



Michigan Department of Environmental Quality
Waste and Hazardous Materials 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: Tri-City 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: 417640

COUNTY: Sanilac

LICENSE NUMBER: 9242

ISSUE DATE: December 9, 2009

EXPIRATION DATE: December 9, 2014

FACILITY DESCRIPTION: The Tri-City Recycling and Disposal Facility, a municipal solid waste landfill, consists of 195.4 acres located in the N 1/2 of the NW 1/4, of Section 32, Bridgehampton Township, Sanilac County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: Cells 1 through 10, 11A, 11B, 11C, and a portion of Cell 14, totaling 42.02 acres.

RESPONSIBLE PARTY: Mr. John Gall, District Manager
Waste Management of Michigan, Inc.
426 North Ruth Road
Carsonville, Michigan 48419
910-621-9080

RENEWAL OPERATING LICENSE: This License Number 9242 supersedes and replaces Solid Waste Disposal Area Operating License Number 9040 issued to Waste Management of Michigan, Inc. on August 19, 2004.

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.

Steven R. Sliver, Chief, Storage Tank and Solid Waste Section
Waste and Hazardous Materials Division

Licensee: Waste Management of Michigan, Inc.
Facility Name: Tri-City Recycling and Disposal Facility
Operating License Number: 9242
Issue Date: December 9, 2009

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 Cells 1 through 10, 11A, 11B, 11C, and a portion of Cell 14 were authorized to receive waste by the previous license. This area's total acreage is 42.02 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: None.
4. The following portions of the Facility are **NOT** authorized to receive solid waste by this license:

UNCONSTRUCTED AREA(S) WITHOUT FINANCIAL ASSURANCE: The area(s) identified as Cells 12, 13, a portion of Cell 14, and Cells 15 through 20 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 81.98 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 17, 2009, 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 and Hazardous Materials Division (WHMD), Saginaw Bay District Supervisor, of any inaccuracies in the information in the Application upon discovery.
7. This license is issued based on the MDEQ's review of the Application, submitted by Ms. Lori Winters, for the Tri-City Recycling and Disposal Facility, dated August 14, 2009, revised September 9, 2009. The Application consists of the following:

- a. Application Form EQP 5507.
- b. Application fee in the amount of \$1,000.00.
- c. Certification of construction by NA.
- d. Waste Characterization: N/A.
- e. Restrictive Covenant:

The October 25, 2000 restrictive covenant on 124 acres is on file at the Sanilac County Register of Deeds recorded on October 2, 2003, as Liber 593 pages 510 through 513. A copy is on file with the MDEQ.

- f. Perpetual Care Fund Agreement, established as a trust account, signed by Ms. Susan C. Nustra, Assistant Treasurer, Waste Management of Michigan, Inc. on January 29, 1997, was executed by the MDEQ on February 20, 1997.

- 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 \$6,252,302.00.

The Facility has provided financial assurance totaling \$6,252,302.00, 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, 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 and iii, respectively.

ii. Financial Assurance Provided Via a Perpetual Care Fund:

- (1) The amount of the required financial assurance can be reduced pursuant to Section 11524 of Part 115, if the amount of money in the Perpetual Care Fund plus the amount of the reduced financial assurance equals the amount of financial assurance required in Section 11523 of Part 115 and is approved by the MDEQ.
- (2) The Perpetual Care Fund Agreement statement showed a balance of \$1,424,971.00 in the Facility's Perpetual Care Fund as of June 30, 2009. Of this amount, the MDEQ has granted the request to use \$1,424,971.00 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 | \$4,827,331.00 |
| Total Amount Received: | \$4,827,331.00 |

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 on December 9, 2009, and each year thereafter.

8. The following documents approved with Construction Permit Number(s) 0412 issued to Michigan Waste Systems, Inc., (Cells 1-10) on June 6, 1989, and Number 0298 issued to Waste Management of Michigan, Inc., (Cells 11-20) on November 22, 1993, are incorporated in this license by reference:
- a. "Hydrogeological Investigation for the Proposed Expansion of the Tri-City Landfill," prepared by Dell Engineering, Inc., dated 1988.
 - b. "Environmental Plans and Specifications for the Proposed Type II Landfill Expansion at the Tri-City Landfill," prepared by Dell Engineering, Inc., dated 1988.
 - c. "Environmental Assessment for the Proposed Type II Landfill Expansion at the Tri-City Landfill," prepared by Dell Engineering, Inc., dated 1988.
 - d. "Environmental Assessment Report," prepared by Golder Associates, Inc., dated July 1993.
 - e. "Volume I and II, Hydrogeological Study Report," prepared by Golder Associates, Inc., dated July 1993.

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- f. "Environmental Monitoring Plan," prepared by Golder Associates, Inc., dated July 1993.
 - g. Topographic maps, prepared by Rust Environment and Infrastructure, Inc., dated July 1993.
 - h. "Engineering Report for Tri-City Recycling and Disposal Facility, Lateral Expansion Construction Permit Application," prepared by Rust Environment and Infrastructure, Inc., dated July 1993, revised November 2, 1993.
 - i. "Lateral Expansion Plans for Tri-City Recycling and Disposal Facility," prepared by Rust Environment and Infrastructure, Inc., dated July 1993, revised November 1, 1993.
 - j. "Attachment D, Quality Assurance/Quality Control Plan for Geomembrane, Geotextiles, and Geonets," prepared by QAM Liner Systems, dated April 21, 1993.
 - k. Documentation of consistency with the Sanilac County Solid Waste Management Plan, prepared by the Sanilac County Board of Commissioners, dated July 13, 1993.
 - l. "Tri-City RDF Expansion – Proposed Monitoring System," prepared by Waste Management, Inc., and dated November 4, 1993.
 - m. Revised engineering plan drawing 7A titled "Expansion Liner Grade and Leachate Collection Plan," prepared by Rust Environment and Infrastructure, Inc., dated November 18, 1993.
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. "Additional Environmental Activities, Tri-City Recycling and Disposal Facility," prepared by Golder Associates, Inc., dated December 22, 1993.
 - b. "Vertical Gradient Information, Tri-City Recycling and Disposal Facility," prepared by Golder Associates, Inc., dated February 25, 1994.
 - c. "Additional Site Characterization Activities Pertinent to Expansion Cell 11, Tri-City RDF South Expansion," prepared by Golder Associates, Inc., dated May 26, 1994.
 - d. "Hydrogeological Monitoring Plan," prepared by Waste Management, Inc., Mideast Group, dated September 1994, revised April 1995, April 1997, May 1998, August 19, 1998, May 18, 2000, January 28, 2005, and February 10, 2009.
 - e. "Construction Certification of Cell 11A," prepared by Golder Construction Services, Inc., dated December 28, 1994.
 - f. "Leachate Recirculation Management Plan," prepared by Waste Management of Michigan, Inc., and dated March 20, 1995.
 - g. "Cell 11B Construction Drawings," prepared by Rust Environment and Infrastructure, Inc., including Mr. Robert N. Ratz, P.E.'s, May 4, 1998, letter to Mr. Edwin Haapala and the attached Settlement Analysis.
 - h. Construction Certification for Cell 11B, prepared by Rust Environment and Infrastructure of Michigan, Inc., dated September 16, 1998.
 - i. "Tri-City Recycling and Disposal Facility Certification Report for Cell 11A Liner Repair," prepared by Earth Tech, dated May 1999.
 - j. Construction Certification for Cell 11C, prepared by Earth Tech, dated August 18, 2000.
 - k. "Tri-City Recycling and Disposal Facility Phase I Landfill Gas System Installation," prepared by Earth Tech, dated October 2000.

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- i. "Tri-City Recycling and Disposal Facility Cell 11 Leachate Recirculation Plan," prepared by Earth Tech, dated June 2000, revised February 5, 2001.
 - m. "Tri-City Recycling and Disposal Facility, Leachate Load-Out Areas For Tanks No. 1 and No. 2," prepared by Earth Tech, dated April 21, 2003.
 - n. "Tri-City Recycling and Disposal Facility, Cell 14 Permit Modification and Construction Drawings," prepared by STS Consultants, LTD., dated July 7, 2004, amended July 30, 2004.
 - o. Liquid Industrial Waste Solidification Plan, prepared by Waste Management of Michigan Inc., dated November 22, 2004, approved December 17, 2004.
 - p. Construction Certification for Cell 14 East, prepared by STS Consultants, Ltd., dated January 2005, approved February 3, 2005.
 - q. Leachate Recirculation Plan, prepared by STS Consultants, Ltd., dated January 2006, approved February 6, 2006.
 - r. Leachate Storage Tank Plans for proposed 74,000 gallon above ground storage tank, prepared by STS Consultants, Ltd., dated October 2006, approved March 7, 2007.
 - s. Construction Certification for Cell 14 West, prepared by Weaver Boos Consultants, dated July 24, 2007, approved August 15, 2007.
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 WHMD, Saginaw Bay District Supervisor, for review and approval.
13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated September 1994, revised April 1995, April 1997, May 1998, August 19, 1998, May 18, 2000, January 28, 2005 and February 10, 2009. The sampling analytical results shall be submitted to the MDEQ's WHMD, Saginaw Bay District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by the WHMD, Saginaw Bay District Supervisor. Proposed revisions must be submitted in a format specified by the MDEQ.
15. Leachate may be recirculated if a leachate recirculation plan has been approved, in writing, by the Waste and Hazardous Materials Division, Saginaw Bay 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 WHMD, Saginaw Bay District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by the Waste and Hazardous Materials Division, Saginaw Bay District Supervisor.
18. Leakage Control Criteria:
- a. The active portions of the unit(s) (Cells 1-11) 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.

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- b. The active portions of the unit(s) (Cell 14) authorized to receive waste by this license is a monitorable unit(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 for each unit containing a secondary collection system is 25 gallons/acre/day.

19. **VARIANCES:** 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 WHMD, 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) | Fabrisoil | | Per Manufactures specifications |
| (2) | Sanifoam | | Per manufactures specifications |
| (3) | Concover | | Per manufactures specifications |
| (4) | Paper mill sludge | E.B. Eddy Paper, Inc. Blue Water Fiber Limited Partnership | As needed |
| (5) | Untreated wood chips | | As needed |
| (6) | Tire chips | | As needed |
| (7) | Ground/shredded shingles | | As needed |
| (8) | Petroleum contaminated soils | | As needed |
| (9) | Wastewater lagoon sludge | Dean Specialty Foods Group | As needed |
| (10) | Bottom Coal Ash | Michigan Sugar Company | As needed |

- 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 written authorization on-site, from the generator of the material, to use the material as daily cover.
- (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 alternate cover is not being used in accordance with the listed conditions, that the alternate cover is not providing the necessary protection, or that the process producing the waste has changed.
- (6) If the material does not meet the guidelines from Attachment 2 of the WHMD's Operational Memo 115-10, Revision 1, 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

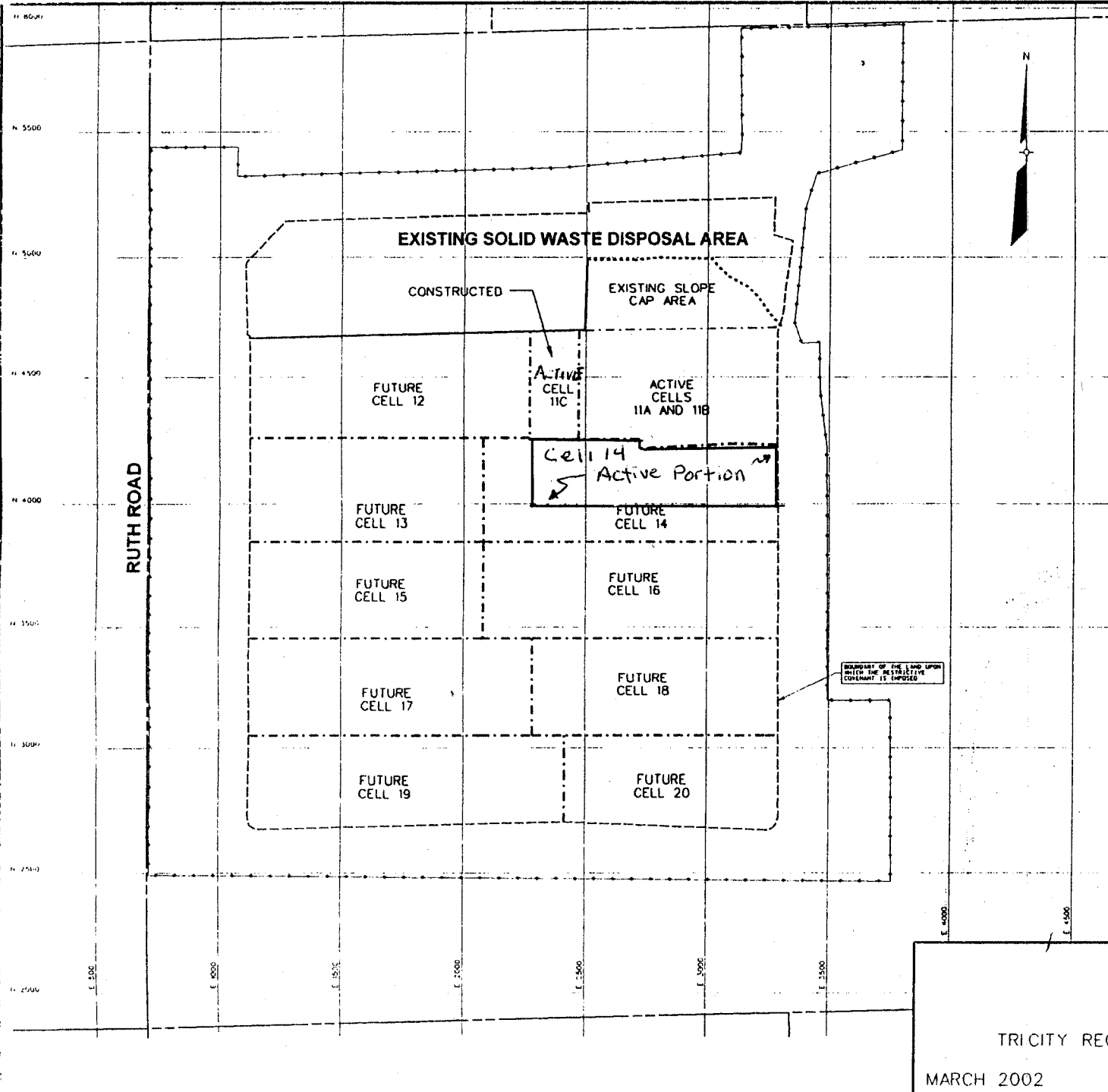
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(c) Apply an approved foam or other appropriate commercial dust control product.

(7) This approval to use alternate cover shall expire upon the 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



- LEGEND**
- PROPERTY LINE
 - - - - - LIMIT OF SOLID WASTE
 - · - · - CELL BOUNDARY
 - LATERAL EXPANSION TIE-IN
 - CONSTRUCTION PERMIT BOUNDARY
 - EXISTING TOPOGRAPHY
 - EXISTING SPOT ELEVATION

**TRI-CITY RECYCLING AND DISPOSAL FACILITY
BOUNDARY OF THE LAND UPON WHICH
RESTRICTIVE COVENANT IS IMPOSED**

(LEGAL DESCRIPTION PREPARED BY ROBERT J. AND LINDA M. ASSOCIATES, INC., LIVONIA, MICHIGAN)

A parcel of land being a part of Section 32, Township 12 North, Range 15 East, in Jackson County, Michigan, and more particularly described as follows: a portion of the Northwest corner of said Section 32 and pieces 1091 thence South 00° 00' 00" East 100.00 feet to the West line of Section 32; 889.98 feet thence North 09° 59' 57" East 394.99 feet to the Point of Beginning of the parcel herein described; thence North 44° 00' 00" East 100.00 feet; thence North 86° 12' 00" East 100.00 feet; thence North 82° 57' 46" East 100.00 feet; thence North 01° 41' 50" West 100.00 feet; thence North 88° 21' 15" East 100.00 feet; thence South 01° 55' 57" West 100.00 feet; thence South 71° 52' 48" East 100.00 feet; thence South 07° 15' 55" West 100.00 feet; thence South 09° 00' 51" West 100.00 feet; thence South 08° 15' 53" West 100.00 feet; thence South 08° 35' 31" West 100.00 feet; thence South 08° 14' 00" West 100.00 feet; thence South 10° 00' 45" West 100.00 feet; thence South 00° 12' 52" West 100.00 feet; thence South 00° 29' 11" East 100.00 feet; thence South 00° 11' 50" East 100.00 feet; thence North 87° 42' 50" West 100.00 feet; thence South 88° 34' 50" West 100.00 feet; thence North 00° 10' 00" East 100.00 feet; thence North 01° 16' 00" West 100.00 feet; thence North 54° 25' 48" West 100.00 feet; thence North 01° 25' 51" West 100.00 feet to the Point of Beginning, containing 13.017 acres of land, more or less.



SCALE: 1" = 600'

ATTACHMENT 'A'

TRICITY RECYCLING AND DISPOSAL FACILITY

MARCH 2002

54772.01