, and approved by EGLE on July 31, 1992.
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. Mead Corporation Escanaba Paper Company Phase 2 Landfill Closure; Closure Plan, QA/QC Plan, Drawings and Specifications, prepared by Bittner Engineering, Inc., for Mead Corporation, dated March 1995, and approved by EGLE on May 17, 1995.
  - b. Phase 6 Construction Certification Report and Engineering Plans, prepared by AECOM, dated September 21, 2011, and approved by EGLE on January 26, 2012.
  - c. Escanaba Paper Company 2012 Phase 1 Landfill Closure Final Cover Construction Certification Report, prepared by Golder Associates Inc., for Escanaba Paper Company, dated June 13, 2013, and approved by EGLE on June 17, 2013.
  - d. Escanaba Paper Company Landfill, Phase 3 and 4 Landfill Closure Cover Project Certification Report, prepared by Golder Associates Inc., for Escanaba Paper Company, dated December 29, 2015, revised February 4, 2016, and approved by EGLE on April 6, 2016
  - e. Landfill Operations Manual Verso Escanaba LLC, dated February 2017, and received by EGLE on February 8, 2017.
  - f. Verso Escanaba LLC Hydrogeologic Monitoring Plan, Phase 1 Landfill, Revision 2.2, prepared by Verso Escanaba LLC, dated February 2017, and approved by EGLE on February 10, 2017.
  - g. Verso Escanaba LLC Hydrogeologic Monitoring Plan, Phase 2 Landfill, Revision 5.2, prepared by Verso Escanaba LLC, dated February 2017, and approved by EGLE on February 10, 2017.
  - h. Verso Escanaba LLC Landfill Hydrogeologic Monitoring Plan, Phases 3-11, Revision 9.3, prepared by Verso Escanaba LLC, dated February 2017, and approved by EGLE on February 9, 2017.
  - i. Verso Escanaba LLC Type III Landfill Phase 7 Construction Drawings, dated September 2017, approved by EGLE on December 6, 2017, with revisions dated March 14, 2019, and approved by EGLE on March 15, 2019.
  - j. Construction Quality Assurance Plan, Verso Escanaba LLC Landfills Revision 2, prepared by Golder Associates, Inc., dated March 2019, and approved by EGLE on March 20, 2019.
  - k. Verso Escanaba LLC Landfill - Phase 7 Construction Documentation Report and Drawings, prepared by Golder Associates Inc., dated January 2019, Revised February 28, 2019, and approved by EGLE on April 10, 2019.
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.

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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 Marquette District Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated February 2017, approved by EGLE on February 9, 2017, and February 10, 2017, and listed as three separate hydrogeological plans in Section 9 of this license. The sampling analytical results shall be submitted to EGLE's MMD Marquette District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by EGLE's MMD Marquette 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 Marquette 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 Marquette District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by EGLE's MMD Marquette 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:**

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**

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If you need this information in an alternate format, contact [EGLE-Accessibility@Michigan.gov](mailto:EGLE-Accessibility@Michigan.gov) or call 800-662-9278.

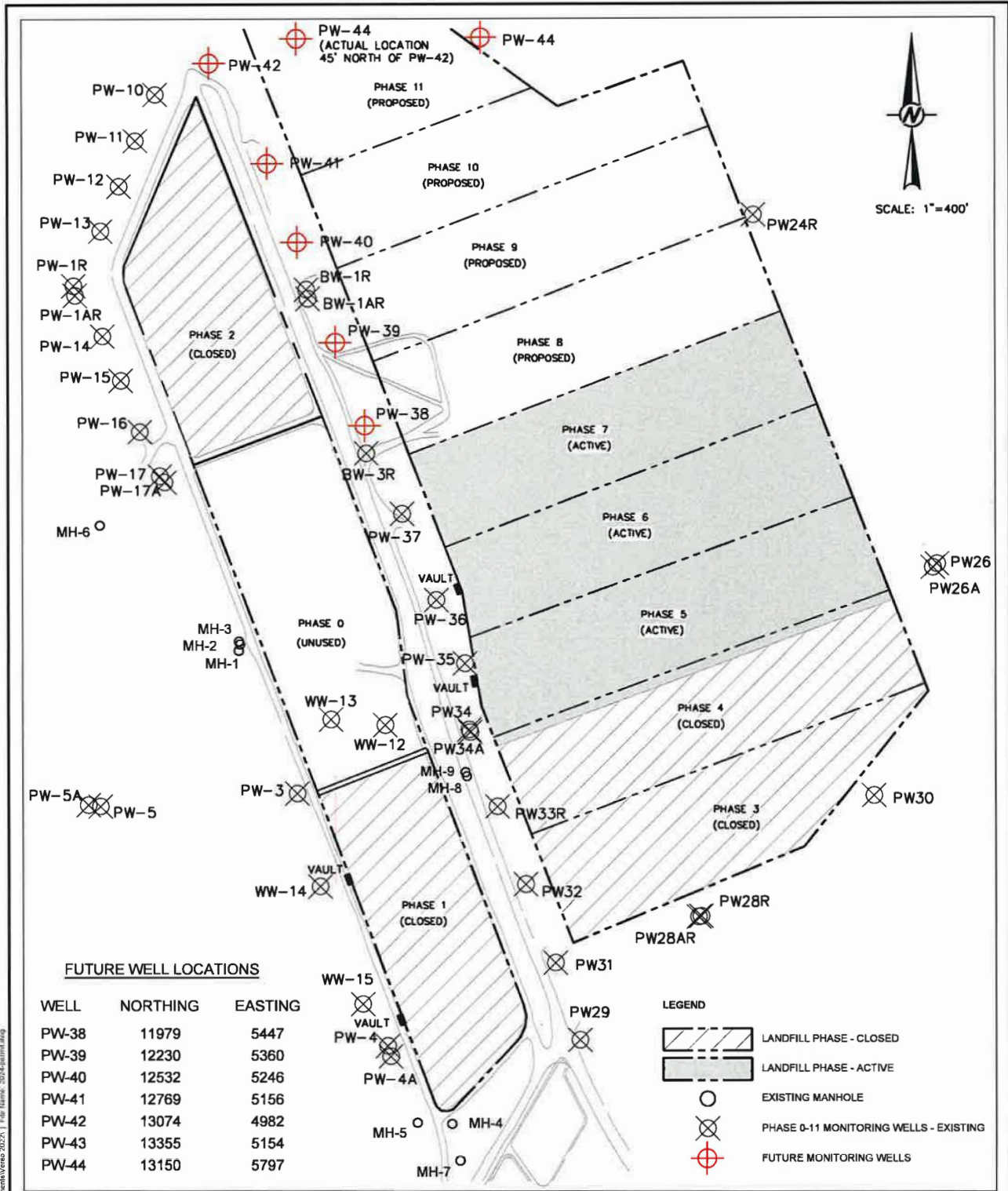
EGLE does not discriminate on the basis of race, sex, religion, age, national origin, color, marital status, disability, political beliefs, height, weight, genetic information, or sexual orientation in the administration of any of its programs or activities, and prohibits intimidation and retaliation, as required by applicable laws and regulations. Questions or concerns should be directed to the

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Nondiscrimination Compliance Coordinator at [EGLE-NondiscriminationCC@Michigan.gov](mailto:EGLE-NondiscriminationCC@Michigan.gov) or  
517 249-0906.

This form and its contents are subject to the Freedom of Information Act and may be released to the public.


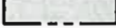



# Attachment A



**FUTURE WELL LOCATIONS**

WELL	NORTHING	EASTING
PW-38	11979	5447
PW-39	12230	5360
PW-40	12532	5246
PW-41	12769	5156
PW-42	13074	4982
PW-43	13355	5154
PW-44	13150	5797

**LEGEND**

-  LANDFILL PHASE - CLOSED
-  LANDFILL PHASE - ACTIVE
-  EXISTING MANHOLE
-  PHASE 0-11 MONITORING WELLS - EXISTING
-  FUTURE MONITORING WELLS

CLIENT  
**BILLERUD ESCANABA LLC**  
 7100 COUNTY ROAD 426, M.5 ROAD  
 ESCANABA, MICHIGAN 49829

PROJECT  
**BILLERUD ESCANABA LLC**  
 PHASE 0-11  
 LANDFILL LICENSE APPLICATION

CONSULTANT	DATE	BY
DESIGNED	2024-02-13	TJD
PREPARED		TJD
REVIEWED		Z. SANCHEZ-GENAO
APPROVED		A. BECKER

TITLE	PROJECT NO.	REV.
	gl21505747.006	



**FIGURE 1**

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1. If THIS DISCREPANCY DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM A4.