



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: Liberty Environmentalists Landfill

LICENSEE/OPERATOR: Liberty Environmentalists, Inc

FACILITY OWNER: Liberty Environmentalists, Inc

PROPERTY OWNER: Liberty Environmentalists, Inc., Six Brother Partnership, Inc., and Cascades Land, Inc

FACILITY TYPE(S): Type III Industrial Landfill and Type III Construction and Demolition Landfill

FACILITY ID NUMBER: 449656

COUNTY: Jackson

LICENSE NUMBER: 9657

ISSUE DATE: September 28, 2021

EXPIRATION DATE: September 28, 2026

FACILITY DESCRIPTION: The Liberty Environmentalists Landfill, a Type III Industrial Landfill and Type III Construction and Demolition Landfill, consists of 339.01 acres located in the S 1/2, Section 1, and the NE 1/4, Section 12, T4S, R1W, Liberty Township, Jackson County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: Identified in Item 2 and Attachment A of this license.

RESPONSIBLE PARTY: Mr. David Dunigan, President  
Liberty Environmentalists, Inc  
7900 South Meridian Road  
Clark Lake, Michigan 49234  
517-787-1177

**RENEWAL OPERATING LICENSE:** This License Number 9657 supersedes and replaces Solid Waste Disposal Area Operating License Number 9527 issued to Liberty Environmentalists, Inc on July 27, 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: Liberty Environmentalist, Inc.  
Facility Name: Liberty Environmentalist Landfill  
Operating License Number: 9657  
Issue Date: September 28, 2021

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 Phase IV, Cell 1 (11.1 acres) and Cell 2 (6.2 acres) were authorized to receive waste by the previous license. This area's total acreage is 17.3 acres.
  - b. **CONSTRUCTED AREAS CERTIFIED WITH THIS APPLICATION:** The area(s) identified as Phase IV Cell 4 (2.6 acres) and Cell 5 (3.1 acres) were not authorized to receive solid waste by the previous license but are authorized to receive waste by this license. This area's total acreage is 5.7 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 Phase IV, Cell 3 (13.4 acres), totaling 13.4 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. **UNCLOSED AREA(S):** The area(s) identified as Phase III, Cell 1 (5.5 acres), Cell 2 (4.5 acres), Cell 3 (6.6 acres), Cell 4 (5.8 acres), Cell 5 (5.8 acres), and Cell 6 (5.8 acres) are at final grade but have not had final cover certification approved by EGLE. This area's total acreage is 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 February 20, 1992. This certification was reviewed and approved by EGLE on February 20, 1992. This area's total acreage is 5.7 acres.
    - ii. **EXISTING UNIT(S):** The unit(s) or portion(s) of unit(s) identified as Phase II, Cell 1 (3.92 acres), Cell 2 (5.2 acres) and Cell 3 (2.64 acres) had final closure certified on August 10, 1998, December 29, 1998, November 13, 2002, and April 7, 2003, respectively. This certification was reviewed and approved by EGLE on October 9, 1998, July 30, 1999, and September 4, 2003, respectively. This area's total acreage is 11.76 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 September 2, 2020, 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 Jackson District Supervisor, of any inaccuracies in the information in the Application upon discovery.

Licensee: Liberty Environmentalist, Inc.  
Facility Name: Liberty Environmentalist Landfill  
Operating License Number: 9657  
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7. This license is issued based on EGLE's review of the Application, submitted by Stacy Metz, for the Liberty Environmentalists Landfill, dated September 2, 2020, and revised September 15, 2021. 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 TRC Environmental Corporation, dated September 2020.
- d. Waste Characterization: N/A.
- e. Restrictive Covenant:

The March 12, 2001, restrictive covenant on 161.94 acres is on file at the Jackson County Register of Deeds recorded on October 17, 2001, as Liber 1672 pages 493. A copy is on file with EGLE.

- f. Perpetual Care Fund Agreement, established as a trust account, signed by Mr. David Dunigan, President, Liberty Environmentalists, Inc., on May 1, 2011, was executed by EGLE on June 6, 2011.
- 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 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 \$4,124,318.32 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 a Perpetual Care Fund:

The Perpetual Care Fund Agreement statement showed a balance of \$2,951,758.32 in the Facility's Perpetual Care Fund as of June 30, 2021.

iii. 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	\$1,172,560.00
Total Amount Received:	\$1,172,560.00

- 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 Financial Assurance totaling \$86,000.00

Licensee: Liberty Environmentalist, Inc.  
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8. The following documents approved with Construction Permit Number(s) 4109 and 4136 issued to the Liberty Environmentalists, Inc., on February 5, 2010, and October 28, 2013, are incorporated in this license by reference:
  - a. Engineering plans titled, "Liberty Environmentalists Landfill Phase III Vertical and Horizontal Expansion," dated September 2009, and revised January 2010.
  - b. Engineering report titled, "Engineering Plans and Design Report Phase III Expansion, Type III Solid Waste Landfill, Liberty Environmentalists Landfill," dated September 2009, and revised January 2010.
  - c. Liberty Environmentalists, Inc., Operations Manual for a Proposed Type III Solid Waste Disposal Facility, Jackson County, Michigan, Phase III, dated November 1997, and revised September 2008, September 2009, and January 2010.
  - d. Construction Quality Assurance Plan for Liberty Environmentalists, Inc., 7900 South Meridian, Clark Lake, Michigan 49234, dated April 1997, and revised December 2008, and September 2009.
  - e. Environmental Assessment titled, "Liberty Environmentalists, Inc. Environmental Assessment for Phase III Liberty Environmentalists Landfill," dated November 5, 1997, and Environmental Assessment Addendum A, Phase III Expansion, Type III Solid Waste Landfill, Liberty Environmentalists Landfill, dated September 2009, and revised January 2010.
  - f. Hydrogeological report titled, "Liberty Environmentalists, Inc. Hydrogeologic Investigation for Liberty Environmentalists Landfill," dated March 30, 1998, and revised April 7, 1998, and January 19, 2010.
  - g. Hydrogeological monitoring plan titled, "Liberty Environmentalists, Inc. Hydrogeologic Monitoring Plan for Phase III Liberty Environmentalists Landfill," dated March 30, 1998, and revised April 7, 1998, December 11, 2001, March 29, 2002, July 2005, September 2009, January 2010, May 10, 2011, and Addendum A, dated September 2009.
  - h. Engineering plans titled, "Liberty Environmentalists Landfill Phase IV - Type III Construction Permit Application," prepared by TRC Environmental Corporation dated March 2013, and revised June 2013.
  - i. Engineering Report titled, "Engineering Plans and Design Report Phase IV - Type III Permit Application," prepared by TRC Environmental Corporation dated March 2013, revised June 2013, and October 2013.
  - j. Operations Manual titled, "Operations Manual Phase IV - Type III Permit Application," prepared by TRC Environmental Corporation dated March 2013, revised June 2013, and October 2013.
  - k. Construction Quality Assurance Plan titled, "Construction Quality Assurance (CQA) Plan Phase IV - Type III Permit Application," prepared by TRC Environmental Corporation dated March 2013, and revised October 2013.
  - l. Environmental Assessment titled, "Environmental Assessment Phase IV - Type III Permit Application," prepared by TRC Environmental Corporation dated March 2013, and revised June 2013, and October 2013.
  - m. Hydrogeologic Report titled, "Phase IV - Type III Permit Application," prepared by TRC Environmental Corporation dated March 2013.
  - n. Hydrogeologic Monitoring Plan titled, "Phase I, II, and IV Hydrogeologic Monitoring Plan Type III Solid Waste Landfill," prepared by TRC Environmental Corporation dated March 2013, and revised October 2013.
  - o. Remedial Action Plan titled, "Remedial Action Plan for On-Site Groundwater dated June 2009, prepared by RMT, Inc. with revised monitoring locations in - Addendum A," of the construction permit, prepared by TRC Environmental Corporation dated March 26, 2013.

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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. Phase IV, Cell 2 Certification prepared by TRC Environmental Corporation for Liberty Environmentalists, Inc. dated July 15, 2015, and approved February 17, 2016.
  - b. Phase IV, Cell 1 Certification prepared by TRC Environmental Corporation for Liberty Environmentalists, Inc., dated June 2018 and approved July 27, 2018.
  - c. Letter titled Landfill Acreage Clarification, prepared by TRC, dated November 16, 2020.
10. Consent Order/Judgment Number: OWMRP Consent Order Number FTO-115-03-08 entered on January 26, 2009, and OWMRP Consent Order Number 115-02-13 entered on January 22, 2013, and MMD Consent Order Number 115-03-2021 entered on August 24, 2021, are incorporated into this license by reference.
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 Jackson District Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated March 2013, and revised October 2013, for Phase I, II, and IV; and for Phase III, dated March 30, 1998, and revised April 7, 1998, December 11, 2001, March 29, 2002, July 2005, September 2009, January 2010, May 10, 2011, and Addendum A, dated September 2009. The sampling analytical results shall be submitted to EGLE's MMD Jackson District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by EGLE's MMD Jackson 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 Jackson 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 Jackson District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by EGLE's MMD Jackson 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.

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**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. Wood Chips	Construction and demolition sites	~1,000 cy.
2. Auto Shredder Fluff	Omni Source	~8,333 cy.
3. Hydrated Bed Ash	Oxbow Carbon and Minerals	

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 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.

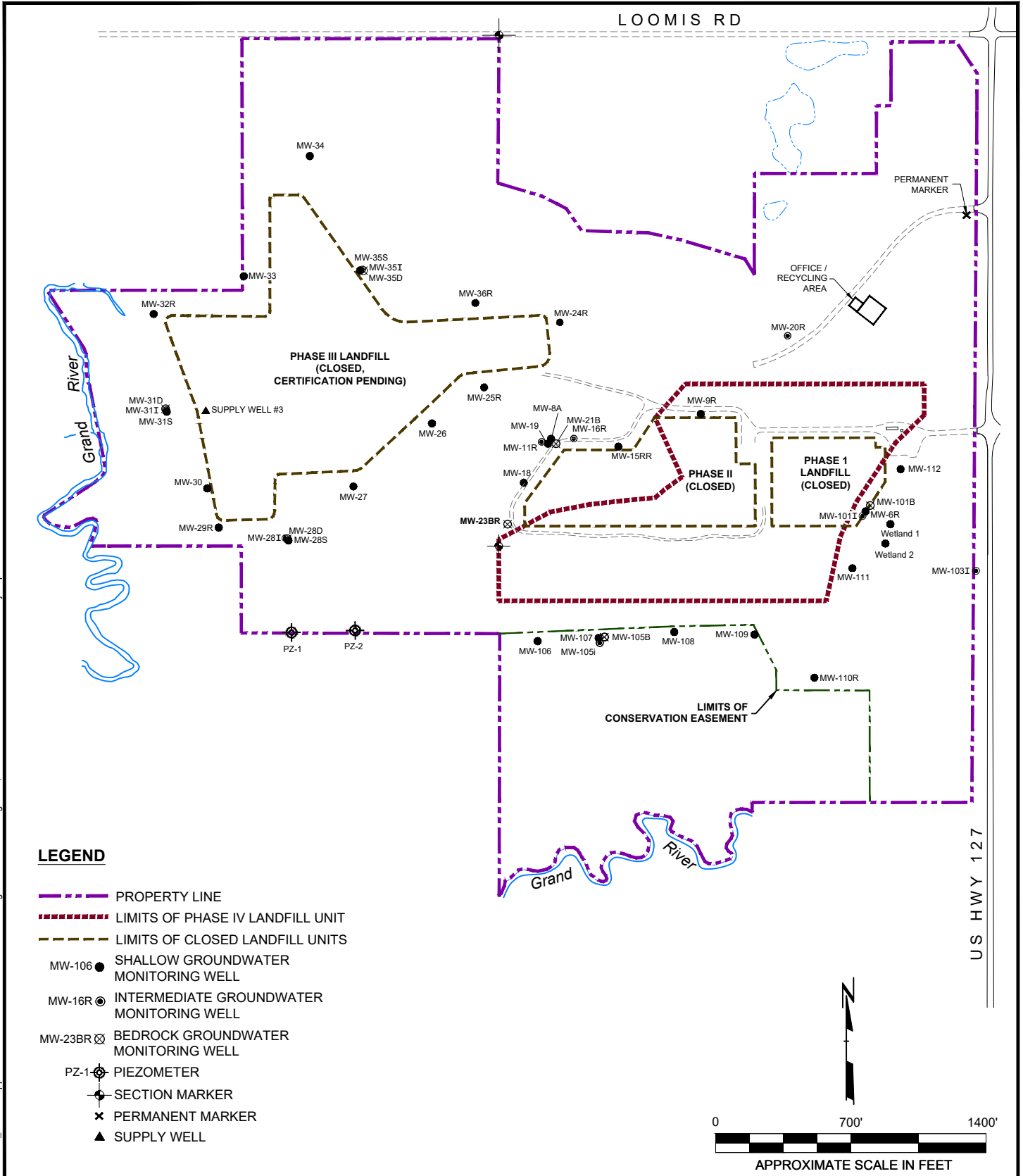
- b. The document titled "Remedial Action Plan for On-Site Groundwater, Type III Solid Waste Landfill, Liberty Environmentalists Landfill," dated February 2009, and revised June 2009, is incorporated in this license by reference.
- c. Based on Consent Order Number OWMRP 115-02-13 entered on January 22, 2013, Liberty Environmentalists Landfill is prohibited from accepting wastewater treatment sludge for disposal.
- d. Consent Order 115-03-2021 was executed to address violations discovered in the 2020 operating license application and construction certification package.

Licensee: Liberty Environmentalist, Inc.  
Facility Name: Liberty Environmentalist Landfill  
Operating License Number: 9657  
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20. **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.

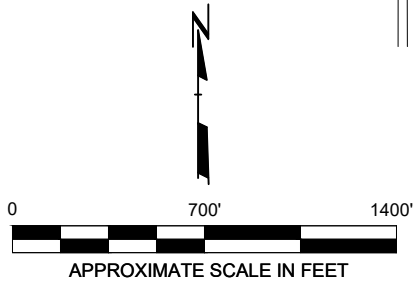
**END OF LICENSE**

8.5.11 - USER: D3986 - ATTACHED XREFS - ATTACHED IMAGES  
 DRAWING NAME: J:\TRC\liberty LF\352909\00001\_Cell 4&5 Application\352909.0000.ATT A 1of2 LA4-5.dwg --- PLOT DATE: August 24, 2020 - 11:06AM --- LAYOUT: ATT A Facility Map  
 Version: 2017-10-21



**LEGEND**

- PROPERTY LINE
- LIMITS OF PHASE IV LANDFILL UNIT
- LIMITS OF CLOSED LANDFILL UNITS
- MW-106 ● SHALLOW GROUNDWATER MONITORING WELL
- MW-16R ⊙ INTERMEDIATE GROUNDWATER MONITORING WELL
- MW-23BR ⊗ BEDROCK GROUNDWATER MONITORING WELL
- PZ-1 ⊕ PIEZOMETER
- SECTION MARKER
- ✕ PERMANENT MARKER
- ▲ SUPPLY WELL



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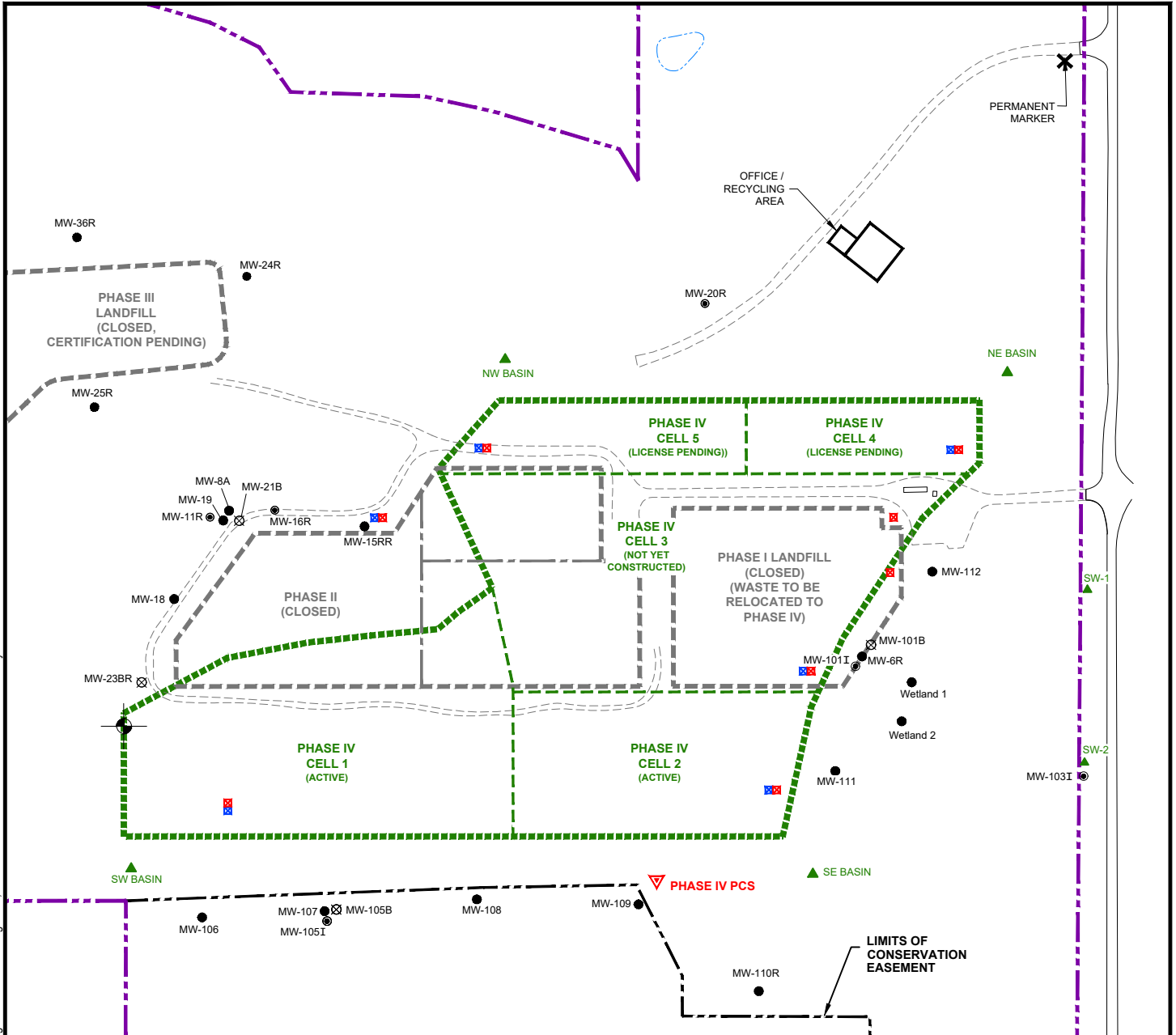
PROJECT: **LIBERTY ENVIRONMENTALIST LANDFILL  
 PHASE IV - DISPOSAL AREA  
 JACKSON COUNTY, MICHIGAN**

TITLE: **FACILITY MAP**

DRAWN BY:	D.STEHLE
CHECKED BY:	K.LOWERY
APPROVED BY:	S.METZ
DATE:	AUGUST 2020
PROJ. NO.:	352909.0000
FILE:	352909.0000.ATT A 1of2 LA4-5.dwg
<b>ATTACHMENT A (PAGE 1 of 2)</b>	

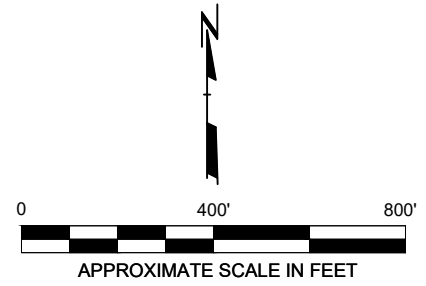


8.5x11 - USER DSWHM - ATTACHED XREFS - ATTACHED IMAGES  
 DRAWING NAME: J:\TRC\liberty LF\352909\00001\_Cell 4&5 Application\352909.0000.ATT A 2of2 LA4-5.dwg --- PLOT DATE: August 24, 2020 - 11:01AM --- LAYOUT: ATT A Phase IV Layout



**LEGEND**

- - - - - PROPERTY LINE
- - - - - LIMITS OF PHASE IV LANDFILL UNIT
- - - - - PHASE IV LANDFILL CELL BOUNDARY
- - - - - LIMITS OF CLOSED LANDFILL UNITS
- - - - - CLOSED LANDFILL CELL BOUNDARY
- MW-5 ● SHALLOW GROUNDWATER MONITORING WELL
- MW-7 ⊙ INTERMEDIATE GROUNDWATER MONITORING WELL
- MW-22B ⊗ BEDROCK GROUNDWATER MONITORING WELL
- ⊙ SECTION MARKER
- ✕ PERMANENT MARKER
- ▽ PROPOSED PCS SAMPLE LOCATION
- ⊠ PCS SUMP / MANHOLE LOCATION
- ⊠ SCS SUMP LOCATION
- ▲ SURFACE WATER SAMPLING LOCATION



**TRC**  
 1540 Eisenhower Place  
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PROJECT: **LIBERTY ENVIRONMENTALIST LANDFILL  
 PHASE IV - DISPOSAL AREA  
 JACKSON COUNTY, MICHIGAN**

TITLE: **PHASE IV LAYOUT**

DRAWN BY: D.STEHLE  
 CHECKED BY: K.LOWERY  
 APPROVED BY: S.METZ  
 DATE: AUGUST 2020  
 PROJ. NO.: 352909.0000  
 FILE: 352909.0000.ATT A 2of2 LA4-5.dwg  
**ATTACHMENT A (PAGE 2 of 2)**