



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GRETHER
DIRECTOR

December 21, 2017

Mr. Tim Church, Landfill Manager
Brent Run Landfill, Inc.
8335 Vienna Road
Montrose, Michigan 48457

Dear Mr. Church:

SUBJECT: Application for Solid Waste Disposal Area Operating License; Brent Run Landfill, Inc.; Waste Data System Number 406671; License Number 9508

Staff of the Department of Environmental Quality (DEQ), Waste Management and Radiological Protection Division (WMRPD), has reviewed your application for a municipal solid waste landfill, known as Brent Run Landfill, Inc., located in Montrose Township, Genesee County, Michigan. This review was conducted under the provisions of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Based upon our review of your application, your operating license is hereby granted. Enclosed is your license with operating stipulations.

Should you require further information, please contact Mr. Larry Bean, Lansing District Supervisor, WMRPD, 517-416-4375; beanl@michigan.gov; or DEQ, P.O. Box 30242, Lansing, Michigan 48909-7742.

Sincerely,

Rhonda S. Oyer, Manager
Solid Waste Section
Waste Management and Radiological
Protection Division
517-284-6591

Enclosure

cc: Genesee County Health Department
Montrose Township Clerk
Mr. Larry Bean/Mr. Steve Blayer, DEQ - Lansing
Facility File



Michigan Department of Environmental Quality
Waste Management and Radiological Protection Division

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: Brent Run Landfill, Inc.

LICENSEE/OPERATOR: Brent Run Landfill, Inc.

FACILITY OWNER: Brent Run Landfill, Inc.

PROPERTY OWNER: Brent Run Landfill, Inc.

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 406671

COUNTY: Genesee

LICENSE NUMBER: 9508

ISSUE DATE: December 21, 2017

EXPIRATION DATE: December 21, 2022

FACILITY DESCRIPTION: The Brent Run Landfill, a municipal solid waste landfill, consists of 243.17 acres located in the North 1/2 of Section 23, T9N, R5E, Montrose Township, Genesee County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: Identified in Attachment A of this license.

RESPONSIBLE PARTY: Mr. Tim Church, Landfill Manager
Brent Run Landfill, Inc.
8335 Vienna Road
Montrose, Michigan 48457-9141
810-639-3077

RENEWAL OPERATING LICENSE: This License Number 9508 supersedes and replaces Solid Waste Disposal Area Operating License Number 9399 issued to Brent Run Landfill, Inc. on July 15, 2014.

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.

Rhonda S. Oyer, Manager, Solid Waste Section
Waste Management and Radiological Protection Division

Licensee: Brent Run Landfill, Inc.
Facility Name: Brent Run Landfill, Inc.
Operating License Number: 9508
Issue Date: December 21, 2017

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 Cells 1 through 11 were authorized to receive waste by the previous license. This area's total acreage is 84.03 acres.
 - b. **CONSTRUCTED AREAS CERTIFIED WITH THIS APPLICATION:** The area(s) identified as 12A was not authorized to receive solid waste by the previous license, but is authorized to receive waste by this license. This area's total acreage is 10.2 acres.
3. The following portions of the Facility **WILL BE** authorized to receive solid waste by this license following approval by the Michigan Department of Environmental Quality (MDEQ) of construction certification:

UNCONSTRUCTED AREA(S) WITH FINANCIAL ASSURANCE: The area(s) identified as Cell 12, totaling 8.3 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 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:
 - a. **UNCONSTRUCTED AREA(S) WITHOUT FINANCIAL ASSURANCE:** The area(s) identified as Cells 14 and 15 (there is no Cell 13) 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 22.2 acres.
 - b. **CLOSED UNIT(S) OR A PORTION OF A UNIT WHERE THE FINAL COVER HAS BEEN CERTIFIED CLOSED AND ACCEPTED BY THE MDEQ:** The following unit(s) and/or portion(s) are closed:

EXISTING UNIT(S): The unit(s) or portion(s) of unit(s) identified as Portions of Cells 1, 2, and 3 and portions of Cells 1 through 6A had final closure certified on April 27, 2000 and February 19, 2008. This certification was reviewed and approved by the MDEQ on June 26, 2000, and May 20, 2009. The acreage for the April 27, 2000, closure is 12.07 acres, and the February 2008 closure is 17.67 acres. This area's total acreage is 29.74 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 August 14, 2017, 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 Waste Management and Radiological Protection Division (WMRPD), Lansing District Supervisor, of any inaccuracies in the information in the Application upon discovery.

Licensee: Brent Run Landfill, Inc.
Facility Name: Brent Run Landfill, Inc.
Operating License Number: 9508
Issue Date: December 21, 2017

7. This license is issued based on the MDEQ's review of the Application, submitted by Brent Run Landfill, Inc., for the Brent Run Landfill, dated June 30, 2017, and revised August 10, 2017. The Application consists of the following:

- a. Application Form EQP 5507.
- b. Application fee in the amount of \$15,000.00.
- c. Certification of construction by N/A.
- d. Waste Characterization: N/A.
- e. Restrictive Covenant:

The declaration of restrictive covenant on 243.17 acres is on file at the Genesee County Register of Deeds recorded on June 25, 2002, as Liber Instrument Number 200206250075165 pages 1-8. A copy is on file with the MDEQ.

- f. Perpetual Care Fund Agreement, established as a standby trust account, signed by Worthing Jackman, Executive Vice President & CFO, Brent Run Landfill, Inc. on July 20, 2017, was executed by the MDEQ on July 27, 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 5507A entitled, "Form A, Financial Assurance Required," and is \$12,159,309.84.

The Facility has provided financial assurance totaling \$12,159,309.84, 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 \$2,173,000.00 in the Facility's Perpetual Care Fund as of July 26, 2017. Of this amount, the MDEQ has granted the request to use \$2,173,000.00 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	\$9,986,309.84
Total Amount Received:	\$9,986,309.84

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 one year from the date of this license, and each year thereafter.

Licensee: Brent Run Landfill, Inc.
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8. The following documents approved with Construction Permit Number(s) 4138 issued to the Brent Run Landfill, Inc., on December 20, 2013, are incorporated in this license by reference:
 - a. Engineering Report (Section F), Brent Run Landfill Southern Expansion, prepared by Golder Associates, Inc., dated May 2013, and revised August 2013.
 - b. Engineering Plans for Brent Run Landfill, Inc., Brent Run Landfill Southern Expansion, prepared by Golder Associates, Inc., dated May 1, 2013, revised August 2013, and November 2013.
 - c. Operations Plan (Section G), Brent Run Landfill Southern Expansion, prepared by Golder Associates, Inc., dated May 2013, and revised August 2013.
 - d. Closure/Post-Closure Plan (Section F.1.H), Brent Run Landfill Southern Expansion, prepared by Golder Associates, Inc., dated May 2013, and revised August 2013.
 - e. Hydrogeologic Investigation Report (Section C), Brent Run Landfill Southern Expansion, prepared by Golder Associates, Inc., dated May 2013, and revised August 2013.
 - f. Hydrogeologic Monitoring Plan (Section D), Brent Run Landfill Southern Expansion, prepared by Golder Associates, Inc., dated May 2013, and revised August 2013.
 - g. Construction Quality Assurance Plan (Section H), Brent Run Landfill Southern Expansion, prepared by Golder Associates, Inc., dated May 2013, and revised August 2013.
 - h. Environmental Assessment (Section B), Brent Run Landfill Southern Expansion, prepared by Golder Associates, Inc., dated May 2013, and revised August 2013.
 - i. Landfill Gas Monitoring Plan (Appendix G-3), Brent Run Landfill Southern Expansion, prepared by Golder Associates, Inc., dated May 2013, and revised August 2013. .
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:

Cell 12 permit upgrade submitted on April 21, 2017, by Golder Associates, Inc., on behalf of Brent Run, Inc., and was approved May 31, 2017. The upgrade combines Cells 12 and 13 into one cell, eliminates Cell 13 from sequencing, and adds a geocomposite run-out for tie-in to existing cells. The footprint of the landfill remains unaffected by these changes and there is a net loss of 700 cubic yards of airspace.
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 WMRPD, Lansing District Office Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated May 2013, and revised August 2013. The sampling analytical results shall be submitted to the MDEQ's WMRPD, Lansing District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by the WMRPD, Lansing District Supervisor. Proposed revisions must be submitted in a format specified by the MDEQ.

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15. Leachate may be recirculated if a leachate recirculation plan has been approved, in writing, by the WMRPD, Lansing 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 WMRPD, Lansing District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by the WMRPD, Lansing District Supervisor.
18. Leakage Control Criteria:
 - a. The active portion of the units (Cells 4a to 11) authorized to receive waste by this license is a monitorable unit(s), which is located over a natural soil barrier and that is in compliance with the provisions of R 299.4422(2) of the Part 115 Rules.
 - b. The active portions of the units (Cells 1 to 4a transition area) authorized to receive waste by this license is a monitorable units(s) designed with a double-liner system 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 secondary collection system is 200 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 WMRPD, 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:

Product/Waste Material

- (1) Fabrisoil, Sanicover, or equivalent;
- (2) Sanifoam or equivalent;
- (3) Concover manufactured by New Waste Concepts, Inc.;
- (4) Procover manufactured by Nicolon Corporation;
- (5) Amoco 2001 and Amoco 2006, woven polypropylene fabrics manufactured by Amoco Oil Company;
- (6) Rusfoam manufactured by Rusmar Incorporated;
- (7) Envirofoam manufactured by Environmental Systems, Ltd.;
- (8) Generic Plastic Sheeting;
- (9) Generic Geotextiles;
- (10) Generic woven mats;
- (11) Generic spray-on materials;
- (12) Alum sludge resulting from the treatment of potable water at municipally owned water treatment facilities;
- (13) Wood chips derived from untreated wood, excluding yard clippings;
- (14) Chipped or shredded tires;
- (15) Bottom ash derived from the burning of wood, coal, coke, or wastewater sludge;
- (16) Ground shingles that do not contain friable asbestos, excluding those from commercial roofing;
- (17) N-Viro soil;
- (18) Finished compost material;
- (19) Paper mill sludge;
- (20) Foundry sand;
- (21) Dredge spoils;
- (22) Ash generated from the combustion of wood and coal;
- (23) Foundry sand from the General Motors Saginaw Nodular Iron Facility;

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- (24) Petroleum contaminated soils;
- (25) Class B ADCMs that contain greater than 5 percent fines that pass the Number 200 sieve;
- (26) Auto fluff from Cozzi Iron and Metal;
- (27) Auto fluff from Metals Recycling of Johnston, Rhode Island;
- (28) Auto fluff from Prolerized New England of Everett, Massachusetts;
- (29) Auto fluff from United Iron and Metal (KM) of Baltimore, Maryland;
- (30) Auto fluff from Fritz Enterprises of Flint, Michigan;
- (31) Auto fluff from Rifkin Scrap Iron & Metal Company of Saginaw, Michigan;
- (32) Foundry sand from Grede Foundry, Vassar, Michigan;
- (33) Steel Making Iron Dust from White Pine Waste Services, Ancaster, Ontario, Canada; and
- (34) Other specific materials approved for use by the regulatory agencies.

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.
- (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.
- (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. Construction of the final cover over portions of Cells 1, 2, 3, 4, and 5A as defined in Engineering Drawing 3, dated January 23, 2007, and revised May 17, 2007, was initiated prior to the effective date of Construction Permit Number 4089, issued on July 13, 2007. The partial closure was constructed in accordance with the design specified in Engineering Drawing 11, dated April 4, 2005, of construction permit number 4072, issued on July 22, 2005. If there is ever a failure of this final cover system, the Director may require the permittee to reconstruct the final cover to include a drainage layer in accordance with the design specifications contained in Engineering Drawing 11, dated January 12, 2007, and revised, May 17, 2007.

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

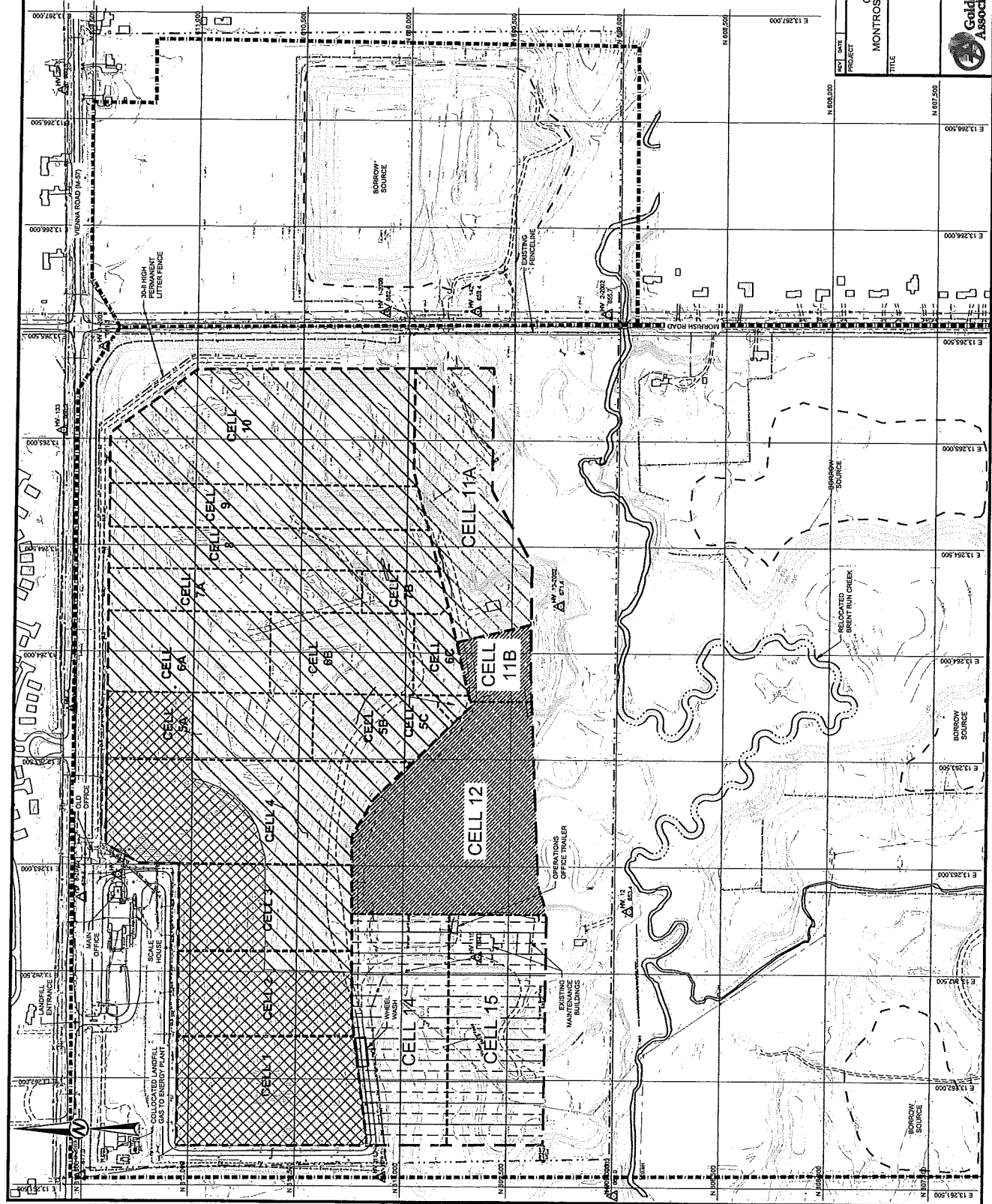
ATTACHMENT A

LEGEND

	ACTIVE TYPE II AREAS
	UNCONSTRUCTED AREAS WITH FINANCIAL ASSURANCE
	PARTIALLY CLOSED AREAS
	UNCONSTRUCTED AREAS WITHOUT FINANCIAL ASSURANCE



PROJECT	OPERATIONS PERMIT APPLICATION
TITLE	MONTROSE TOWNSHIP, GENESSEE COUNTY, MICHIGAN
PROJECT NO.	177163/0001 CD 1C
DATE	05-25-17
SCALE	AS SHOWN
FIGURE	1



PROJECT NO. 177163/0001 CD 1C DATE 05-25-17 SCALE AS SHOWN FIGURE 1