



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: 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: 9718

ISSUE DATE: December 8, 2023

EXPIRATION DATE: December 8, 2028

FACILITY DESCRIPTION: The Brent Run Landfill, Inc., 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: See Attachment A, and items 2 and 3 of this license.

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

**RENEWAL OPERATING LICENSE:** This License Number 9718 supersedes and replaces Solid Waste Disposal Area Operating License Number 9508 issued to Brent Run Landfill, Inc. on December 21, 2017.

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

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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 Unclosed portions of Cells 2 through 5A, and then Cell 5B, Cell 5C, and Cells 6 through 12, were authorized to receive waste by the previous license. This area's total acreage is 95.1 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 Portions of Cell 14/15 area (will be renamed Cell 13), totaling 6.5 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(3) 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. **UNCONSTRUCTED AREA(S) WITHOUT FINANCIAL ASSURANCE:** The area(s) identified as Remainder of Cells 14 and 15 (to be renamed Cells 14 through 17) and the Cell 11/12 unconstructed berm areas 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 23.13 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 Cell 1 and portions of Cells 2, 3, 4, and 5A had final closure certified on April 27, 2000, and February 19, 2008. This certification was reviewed and approved by EGLE on June 26, 2000, and May 20, 2009, respectively. 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 EGLE on December 14, 2022, 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 Lansing District Supervisor, of any inaccuracies in the information in the Application upon discovery.

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7. This license is issued based on EGLE's review of the Application, submitted by Brent Run Landfill, Inc., for the Brent Run Landfill, dated December 14, 2022, and revised January 20, 2023, and October 24, 2023 and November 30, 2023. The Application consists of the following:

- a. Application Form EQP 5507.
- b. Application fee in the amount of \$10,000.00.
- c. Certification of construction by N/A, dated 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 through 8. A copy is on file with EGLE.

- f. Perpetual Care Fund Agreement (PCF), established as a standby trust account, signed by Eva Mazzaferro, Vice President, Treasury and Shared Services, Brent Run Landfill, Inc. on January 1, 2023, was executed by EGLE on January 31, 2023.
- g. 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 \$22,560,161.04

The Facility has provided financial assurance totaling \$25,309,186.93, 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	\$22,431,948.54
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Total Amount Received: \$22,431,948.54

- iii. Financial Assurance Provided Via a Perpetual Care Fund:

The Perpetual Care Fund Agreement statement showed a balance of \$2,877,238.39 in the Facility's Perpetual Care Fund as of November 7, 2023. Of this amount, EGLE has granted the request to use \$2,877,238.39 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:

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

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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) 4138 issued to 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, revised August 2013, and November 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:
- a. Brent Run Landfill, Cell 11A Interim Design and Slope Stability, prepared by Golder Associates Inc., dated May 17, 2016, revised July 5, 2016, and approved July 26, 2016. This document includes berm design information and the approved Stability Inspection and Monitoring Action Plan for long-term berm stability monitoring.
  - b. 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 includes two cells combined, 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.
  - c. Cell 12A Berm Stability, Construction, and Remedial Design document, prepared by Golder Associates Inc., dated November 17, 2017, and approved January 8, 2018. This document includes updates to future perimeter berm designs and Construction Quality Assurance (CQA) Plan updates for all future berm construction for moisture contents used for compaction using on-site soils.
  - d. Alternate Daily Cover Material Operations Plan, submitted by WSP on behalf of the Brent Run Landfill, Inc., dated July 7, 2023, and approved on July 17, 2023.
  - e. Updated Gas Collection and Control System Plan, submitted by Tetra Tech on behalf of the Brent Run Landfill, dated October 17, 2023.

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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 Lansing District 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 EGLE's MMD Lansing District Office.
14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by EGLE's MMD Lansing 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 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 EGLE's MMD Lansing District Supervisor.
17. Requests for alternate daily cover may be approved, in writing, by EGLE's MMD Lansing District Supervisor.
18. Leakage Control Criteria:
  - a. The active portions of the unit(s) (Cells 4a through 12) 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 unit(s) (Cells 1 through 4a (transition area)) 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 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 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:  
Product/Waste Material
      - (1) Fabrisoil, Sanicover, or equivalent;
      - (2) Sanifoam or equivalent;
      - (3) Concover manufactured by New Waste Concepts, Inc.;

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- (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) N-Viro soil;
- (9) Foundry sand from the General Motors Saginaw Nodular Iron Facility;
- (10) Petroleum contaminated soils;
- (11) Class B ADCMs that contain greater than 5 percent fines that pass the Number 200 sieve;
- (12) Auto fluff from Fritz Enterprises of Flint, Michigan;
- (13) Auto fluff from Rifkin Scrap Iron & Metal Company of Saginaw, Michigan;
- (14) Foundry sand from Grede Foundry, Vassar, Michigan;
- (15) Steel Making Iron Dust from White Pine Waste Services, Ancaster, Ontario, Canada;
- (16) Auto fluff from Sims Metal Management, North Haven, Connecticut;
- (17) Auto fluff from Sims Metal Management, located in Jersey City, New Jersey;
- (18) Auto fluff from Metal X, LLC., located in Delta, Ohio; and
- (19) Contaminated soils from the Velsicol Chemical Superfund Site, Operable Unit 3, located in Gratiot County, Michigan.

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
  - (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

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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

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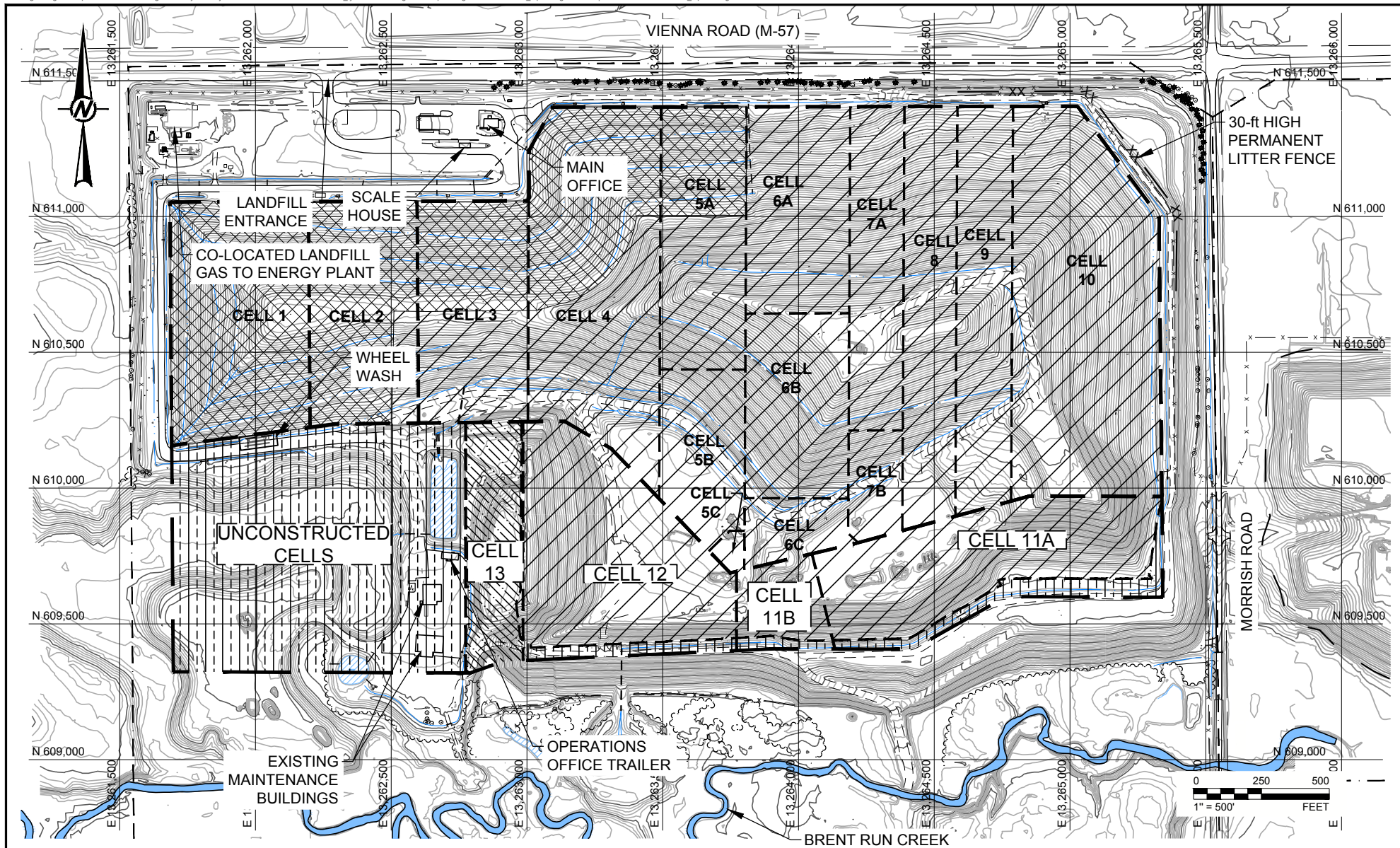
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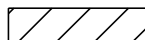



This form and its contents are subject to the Freedom of Information Act and may be released to the public.

# Attachment A

Last Edited By: jschmuecker Date: 2022-11-29 Time:12:26:37 PM | Printed By: JSchmuecker Date: 2022-11-29 Time:12:27:00 PM  
 Path: \\golder.gds.complex\data\office\Lansing\CAD\Projects\major clients\brent run landfill\21481823\_fy 2022 and budget model planning\PRODUCTION\Operating License | File Name: GL21481823\_Op Lic.dwg



## LEGEND

-  ACTIVE TYPE II AREAS (95.1 Ac)
-  UNCONSTRUCTED AREAS WITH FINANCIAL ASSURANCE (6.5 Ac)
-  PARTIALLY CLOSED AREAS (29.74 Ac)
-  UNCONSTRUCTED AREAS WITHOUT FINANCIAL ASSURANCE (23.13 Ac)

CLIENT  
**BRENT RUN LANDFILL**  
 MONTROSE TOWNSHIP, GENESEE COUNTY  
 MICHIGAN

CONSULTANT



YYYY-MM-DD 2022-09-01

DESIGNED JJS

PREPARED JJS

REVIEWED SFS

APPROVED DML

PROJECT  
**OPERATING LICENSE**

TITLE  
**FACILITY MAP**

PROJECT NO.  
 GL21481823

Drawing No.  
 GL21481823\_Op Lic.dwg

REV.  
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FIGURE  
 1

IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM ANSIA