



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: City Environmental Services, Inc. of Waters

LICENSEE/OPERATOR: City Environmental Services, Inc. of Waters

FACILITY OWNER: City Environmental Services, Inc. of Waters

PROPERTY OWNER: City Environmental Services, Inc. of Waters

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 407066

COUNTY: Crawford

LICENSE NUMBER: 9708

ISSUE DATE: June 22, 2023

EXPIRATION DATE: June 22, 2028

FACILITY DESCRIPTION: The City Environmental Services, Inc. of Waters, a municipal solid waste landfill, consists of 254.21 acres located at 11375 Sherman Road, Maple Forest Township, Crawford 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: Jim Palmer, Senior District Manager
City Environmental Services, Inc. of Waters
11375 Sherman Road
Frederic, Michigan 49733
Phone Number: 989-705-8930
Email: JPalmer3@wm.com

RENEWAL OPERATING LICENSE: This License Number 9708 supersedes and replaces Solid Waste Disposal Area Operating License Number 9517 issued to City Environmental Services, Inc. of Waters on April 24, 2018.

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: City Environmental Services, Inc. of Waters
Facility Name: City Environmental Services, Inc. of Waters
Operating License Number: 9708
Issue Date: June 22, 2023

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 (FAS lines 1a + 1b): The area(s) identified as Cell A, Cell B, Cell C, Cell D, and Cell E were authorized to receive waste by the previous license. This area's total acreage is 47.88 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 (FAS line 4):** The area(s) identified as Cell F, Cell G, and Cell H 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 52.06 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) (FAS line 9):** The unit(s) identified as Cell 3 - Phase 3, Cell 2 - Phase 3, Area E, Area F; Area B1, Area D, Area C, Area B2, and Area A had final closure certified on July 17, 1992, June 18, 1999, July 7, 1990, November 11, 1998, December 17, 1996, July 9, 1990, and July 9, 1990. This certification was reviewed and approved by EGLE on the aforementioned dates. This area's total acreage is 44.9 acres.
- ii. **EXISTING UNIT(S) (FAS lines 6a + 6b + 6c + 10 + 11):** The unit(s) or portion(s) of unit(s) identified as Cell 2, Phase 4 (7 acres), and Cell 1, Phase 4 (6.75 acres) had final closure certified on August 26, 1994. This certification was reviewed and approved by EGLE on the aforementioned date. This area's total acreage is 13.75 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 March 22, 2023, with revisions on June 2, 2023, June 15, 2023, and June 21, 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 Gaylord 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 City Environmental Services, Inc. of Waters, for the City Environmental Services, Inc. of Waters, dated March 22, 2023, and revised June 2, 2023, June 15, 2023, and June 21, 2023. The Application consists of the following:

- a. Application Form EQP 5507.
- b. Application fee in the amount of \$2,500.00.
- c. Certification of construction by N/A, dated N/A.

d. Waste Characterization: N/A.

e. Restrictive Covenant:

The City Environmental Services, Inc. of Waters restrictive covenant on 254.20 acres is on file at the Crawford County Register of Deeds recorded on February 25, 2009, as Liber L-694 pages P-548 and P-772. A copy is on file with EGLE.

f. Perpetual Care Fund Agreement (PCF), established as a standby trust account, signed by Diana Seng, Legal Representative, City Environmental Services, Inc. of Waters on January 13, 2015, was executed by EGLE on January 26, 2015.

g. Landfill Care Fund Agreement (LCF), established as a landfill care fund bond with a standby trust account, signed by Diana Seng, Authorized Representative, City Environmental Services, Inc. of Waters on June 15, 2023, was executed by EGLE on June 20, 2023.

h. 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 \$19,825,451.00.

The Facility has provided financial assurance totaling \$21,055,433.00, 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	\$17,423,451.00
Surety Bond	\$ 2,458,982.00
Surety Bond	\$ 1,173,000.00

Total Amount Received: \$21,055,433.00

iii. Financial Assurance Provided Via a Perpetual Care Fund:

The Perpetual Care Fund Agreement statement showed a balance of \$2,458,982.00 in the Facility's Perpetual Care Fund as of 10/27/2022. Of this amount, EGLE has granted the request to use \$2,458,982.00 toward the total amount of financial assurance for areas required to maintain a Perpetual Care Fund.

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 Number(s) 4053 issued to City Environmental Services, Inc. of Waters on October 13, 2003, are incorporated in this license by reference:
- a. Part 115 Construction Permit Application Engineering Report, dated June 2003.
 - b. Hydrogeological Monitoring Plan (HMP), dated April 11, 2003, with revisions dated June 2003 and September 2004. Please see 9(q).
 - c. Hydrogeological Report Addendum, dated April 11, 2003.
 - d. Construction Permit Application Engineering Drawings, dated June 3, 2003.
 - e. Closure and Post-Closure Plans, dated April 2003.
 - f. Remedial Action Plan, dated May 2, 2003, with revisions dated September 1, 2010. Please see 9(q).
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. Cell D - North, Construction Certification, dated August 18, 2004.
 - b. Cell D - South, Construction Certification, dated July 19, 2006.
 - c. Cell E West, Construction Certification, dated August 24, 2007
 - d. Cell D - South Berm Repair Certification, dated June 7, 2006.
 - e. Leachate Evaporator Proposal, dated August 30, 2006.
 - f. Leachate Recirculation Plan, dated October 2012.
 - g. Off-Site Remedial Investigation, dated March 10, 2008.
 - h. Interim Gas Management Plan, dated September 2008.
 - i. Solidification Plan, dated January 2013.
 - j. Construction Quality Assurance (CQA) Plan, dated October 2012.
 - k. Work Plan for Additional Groundwater Analysis, dated July 25, 2014.
 - l. Cell East - East, Construction Certification, dated June 30, 2017.
 - m. HMP combining HMP and RAP monitoring, updated October 21, 2022.
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 Gaylord District Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated October 21, 2022. The sampling analytical results shall be submitted to EGLE's MMD Gaylord District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by EGLE's MMD Gaylord 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 Gaylord 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 Gaylord District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by EGLE's MMD Gaylord 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 Cell A, Cell B, and Cell C - 25 gallons/acre/day and Cell D and Cell E - 5 gallons/acre/day. The response flow rate for each unit containing a leak detection system is Cell A, Cell B, and Cell C 200 gallons/acre/day and Cell D and Cell E - 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>
1. Sludge	Great Lakes Tissue
2. Ash	Weyerhaeuser
3. Flakes	Weyerhaeuser
4. Fly Ash	Decorative Panels, Inc.
5. Ash	Grayling Generation
6. Contaminated Soil	Various Sources
7. Foundry Sand	EJ USA, Inc.
8. Auto Fluff	A & L Iron

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 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

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- (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.

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.

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