



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: C&C Expanded Sanitary Landfill, LLC

LICENSEE/OPERATOR: C&C Expanded Sanitary Landfill, LLC

FACILITY OWNER: C&C Expanded Sanitary Landfill, LLC

PROPERTY OWNER: C&C Expanded Sanitary Landfill, LLC

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 405721

COUNTY: Calhoun

LICENSE NUMBER: 9665

ISSUE DATE: December 27, 2021

EXPIRATION DATE: December 27, 2026

FACILITY DESCRIPTION: The C&C Expanded Sanitary Landfill, LLC, a municipal solid waste landfill, consists of 586.89 acres located in Section 28, T1S, R6W and Section 29, T1S, R6W, Convis Township, Calhoun County, Michigan, as identified in Attachment A and fully described in this license.

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

RESPONSIBLE PARTY: Chris Nie, Area President  
C&C Expanded Sanitary Landfill, LLC  
14800 P Drive North  
Marshall, Michigan 49068  
317-283-7183

**RENEWAL OPERATING LICENSE:** This License Number 9665 supersedes and replaces Solid Waste Disposal Area Operating License Number 9573 issued to C&C Expanded Sanitary Landfill, LLC on October 4, 2019.

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.**

 for

Rhonda S. Oyer, Manager, Solid Waste Section  
Materials Management Division

Licensee: C & C Expanded Landfill, LLC  
Facility Name: C & C Expanded Landfill, LLC  
Operating License Number: 9665  
Issue Date: December 27, 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 A-C and Phase V A-C, Phase V C Overliner, Phase V D, and Phase VI-A1 were authorized to receive waste by the previous license. This area's total acreage is 72.97 acres.
  - b. **CONSTRUCTED AREAS CERTIFIED WITH THIS APPLICATION:** The area(s) identified as Phase VI-A2 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 6.8 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 VI-B1, totaling 8.2 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. **UNCONSTRUCTED AREA(S) WITHOUT FINANCIAL ASSURANCE:** The area(s) identified as Phase VI-B2 through VI-N 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 165.2 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 portions of Phase IVA (6 acres) and portions of Phase IVA, IVB, and IVC (5.5 acres) had final closure certified on January 1, 2002, and January 14, 2005. These certifications were reviewed and approved by EGLE on February 24, 2003, and March 3, 2005. The unit identified as Phase I, II, and III, less 0.49 acres of permitted overfill of VA1, and 7.64 acres of overfill over Phase II (33.21 acres), had final closure certified on September 17, 1999. This certification was reviewed and approved by EGLE on December 3, 1999. The units identified as Phase VA (2.6 acres), VB (0.2 acres), IV-C (2.28 acres), VD (0.25 acres), VC (2.72 acres) and VC Overliner (0.95 acres) had final closure certified on August 24, 2020. This certification was reviewed and approved by EGLE on November 24, 2020. This area's total acreage is 53.71 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 October 4, 2021, 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 Kalamazoo 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 C&C Expanded Sanitary Landfill, LLC, for the C&C Expanded Sanitary Landfill, LLC, dated September 29, 2021, and revised December 16, 2021. 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 Barbara Coughlin, P.E., dated September 24, 2021.
- d. Waste Characterization: N/A.
- e. Restrictive Covenants:
  - i. The September 27, 2002, restrictive covenant on 223 acres is on file at the Calhoun County Register of Deeds recorded on April 5, 2004, as Liber 2810 pages 250-253. A copy is on file with EGLE.
  - ii. The September 9, 2019, restrictive covenant on 190.22 acres is on file at the Calhoun County Register of Deeds recorded on November 15, 2019, as Liber 4369 page 87. A copy is on file with EGLE.
- f. Perpetual Care Fund Agreement, established as a standby trust account, signed by Ms. Marsha Lucy, Assistant Treasurer, C&C Expanded Sanitary Landfill, LLC, on September 29, 2014, was executed by EGLE on October 30, 2014.
- 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 \$21,764,358.00.

The Facility has provided financial assurance totaling \$21,764,358.00, 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, iii, and iv, respectively.

ii. Financial Assurance Provided Via a Perpetual Care Fund:

The Perpetual Care Fund Agreement statement showed a balance of \$2,506,000.00 in the Facility's Perpetual Care Fund as of October 14, 2021. Of this amount, EGLE has granted the request to use \$2,506,000.00 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	\$19,258,358.00
Total Amount Received:	\$19,258,358.00

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- 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) 4164 issued to the C&C Expanded Sanitary Landfill on April 16, 2018, are incorporated in this license by reference:
  - a. Construction Permit Application Volume 1, 2, and 3, revised November 20, 2017.
  - b. Engineering Plan Sheets 1-45, revised November 20, 2017.
- 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. Alternate Daily Cover Request submitted January 5, 2021, approved February 2, 2021.
  - b. Alternate Daily Cover Request submitted January 25, 2019, approved January 25, 2019.
  - c. CQA Plan Revisions, submitted March 15, 2019, approved March 29, 2019.
- 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 Kalamazoo District Supervisor, for review and approval.
- 13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated April 16, 2018. The sampling analytical results shall be submitted to EGLE's MMD Kalamazoo District office.
- 14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by EGLE's MMD Kalamazoo 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 Kalamazoo 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 Kalamazoo District Supervisor.
- 17. Requests for alternate daily cover may be approved, in writing, by EGLE's MMD Kalamazoo 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 Phase IV Cell A is 40.4 gallons/acre/day. The response flow rate for Phase IV Cell A is 162.9 gallons/acre/day. The action flow rate for Phase IV Cell B is 36.6 gallons/acre/day. The response flow rate for Phase IV Cell B is 147.8 gallons/acre/day. The action flow rate for Phase IV Cell C is 37.4 gallons/acre/day. The response flow rate for Phase IV Cell C is 151.2 gallons/acre/day. The action flow rate for Phase V Cell A-D, Phase VI-A1, Phase VI-A2, and Phase VI-B1 is 5 gallons/acre/day. The response flow rate for Phase V Cell A-D, Phase VI-A1, Phase VI-A2, and Phase VI-B1 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.

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) Geosynthetic Materials	Varies	Varies
(2) Petroleum Contaminated Soils consistent with the Calhoun County Solid Waste Management Plan	Varies	Varies
(3) Wood Chips	Onsite tree clearing operations	Total volume: Less than 5,000 cubic yards
(4) Paper Mill Sludge	Graphic Packaging Plant	Up to 4,200 tons per month

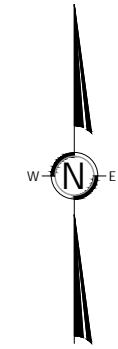
ii. The above materials are approved for daily cover when used in the following manner:

- (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.

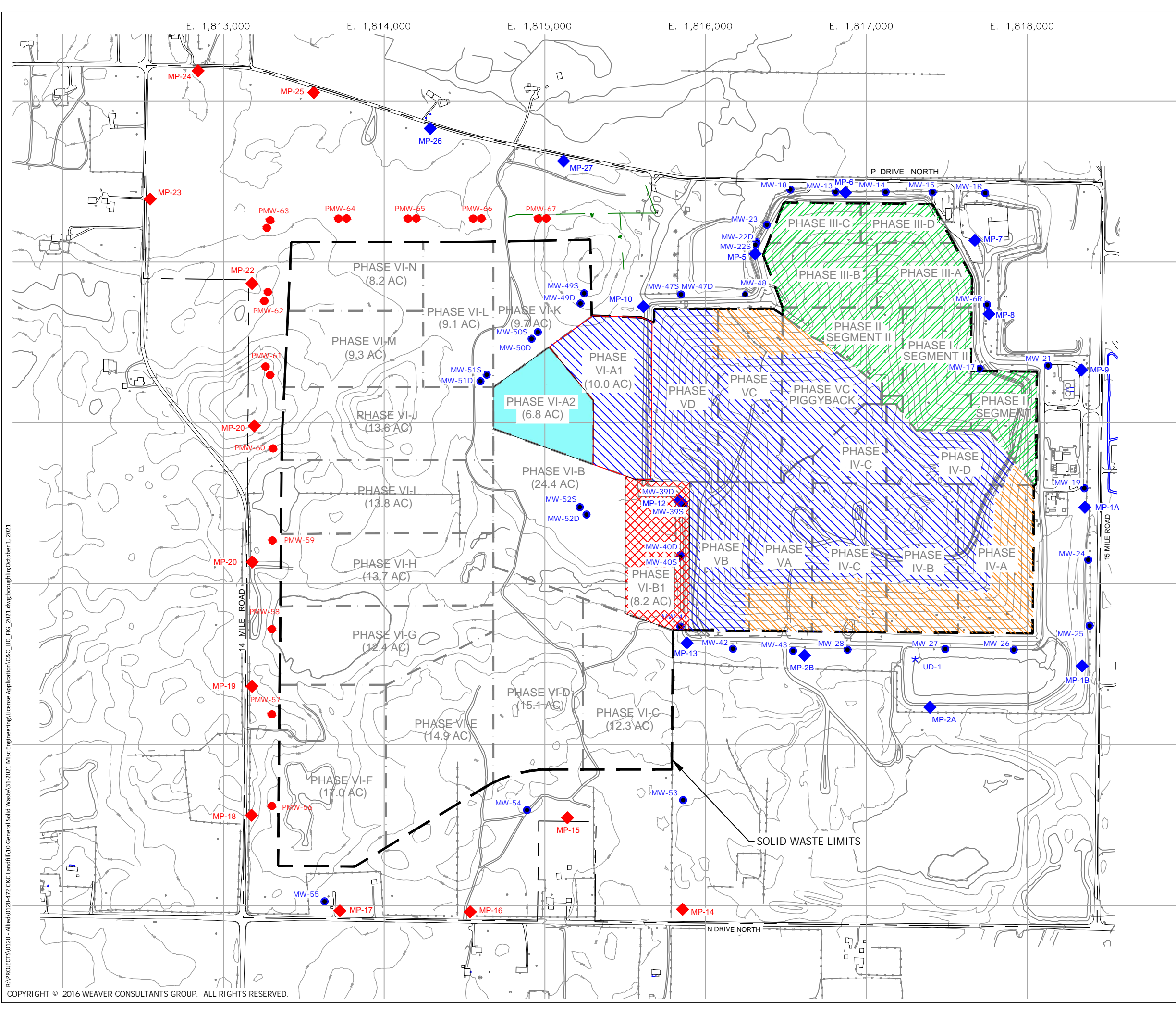
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- (6) If the material does not meet the guidelines from Attachment 2 of Policy and Procedure OWMRP-115-10, for nonvolatiles, the licensee shall ensure that fugitive dust emissions from this material do not occur. Acceptable methods to ensure fugitive 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. Prior to licensing of any new landfill cells, the licensee shall demonstrate permanent minimum clearances from the top of the primary liner of 10 feet from natural groundwater level and 7 feet to the permanently depressed groundwater level.
  - c. The licensee shall monitor the effectiveness of the slurry wall used as part of the engineering controls to permanently depress the groundwater level. If monitoring demonstrates that the slurry wall is no longer effectively controlling infiltration into the area, the permittee, within 30 days, shall submit to EGLE for review and approval, a plan to restore the slurry wall or modify the slurry wall to ensure continued operation of the engineering controls to permanently depress the groundwater level.
  - d. The license shall monitor the effect of the slurry wall used as part of the engineering controls to permanently depress the groundwater level. If the monitoring demonstrates that adverse impacts are observed on the on-site wetland area and north sedimentation pond, the permittee within 30 days shall submit to EGLE for review and approval an evaluation of the cause of the adverse impacts. If the adverse impacts are found to be caused by landfill activities and the slurry wall or other engineering controls, the licensee within 30 days, shall submit to EGLE for review and approval, a plan to mitigate the adverse impacts, and upon approval, shall implement that plan in accordance with the schedule contained therein.
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**



NO.	DATE	REVISION DESCRIPTION	BY
1			
2			
3			
4			
5			
6			
7			
8			



**LEGEND**

- ◆ FUTURE GAS MONITORING PROBE
- ◆ CURRENT GAS MONITORING PROBE
- FUTURE GROUNDWATER MONITORING WELLS
- EXISTING GROUNDWATER MONITORING WELLS
- \* UD-1 EXISTING UNDERDRAIN MONITORING

- 33.21 ACRES CLOSED EXISTING UNIT
- 82.97 ACRES ACTIVE AREA
- 8.2 ACRES UNCONSTRUCTED AREA WITH FINANCIAL ASSURANCE
- 20.5 ACRES PARTIALLY CLOSED AREA
- 6.8 ACRES TO BE CERTIFIED WITH THIS APPLICATION

- PERMIT LIMIT OF WASTE (306.9 ACRES)
- PROPERTY LINE
- PHASE BOUNDARY