



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: Huron Landfill Corp - DBA Huron Landfill

LICENSEE/OPERATOR: Huron Landfill Corp

FACILITY OWNER: Bad Axe Property Corp

PROPERTY OWNER: Bad Axe Property Corp

FACILITY TYPE(S): Municipal Solid Waste Landfill

FACILITY ID NUMBER: 439983

COUNTY: Huron

LICENSE NUMBER: 9692

ISSUE DATE: January 6, 2023

EXPIRATION DATE: January 6, 2028

FACILITY DESCRIPTION: The Huron Landfill Corp - DBA Huron Landfill, a municipal solid waste landfill, consists of 91.3 acres located in the N 1/2 of the NW 1/4 of Section 22, T15N, R12E, Sheridan Township, Huron County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: The area identified in Item 2 of this license.

RESPONSIBLE PARTY: John Walker
Landfill Manager
Huron Landfill Corp
4151 South McMillan Road
Bad Axe, Michigan 48413
989-550-6078

RENEWAL OPERATING LICENSE: This License Number 9692 supersedes and replaces Solid Waste Disposal Area Operating License Number 9574 issued to Huron Landfill on October 21, 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.

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

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Operating License Number: 9692
Issue Date: January 6, 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: The area(s) identified as Cells A, B, C, D, E, F, G, I, and the northern 6.13 acres of Cell H were authorized to receive waste by the previous license. This area's total acreage is 34.34 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 Cell 1, totaling 3.93 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:

UNCONSTRUCTED AREA(S) WITHOUT FINANCIAL ASSURANCE: The area(s) identified as Southern portion of Cell H and Cells 3, 4, 5, and 6 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 23.83 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 12, 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 Bay City 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 Rachel Thompson, for the Huron Landfill, dated August 31, 2022, and revised on September 27, 2022. The Application consists of the following:
 - a. Application Form EQP 5507.
 - b. Application fee in the amount of \$1,250.00.
 - c. Certification of construction by N/A, dated N/A.
 - d. Waste Characterization: N/A.

e. Restrictive Covenant:

- i. The August 30, 2007 restrictive covenant on 55.02 acres is on file at the Huron County Register of Deeds recorded on January 6, 2009, as Liber 1266 pages 512-514. A copy is on file with EGLE.
- ii. A restrictive covenant on 39.37 acres signed by the Applicant on October 24, 2022 was included in the Application and will be signed by EGLE and filed with the Huron County Register of Deeds.

f. Perpetual Care Fund Agreement, established as a trust account, signed by Emmie Leung, President, Huron Landfill Corp on November 5, 2012, was executed by EGLE on January 22, 2013.

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 \$10,928,932.71.

The Facility has provided financial assurance totaling \$10,928,932.71, 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 \$1,629,070.74 in the Facility's Perpetual Care Fund as of June 30, 2022. Of this amount, EGLE has granted the request to use \$1,629,070.74 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	\$9,299,861.97
Total Amount Received:	\$9,299,861.97

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.

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8. The following documents approved with Construction Permit Number(s) 4111 issue to the Cove Landfill of Bad Axe March 18, 2010, and Number 4175 issued to the Huron Landfill Corp on June 7, 2022, are incorporated in this license by reference:
- a. Construction Permit Application titled, "Solid Waste Disposal Area Construction Permit Application" Volumes 1 and 2, dated August 2009, revised on October 27, 2009, January 2010, and February 12, 2010, prepared by Golder Associates Inc.
 - b. Construction Permit Application drawings titled, "Construction Permit Application, Cove Landfill of Bad Axe, Inc." Sheets 1-24, dated September 2009, revised February 2010, prepared by Golder Associates Inc
 - c. Hydrogeological Monitoring Plan titled, "Hydrogeological Monitoring Plan" dated August 2009, revised January 2010, Version 2 prepared by Golder Associates Inc. and "Hydrogeologic Monitoring Plan, Huron Landfill Southern Expansion" dated May 27, 2022.
 - d. 2021 Huron Landfill Southern Expansion Permit Application, Huron Landfill, Construction Permit Application, prepared by Golder Associates Inc., dated May 14, 2021, revised April 15, 2022, and revised May 4, 2022.
 - e. 2021 Huron Landfill Southern Expansion Permit Application, Huron Landfill, Environmental Assessment Report, prepared by Golder Associates Inc., dated May 14, 2021, revised April 15, 2022, and revised May 4, 2022.
 - f. 2021 Huron Landfill Southern Expansion Permit Application, Huron Landfill, Engineering Report, prepared by Golder Associates Inc., dated May 14, 2021, revised April 15, 2022, and revised May 4, 2022.
 - g. 2021 Huron Landfill Southern Expansion Permit Application, Huron Landfill, Engineering Plan Drawings, prepared by Golder Associates Inc., dated May 14, 2021, revised April 15, 2022, and revised May 4, 2022.
 - h. 2021 Huron Landfill Southern Expansion Permit Application, Huron Landfill, Hydrogeologic Investigation Report, prepared by Golder Associates Inc., dated May 14, 2021, and revised April 15, 2022.
 - i. 2021 Huron Landfill Southern Expansion Permit Application, Huron Landfill, Hydrogeologic Monitoring Plan, prepared by Golder Associates Inc., dated May 14, 2021, revised April 15, 2022, revised May 6, 2022, and revised May 27, 2022.
 - j. 2021 Huron Landfill Southern Expansion Permit Application, Huron Landfill, Operations Plan, prepared by Golder Associates Inc., dated May 14, 2021, revised April 15, 2022, and revised May 4, 2022.
 - k. 2021 Huron Landfill Southern Expansion Permit Application, Huron Landfill, Construction Quality Assurance Plan, prepared by Golder Associates Inc., dated May 14, 2021, and revised April 15, 2022.
 - l. 2021 Huron Landfill Southern Expansion Permit Application, Huron Landfill, Topographic Maps, prepared by Golder Associates Inc., dated May 14, 2021, and revised April 15, 2022.
 - m. 2021 Huron Landfill Southern Expansion Permit Application, Huron Landfill, Remedial Action Plan, prepared by Golder Associates Inc., dated April 15, 2022, revised May 24, 2022, and dated May 2022.
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. Construction Quality Assurance Plan Revision, prepared by Golder Associates, dated June 16, 2010, and approved by the Department on July 7, 2010.
 - b. Overliner Cell D Construction Quality Assurance Documentation Report, prepared by McDowell & Associates, dated January 13, 2012.

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- c. Cell G Construction Quality Assurance Documentation Report, prepared by McDowell & Associates, dated April 2, 2012
 - d. Leak Location Survey for Cell G, dated April 20, 2012, performed by Weaver Boos Consultants.
 - e. Yard Waste Management Program/Plan, dated January 28, 2013, and revised January 2022.
 - f. Cell H Construction Permit Upgrade Plans, prepared by Golder Associates, dated June 2013.
 - g. Pre-Wetting of Waste Plan, dated June 3, 2013, and revised January 2022.
 - h. Alternate Daily Cover Operational Procedures Program, prepared by Huron Landfill, dated November 19, 2013, and revised January 2022.
 - i. Odor Management Plan, dated July 2013, revised November 2013 and January 2022.
 - j. The following documents were previously submitted to correct acreage errors on the construction permit described in Item 8: electronic mail notes titled "FWD: RE: Cove-Revised FAS" with spreadsheet titled "Cove Facility Area 2010 Application" and "Cove-Revised FAS", both dated January 27, 2011; revised page 1 to the construction permit application form dated March 2, 2010, and revised on April 11, 2011; and Facility Area Summary Sheet dated December 7, 2010, and revised on January 13, 2011.
 - k. Construction Quality Assurance Plan, prepared by Golder Associates Inc., dated May 14, 2021, revised April 15, 2022, and revised September 9, 2022.
10. Consent Order/Judgment Number: OWMRP Consent Judgement Number 5-00-5324-CE entered on December 22, 1993.
 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 Bay City District Supervisor, for review and approval.
 13. The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan, dated May 27, 2022. The sampling analytical results shall be submitted to EGLE's MMD Bay City District office.
 14. Modifications to the approved hydrogeological monitoring plan referenced in Item 13 may be approved, in writing, by EGLE's MMD Bay City 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 Bay City 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 Bay City District Supervisor.
 17. Requests for alternate daily cover may be approved, in writing, by EGLE's MMD Bay City 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

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containing a leak detection system is 25 gallons/acre/day for Cells A, B, C, and Phase II while Cells E through I and Cell 1 are 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.

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

Fabrisoil
ConCover
Wood Chips
Chipped Tires
Bottom Ash
Foundry Sand
Dredge Spoils
Petroleum Contaminated Soils

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.

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- b. The permittee shall comply with the Corrective Action Agreement (MMD Agreement No. 115-06-2022) entered between EGLE, Huron Landfill Corp., and Bad Axe Property Corp. The effective date of the agreement was June 3, 2022.
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

