



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

May 1, 2012

Ms. Leslie Housler, Chairperson
Wexford County Board of Commissioners
437 East Division Street
Cadillac, Michigan 49601

Dear Ms. Housler:

The locally-approved amendment to the Wexford County Solid Waste Management Plan (Plan Amendment) received by the Department of Environmental Quality (DEQ) on February 29, 2012, is hereby approved.

The Plan Amendment creates the following changes:

- The import authorization requirement for agreements and negotiated volumes are removed from Table 1-A.
- Additional primary export authorizations are added to Table 2A.
- The special import and export conditions found in Attachment D-6 have been deleted.

The DEQ would like to thank Wexford County for its efforts in addressing its solid waste management issues. If you have any questions, please contact Ms. Rhonda S. Oyer, Chief, Solid Waste Management Unit, Solid Waste and Land Application Section, RMD, at 517-373-4750; oyerr@michigan.gov; or DEQ, P.O. Box 30241, Lansing, Michigan 48909-7741.

Sincerely,

Liane J. Shekter Smith, P.E., Chief
Resource Management Division
517-373-9523

cc: Senator Darwin L. Boher
Representative Phil Potvin
Mr. John Divizzo, Wexford County
Mr. Dan Wyant, Director, DEQ
Mr. Jim Sygo, Deputy Director, DEQ
Ms. Maggie Cox, Legislative Liaison, DEQ
Mr. Steve Sliver, DEQ
Mr. Phil Roycraft, DEQ
Ms. Rhonda S. Oyer, DEQ
Ms. Christina Miller, DEQ Wexford County File

DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE
CADILLAC, MICHIGAN 49601
231-775-0155
231-775-0156 (FAX)



LANDFILL

990 NORTH U.S. 131
MANTON, MICHIGAN 49663
231-824-6858
231-824-6859 (FAX)

February 28, 2012

Ms. Christina Miller
Department of Natural Resources and Environment
Solid Waste Management Unit
525 West Allegan Street
P.O. Box 30241
Lansing, Michigan 48909

Re: Wexford County Solid Waste Management Plan Amendment (2011)

Dear Ms. Miller:

Wexford County is submitting an amendment to its current approved solid waste management plan in accordance with *Rule 709* of the Solid Waste Management Act Administrative Rules promulgated pursuant to Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

The proposed amendment was released for public review on July 1, 2011. A public hearing was held on September 29, 2011. The proposed amendment was modified based on public comments received and approved by the Solid Waste Management Planning Committee on October 13, 2011.

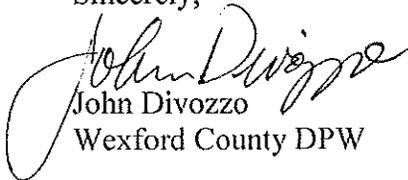
On October 26, 2011, the Board of Commissioners provided written objections to the plan and received the Solid Waste Management Planning Committee's response.

On December 7, 2011, the Board of Commissioners approved the amendment with changes and authorized its release to the municipalities for approval.

Wexford County received approval of the amendment through resolution of at least 67% of its municipalities; 18 of the 19 municipalities that have voted on the amendment.

Documentation pertaining to the amendment is attached for department review. If you have any questions, comments, or concerns please do not hesitate to contact me.

Sincerely,


John Divozzo
Wexford County DPW

Enclosure

DEQ
FEB 29 2012
RESOURCE MANAGEMENT DIVISION

DEPARTMENT OF PUBLIC WORKS

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Subject: Proposed Amendment to the Wexford County Solid Waste Management Plan

The following sections of the Wexford County Solid Waste Management Plan Update dated March 7, 2002, as amended, are amended as follows:

A. Section III - IMPORT AUTHORIZATION

The attached page III-4; Table 1A (Import Authorization), replaces the same page in the 2002 Plan, as amended.

The current language regarding import authorization for all counties listed on page III-4 is Primary (Agreement Required)* with authorized Daily/Annual Quantities being negotiated.

The proposed amended language to the Import Authorization is as follows:

1. Import authorization for all counties listed in Table 1A is changed to Primary; requirement for agreement is removed.
2. Change the term *negotiated* to unrestricted in the Authorized Daily/Annual Quantity columns.

B. Section III - EXPORT AUTHORIZATION

The attached page III-4a; Table 2A (Export Authorization), replaces the same page in the 2002 Plan, as amended.

The current export authorization detailed on page III-4a, Table 2A, includes Missaukee, Leelanau, Manistee, Clare, and Osceola Counties with authorized conditions being Primary (Agreement Required)* for Missaukee and Contingency for Leelanau, Manistee, Clare, and Osceola.

The proposed amended language to the Export Authorization is as follows:

1. Add Antrim, Benzie, Grand Traverse, Kalkaska, Lake, Emmett, Charlevoix, Otsego, Crawford, Roscommon, Ogemaw, Mason, Gladwin, Oceana, Newaygo, Mecosta, and Isabella Counties to Table 2A.
2. Change Authorized Conditions to Primary for all counties listed in Table 2A.
3. Change the term *negotiated* to unrestricted in the Authorized Daily/Annual Quantity columns.

C. Attachment D-6 – SPECIAL CONDITIONS

The current language for attachment D-6, Special Conditions is as follows:

“Any primary or contingency use of the Wexford County Landfill must be preceded by a negotiated agreement executed by and between the Wexford County Board of Public Works and the appropriate authority of the exporting county”.

The proposed amended language to Attachment D-6; SPECIAL CONDITIONS, is as follows:

Delete current language.

Please see attached Amended pages III-4, III-4a, and Attachment D-6.

###

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

**TABLE 1-A
CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE**

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ²
<u>Wexford</u>	<u>Missaukee</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Leelanau</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Clare</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Manistee</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Osceola</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Antrim</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Benzie</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Grand Traverse</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Kalkaska</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Lake</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Emmett</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the exporting county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal.

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

TABLE 1-A; continued

CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ³	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ⁴
<u>Wexford</u>	<u>Charlevoix</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Otsego</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Crawford</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Roscommon</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Ogemaw</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Mason</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Gladwin</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Oceana</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Newaygo</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Mecosta</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Isabella</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P

³ Facilities are only listed if the exporting county is restricted to using specific facilities within the exporting county.

⁴ Authorization indicated by P = Primary Disposal; C = Contingency Disposal.

EXPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within another County, disposal of solid waste generated by the EXPORTING COUNTY is authorized up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 2-A; IF authorized for import in the approved Solid Waste Management Plan of the receiving County.

**TABLE 2-A
CURRENT EXPORT VOLUME AUTHORIZATION OF SOLID WASTE**

EXPORTING COUNTY	IMPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ²
<u>Wexford</u>	<u>Missaukee</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Leelanau</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Clare</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Manistee</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Osceola</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Antrim</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Benzie</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Grand Traverse</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Kalkaska</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Lake</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Emmett</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P

EXPORT AUTHORIZATION

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal.

SELECTED SYSTEM – 2011 Amendment to Export Authorization

If a Licensed solid waste disposal area is currently operating within another County, disposal of solid waste generated by the EXPORTING COUNTY is authorized up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 2-A; IF authorized for import in the approved Solid Waste Management Plan of the receiving County.

TABLE 2-A; continued
CURRENT EXPORT VOLUME AUTHORIZATION OF SOLID WASTE

EXPORTING COUNTY	IMPORTING COUNTY	FACILITY NAME ³	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ⁴
<u>Wexford</u>	<u>Charlevoix</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Otsego</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Crawford</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Roscommon</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Ogemaw</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Mason</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Gladwin</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Oceana</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Newaygo</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Mecosta</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Isabella</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>

³ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

⁴ Authorization indicated by P = Primary Disposal; C = Contingency Disposal.



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

April 19, 2011

Ms. Leslie Housler, Chairperson
Wexford County Board of Commissioners
437 East Division Street
Cadillac, Michigan 49601

Dear Ms. Housler:

The Department of Environmental Quality (DEQ) received the locally-approved amendment to the Wexford County Solid Waste Management Plan (Plan Amendment) on November 23, 2010. Please note that due to the recent DEQ separation from Department of Natural Resources and Environment (DNRE), all references to the "DNRE" in the Plan Amendment, modification letter, and this approval letter are now changed to "Department of Environmental Quality" or "DEQ." Except for the items indicated below, the Plan Amendment is approvable. As outlined in the March 4, 2011, revised letter to you from Ms. Christina Miller, DEQ, Resource Management Division (RMD), and as confirmed in your letter dated March 21, 2011, the DEQ makes the following modifications to the Plan Amendment:

Page [II-3](#) and [III-7](#), FACILITY DESCRIPTION: The "Construction Permit" box shall be marked under the operating status on the facility description.

Page [III-10](#), SOLID WASTE COLLECTION SERVICES AND TRANSPORTATION, second paragraph, last sentence states, "Final disposal of all solid waste shall be in a permitted and licensed landfill located in Wexford County." This sentence is not consistent with the Export Authorization Table found on page III-4a. Therefore, the sentence shall be replaced with the following: "Final disposal of all solid waste shall be in a permitted and licensed landfill located in Wexford County or in counties authorized per the export authorizations found in Table 2-A."

Page [III-26](#), SITING CRITERIA AND PROCESS, second paragraph states, "Expansion of the Wexford County Landfill is authorized by this Plan and shall be limited to the total acreage found on the Facility Description." This language authorizes the landfill to initiate the siting criteria; however, it was the County's intent to deem the facility automatically consistent with the Plan without the need to go through the siting process and meet the siting criteria. In order to alleviate this discrepancy this sentence shall be replaced with the following: "Expansions of the Wexford County Landfill, limited to the total acreage found on the Facility Description found in pages II-3 and III-7 of the Plan, are deemed automatically consistent with the Plan."

Page [III-27](#) and [III-28](#), criteria i, ii, and iii refer to "active work area." Please note that the term "active work area" only applies to landfills under Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and its administrative rules. It was the County's intent to apply these criteria to all disposal

area types and not just landfills. Therefore, the phrase "active work area" shall be replaced with "area where solid waste will be handled, disposed, or managed."

Page III-31, LOCAL ORDINANCES AND REGULATIONS AFFECTING SOLID WASTE DISPOSAL, subsection 1(B), fourth line down, shall identify that a sample ordinance is included. Therefore, the phrase "(Sample Ordinance Included)" shall be added after the phrase "Wexford County Ordinance # _____."

Page 8, SAMPLE SOLID WASTE ORDINANCE, Section 8, Administrative Rules: This section states that the Board of Public Works may promulgate administrative rules to carry out the provision of the ordinance. However, a sample of the administrative rules is not included in the Plan Amendment. In order for the Plan Amendment to be approvable with the sample ordinance, the administrative rules must be included. Therefore, the following sample rules for the ordinance are identified below and separated with a double line.

ADMINISTRATIVE RULES FOR WEXFORD COUNTY SOLID WASTE ORDINANCE

_____, 2011

ADMINISTRATIVE RULES FOR AN ORDINANCE TO REGULATE THE COLLECTION, TRANSPORTATION, DELIVERY AND DISPOSAL OF SOLID WASTE; TO REQUIRE THE LICENSING OF WASTE HAULERS; TO PROHIBIT ROADSIDE DUMPING OF REFUSE; AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF.

- Section 1: Definitions
- Section 2: Collection Service Requirements
- Section 3: Fees
- Section 4: County Designated Facility
- Section 5: Registration and Reporting Requirements

THE BOARD OF PUBLIC WORKS OF WEXFORD COUNTY HEREBY PROMULGATES THE FOLLOWING RULES AND REGULATIONS FOR THE WEXFORD COUNTY SOLID WASTE ORDINANCE:

SECTION 1

DEFINITIONS

- 1.1 Definitions. For purposes of these Rules and Regulations, the definitions provided for key words and phrases will be those contained in Section 2 of the Solid Waste Ordinance. The following definitions are hereby added to that list:
 - 1) "Act 451 Solid Waste Management Planning Process" means an authorized solid waste planning process managed by a DEQ-approved Wexford County designated planning agent as described in Act 451, Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA).

- 2) "DPW" means the Department of Public Works for Wexford County.
- 3) "DEQ" means the Michigan Department Environmental Quality.

SECTION 2

COLLECTION SERVICE REQUIREMENTS

- 2.1 Requirements for Hauler License. A hauler license will be required for all those engaged in the business of collecting, transporting, delivering, or disposing of solid waste or recyclable materials generated within Wexford County. This may include:
 - a) Refuse haulers
 - b) Recycling collection companies
- 2.2 Exception to Requirement for Hauler License. Individuals hauling solid waste or recyclable materials from their own residence or site of principal business activity to county-designated facilities are exempt from the requirement to have a hauler license.

SECTION 3

FEES

- 3.1 Initial Hauler License Application Fee. At the time of initial application for a hauler license, a base application fee of \$100.00 (one hundred dollars) shall be paid to the DPW. An additional fee of \$25.00 (twenty-five dollars) for each truck to be used in Wexford County for the collection of solid waste shall be paid to the DPW at the time of license application. Each truck shall be listed on the license application, identified by truck type, model, and identifying marker.
- 3.2 License Renewal Fee. At the time of renewal application for a hauler license, a base application fee of \$25.00 (twenty-five dollars) shall be paid to the DPW. An additional fee of \$15.00 (fifteen dollars) for each truck to be used in Wexford County for the collection of solid waste shall be paid to the DPW at the time of submitting an application for license renewal. Each truck shall be listed on the license application, identified by truck type, model, and identifying marker.

SECTION 4

COUNTY DESIGNATED FACILITY

- 4.1 County Designated Facilities. The county designates permitted and licensed landfills operating within Wexford County or outside the State of Michigan for the deposit of solid waste generated within Wexford County to be utilized by all licensed solid waste haulers.

- 4.2 Contingent Disposal Option. If for any reason an emergency or permanent closure of the County-Designated Facilities occurs, Wexford County will notify licensed waste haulers of available contingency disposal options. Such a contingency shall be in compliance with the current approved County Solid Waste Management Plan.

SECTION 5

REGISTRATION AND REPORTING REQUIREMENTS

- 5.1 Licensed haulers are required to submit quarterly reports on a form prepared by the DPW of their estimated activity in the previous three-month period in collecting solid waste, special refuse, and recyclable material. Such estimates shall be in the form of both cubic yards and tonnages, and shall be broken down by type of collection activity and by point of final delivery. Due dates for filing this information are the twentieth day of January, April, July, and October of each year.

With these modifications, the Plan Amendment is hereby approved. When distributing copies of the approved Plan Amendment, please ensure that a copy of this letter is included.

The DEQ would like to thank Wexford County for its efforts in addressing its solid waste management issues. If you have any questions, please contact Ms. Rhonda S. Oyer, Chief, Solid Waste Management Unit, Solid Waste and Land Application Section, RMD, at 517-373-4750; oyerr@michigan.gov; or DEQ, P.O. Box 30241, Lansing, Michigan 48909-7741.

Sincerely,



Liane J. Shekter Smith, P.E., Chief
Resource Management Division
517-373-9523

cc: Senator Darwin L. Booher
Representative Phil Potvin
Mr. John Divizzo, Wexford County
Mr. Dan Wyant, Director, DEQ
Mr. Jim Sygo, Deputy Director, DEQ
Mr. Randy Gross, Director of Legislative Affairs, DEQ
Mr. Steve Sliver, DEQ
Mr. Phil Roycraft, DEQ
Ms. Rhonda S. Oyer, DEQ
Ms. Christina Miller, DEQ
Wexford County File

DEPARTMENT OF PUBLIC WORKS

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November 19, 2010

Ms. Christina Miller
Department of Natural Resources and Environment
Solid Waste Management Unit
525 West Allegan Street
P.O. Box 30241
Lansing, Michigan 48909

Re: Wexford County Solid Waste Management Plan Amendment (2009)

Dear Ms. Miller:

Wexford County is submitting an amendment to its current approved solid waste management plan in accordance with *Rule 709* of the Solid Waste Management Act Administrative Rules promulgated pursuant to Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

The proposed amendment was released for public review on March 2, 2009. A public hearing was held on May 21, 2009. The proposed amendment was modified based on public comments received and approved by the Solid Waste Management Planning Committee on June 29, 2009. The proposed amendment was received by the Board of Commissioners on July 15, 2009.

On August 24, 2010, the Board of Commissioners provided written objections to the plan and received the Solid Waste Management Planning Committee's response.

On September 15, 2010, the Board of Commissioners approved the amendment with changes and authorized its release to the municipalities for approval.

Wexford County received approval of the amendment through resolution of at least 67% of its municipalities; 16 of the 21.

Documentation pertaining to the amendment is attached for department review. If you have any questions, comments, or concerns please do not hesitate to contact me.

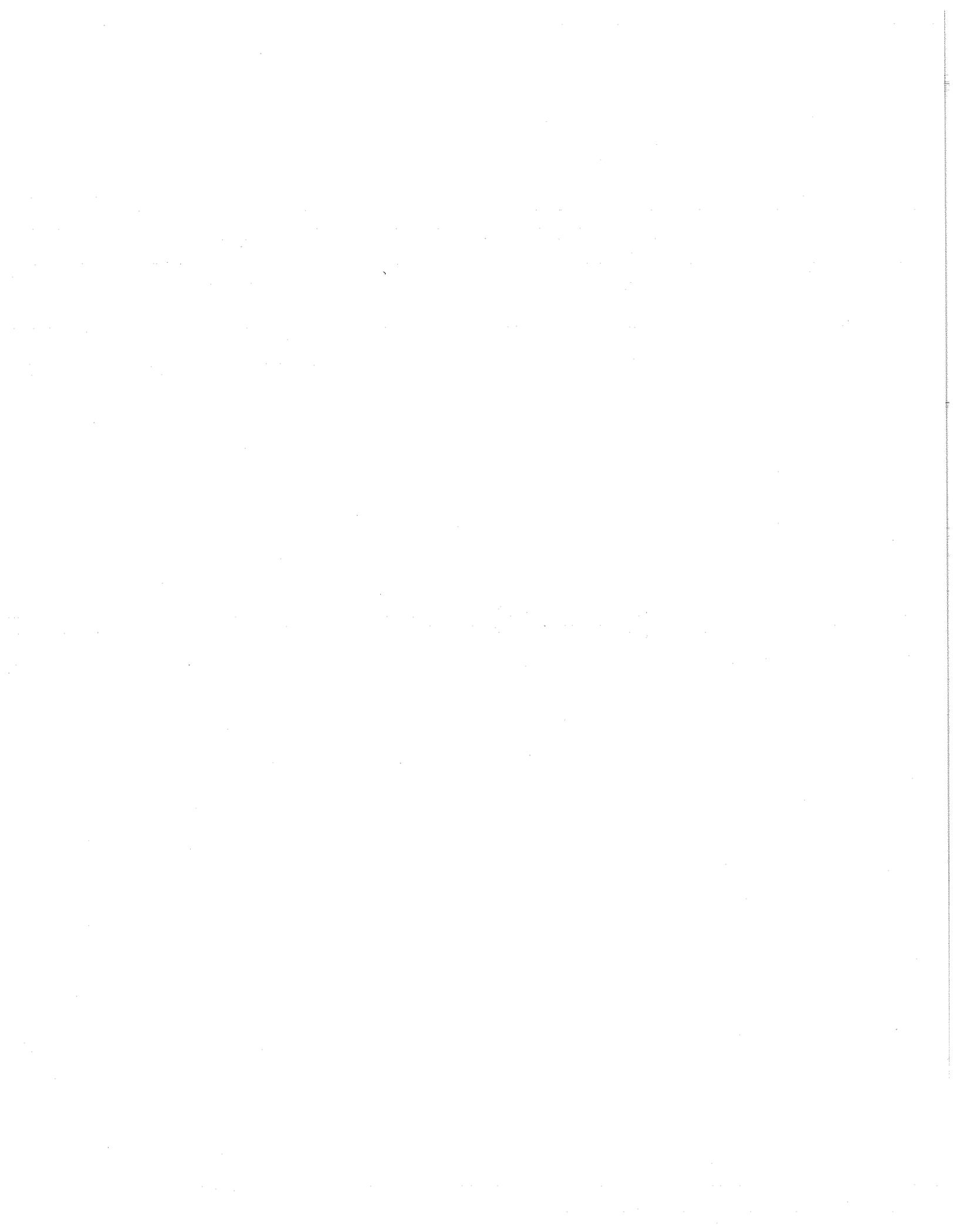
Sincerely,

Handwritten signature of John Divozzo in black ink.
John Divozzo

DNRE

NOV 23 2010

ENVIRONMENTAL RESOURCE
MANAGEMENT DIVISION





September 16, 2010

Subject: Wexford County 2009 Solid Waste Management Plan Amendment

Released for public review on March 2, 2009

Public Comment Period: March 16, 2009 to June 15, 2009

Public Hearing Date: May 21, 2009

The Amendment consists of changes to six sections of the Current Solid Waste Management Plan (approved by the MDEQ on March 7, 2002) and inclusion of a draft solid waste ordinance. The Department of Public Works and the Solid Waste Management Planning Committee have reviewed all public comments regarding the 2009 Plan Amendment.

June 29, 2009: Solid Waste Management Planning Committee approval of the 2009 Plan Amendment;

Roll Call Vote [7-3]:

- Yeas (7): Matt Gunnerson, Jane Finnerty, Jerry Richards, Jean Schnitker, Scott Conradson, Rich Leszcz, and Mike Solomon.
- Nays (3): Todd Harland, Michael Kennedy, and Mark Howie.
- Abstain (1): Bob Johnson.
- Absent (2): Painter and Bathrick.
- Vacant (1): Environmental Group Representative.

July 6, 2009: Solid Waste Management Planning Committee reaffirmed its approval of the 2009 Plan Amendment

Roll Call Vote [9-0]:

- Yeas (9): Russell Painter, Matt Gunnerson, Jane Finnerty, Jerry Richards, Jean Schnitker, Scott Conradson, Rich Leszcz, Mike Solomon, and Michael Kennedy.
- Nays (0): None.
- Absent (4): Todd Harland, Robert Johnson, Mark Howie, and Glenn Bathrick.
- Vacant (1): Environmental Group Representative.

DNRE

NOV 23 2010

ENVIRONMENTAL RESOURCE
MANAGEMENT DIVISION

The Board of Commissioners reviewed the Plan Amendment and provided its written objections to the Solid Waste Management Planning Committee on August 24, 2010.

The Solid Waste Management Planning Committee reviewed the BOC objections and provided its response on August 24, 2010.

The Board of Commissioners approved the Plan Amendment on September 15, 2010.

The 2009 Plan Amendment is detailed as follows:

- **Import/Export Authorization – Amendment #1**

The Current Plan includes import/export authorization for solid waste generated outside Wexford County; specifically pages III-4 through III-5b (Tables 1A, 2A, 1B, and 2B). Four (4) counties are listed to import/export solid waste.

The proposed amended language to the Import Authorization is as follows:

1. Import Authorization; Page III-4, Table 1A

- a. Delete the language; “***Contingency – refers to authorization to import or export waste into or from Wexford County only under emergency conditions to be defined within any processed agreement*” from page III-4 (Table 1A).

In the March 7, 2002 approval letter for the Current Plan; the MDEQ stated that the Current Plan was approved with the deletion of this language. Since Wexford County is including Table 1A in its Amendment, this language must be deleted for public review.

- b. Include Antrim, Benzie, Grand Traverse, Kalkaska, Lake, Emmett, Charlevoix, Otsego, Crawford, Leelanau, Manistee, Roscommon, Ogemaw, Mason, Osceola, Clare, Gladwin, Oceana, Newaygo, Mecosta, and Isabella Counties; Authorized Condition is “Primary (Agreement Required) **”

The “**” refers to Special Conditions, which are detailed on page D-6 of the Current Plan; Wexford County is not proposing any changes to this page.

- c. Remove reference to the Wexford County Landfill in the Facility Name column of Table 1A.

The proposed amended language to the Export Authorization is as follows:

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Comm Beck stated he has watched this board dealing with the landfill issue over the last six years. He believes if the county sells the landfill it will be the worst thing that could happen today for the citizens of Wexford County.

Comm Saari invited all to look at the renovations to the Law Library. The Building and Recreation Committee will then address the furniture needs for the room.

Comm Stump believes the last time the SWMP Amendment failed due to lack of trust between municipalities and townships and the people presenting the plan. Now, five years late, he sees the same process. It is important to earn their trust.

Chairman's Comments

Comm Housler thanked all for attending the meeting tonight.

Adjourn

MOTION by Comm Akers with the support of Comm Bulock to
adjourn at 7:05 p.m.

All in favor.



Leslie Housler, Board Chairperson



Elaine L Richardson, County Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF WEXFORD)

I, **Elaine L. Richardson**, County Clerk and Court Clerk for the Circuit Court of said County, do hereby certify that the foregoing is a true and correct copy of the original on file in this office.

Signed and sealed in the City of Cadillac, on this date: November 18, 2010



ELAINE L. RICHARDSON, County Clerk

1. Export Authorization; Page III-4a, Table 2A

- a. Add Osceola County; Authorized Condition is "Contingency"

Please see attached Amended pages III-4 and III-4a.

• **Facility Description – Amendment #2**

The Current Plan includes a Facility Description for the Wexford County Landfill (pages II-3 and III-7).

Since 2005, Wexford County has performed extensive site remediation and received approval for construction permit modifications as necessary to mitigate concerns regarding historic groundwater contamination and to receive an approved Remedial Action Plan for the site.

In 2006, Wexford County purchased 18.18 acres of land from the DNR to maintain adequate distance from the property line to the limits of waste on the eastern border of the facility. This was necessary to provide adequate airspace for county residents and businesses and continue site remediation through to completion.

In 2008, Wexford County received an approved construction permit for expansion of the existing disposal area.

In 2009, Wexford County performed a topographical survey of the in-place waste and compared this to the permitted design capacity resulting in an increase to the design capacity and remaining site life.

In an effort to maintain accurate and current records, the Facility Description listed on pages II-3 and III-7 requires amending.

Please see attached Amended pages II-3 and III-7.

• **Solid Waste Collection Services and Transportation – Amendment #3**

This section requires amending to be consistent with the other proposed changes to the Current Plan (page III-10).

Wexford County is proposing to delete the current language of the Solid Waste Collection Services and Transportation section and replace with the following text:

Collection services within the County are currently handled by private haulers that collect solid waste in the County and transport it to the Wexford County Landfill located in Cedar Creek Township. There is one transfer station in Haring Charter Township served by Waste Management, Inc. Refuse collection is available to all residents in the cities, villages, and townships in the County through private waste haulers or the residents can elect to haul their own waste to a disposal area located within the County. Final disposal of all solid waste shall be in a permitted and licensed landfill located in Wexford County.

Waste haulers and County residents are served by state trunklines, as well as, County maintained primary and secondary roads.

Overall, the County is adequately served by the present system of solid waste collection, transportation, and disposal.

Please see attached Amended page III-10.

- **Siting Review Procedures – Amendment #4**

Pursuant to the MDEQ approval letter dated March 7, 2002, the Current Plan was approved if pages III-26 and III-26a were deleted and replaced with the following language (the current siting review procedures):

“The Wexford County Department of Public Works is authorized to vertically and horizontally expand the current Wexford County Sanitary Landfill. The expansion of the Wexford County Landfill is restricted to property owned or leased by the Wexford County Department of Public Works.”

In the case of transfer stations, the facility must be located on industrial or commercially zoned property. The transfer facility will be no closer than 300 feet from the nearest residential unit existing at the time of the application. It shall be located on a paved concrete or asphalt pad designed and constructed for that purpose. Ingress and egress shall be to and from a Class A connector street or major road. The perimeter of the facility shall be fenced (the fence shall be a minimum of five feet high).”

Wexford County is proposing to delete the text in this section and replace with new language to allow expansion of the present operating landfill to its full potential and to include specific siting criteria in the event available airspace is reduced to less than 66 months.

Please see attached Amended pages III-26 to III-29.

- **Local Ordinances and Regulations Affecting Solid Waste Disposal – Amendment #5**

In the March 7, 2002 approval letter for the Current Plan; the MDEQ stated the Plan was approved with the deletion of this entire section. This section requires amending in order to allow for various local regulations regarding solid waste management. Wexford County has included a draft solid waste ordinance for future consideration. The draft ordinance is included in this section as Attachment A.

Please see the attached Amended pages III-30 and 31; including Attachment A.

- **Capacity Certifications – Amendment #6**

The current solid waste capacity for the Wexford County exceeds 20 years. Wexford County is proposing amendments to the Facility Description on pages II-3 and III-7, which identify over 40 years of site life at the existing disposal facility located within the County; the proposed change in text for this section is necessary to maintain consistency throughout the Plan.

Please see the attached Amended page III-33.

###

AMENDMENT #1

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

TABLE 1-A

CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ²
<u>Wexford</u>	<u>Missaukee</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Leelanau</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Clare</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Manistee</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Osceola</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Antrim</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Benzie</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Grand Traverse</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Kalkaska</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Lake</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Emmett</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

TABLE 1-A; continued

CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ³	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ⁴
<u>Wexford</u>	<u>Charlevoix</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Otsego</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Crawford</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Roscommon</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Ogemaw</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Mason</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Gladwin</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Oceana</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Newaygo</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Mecosta</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Isabella</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>

³ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

⁴ Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

EXPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within another County, disposal of solid waste generated by the EXPORTING COUNTY is authorized up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 2-A; IF authorized for import in the approved Solid Waste Management Plan of the receiving County.

TABLE 2-A

CURRENT EXPORT VOLUME AUTHORIZATION OF SOLID WASTE

EXPORTING COUNTY	IMPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ²
<u>Wexford</u>	<u>Missaukee</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required)*</u>
<u>Wexford</u>	<u>Manistee</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>
<u>Wexford</u>	<u>Leelanau</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>
<u>Wexford</u>	<u>Clare</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>
<u>Wexford</u>	<u>Osceola</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

AMENDMENT #2

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FACILITY DESCRIPTIONS

Facility Type: Sanitary Type II Landfill
 Facility Name: Wexford County Landfill
 County: Wexford Location: Town: 23N Range: 9W Section: 33/34

Map identifying location included in Attachment Section: Yes No

If facility is an Incinerator or a Transfer Station, list the final disposal site and location for Incinerator Ash or Transfer Station Wastes: Not applicable

Public Private Owner: Wexford County

Operating Status (Check)

Waste Types Received (check all that apply)

- open
- closed
- licensed
- unlicensed
- construction permit
- open, but closure
- pending



- residential
- commercial
- industrial
- construction & demolition
- contaminated soils
- special wastes*
- other: all other non-hazardous wastes regulated by Act 451, Part 115

*Explanation of special wastes, including a specific list and/or conditions:

- Lime, Asbestos, Wastewater Treatment Sludge, Street Sweepings, Foundry Sand, Ash, other non-hazardous wastes as defined in Act 451, Part 115 that require special handling or treatment

Site Size:

Total area of facility property:	<u>196.4</u>	acres
Total area sited for use:	<u>196.4</u>	acres
Total Area permitted:	<u>56.1</u>	acres
Operating:	<u>33.1</u>	acres
Not excavated:	<u>23.0</u>	acres

Current Capacity:	<u>4,600,000</u>	<input type="checkbox"/> tons or <input checked="" type="checkbox"/> yards
Estimated Lifetime:	<u>40</u>	years
Estimated days open per year:	<u>260</u>	days
Estimated yearly disposal volume:	<u>200,000</u>	<input type="checkbox"/> tons or <input checked="" type="checkbox"/> yards

(If applicable)

Annual energy production:

Landfill gas recovery projects:	_____	megawatts
Waste-to-energy incinerators:	_____	megawatts

FACILITY DESCRIPTIONS

Facility Type: Sanitary Type II Landfill
 Facility Name: Wexford County Landfill
 County: Wexford Location: Town: 23N Range: 9W Section: 33/34

Map identifying location included in Attachment Section: Yes No

If facility is an Incinerator or a Transfer Station, list the final disposal site and location for Incinerator Ash or Transfer Station Wastes: Not applicable

Public Private Owner: Wexford County

Operating Status (Check)

Waste Types Received (check all that apply)

- open
- closed
- licensed
- unlicensed
- construction permit
- open, but closure
- pending

- residential
- commercial
- industrial
- construction & demolition
- contaminated soils
- special wastes*
- other: all other non-hazardous wastes regulated by Act 451, Part 115

*Explanation of special wastes, including a specific list and/or conditions:

- Lime, Asbestos, Wastewater Treatment Sludge, Street Sweepings, Foundry Sand, Ash, other non-hazardous wastes as defined in Act 451, Part 115 that require special handling or treatment

Site Size:

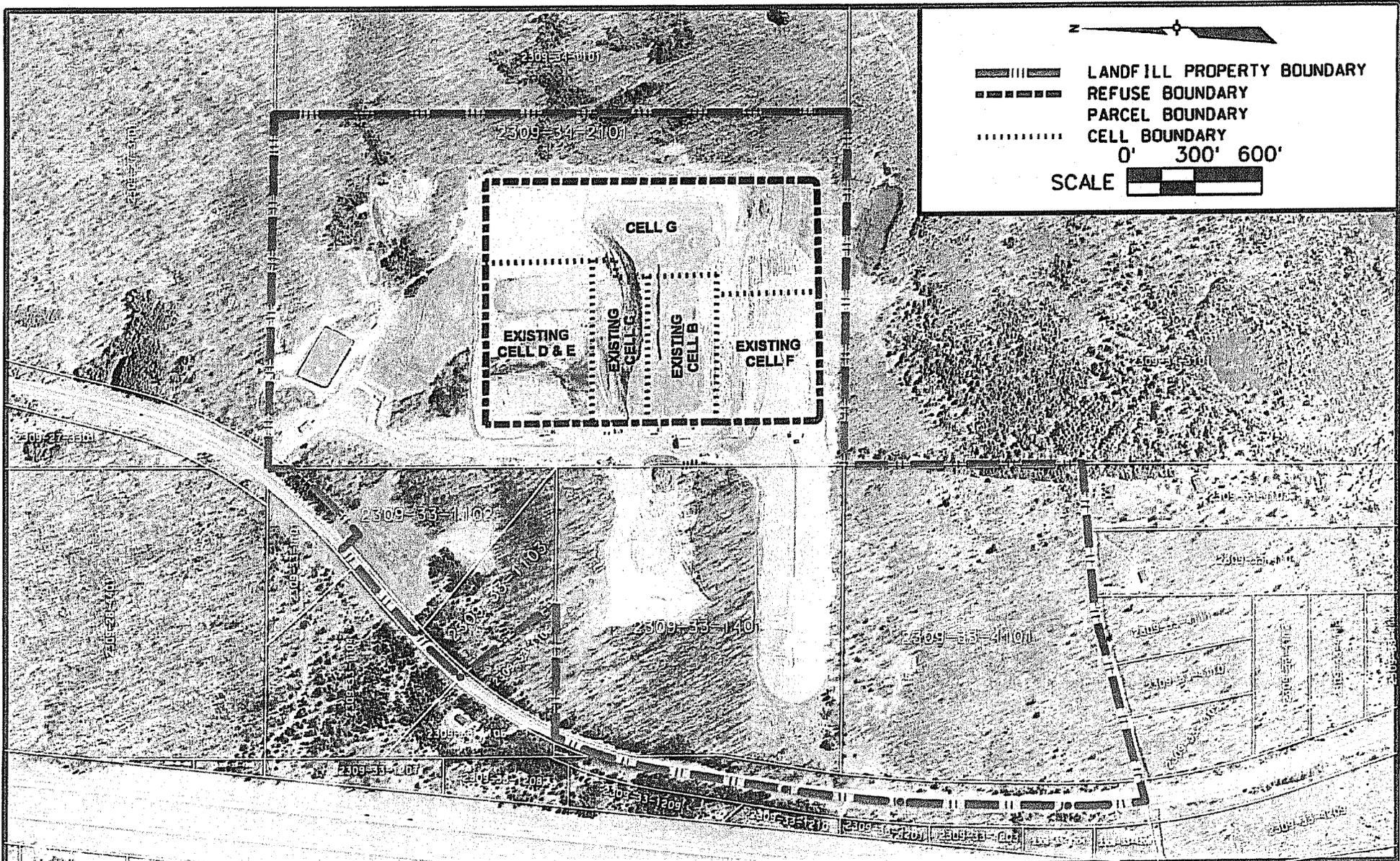
Total area of facility property:	<u>196.4</u>	acres
Total area sited for use:	<u>196.4</u>	acres
Total Area permitted:	<u>56.1</u>	acres
Operating:	<u>33.1</u>	acres
Not excavated:	<u>23.0</u>	acres

Current Capacity:	<u>4,600,000</u>	<input type="checkbox"/> tons or <input checked="" type="checkbox"/> yards
Estimated Lifetime:	<u>40</u>	years
Estimated days open per year:	<u>260</u>	days
Estimated yearly disposal volume:	<u>200,000</u>	<input type="checkbox"/> tons or <input checked="" type="checkbox"/> yards

(If applicable)

Annual energy production:

Landfill gas recovery projects:	___	megawatts
Waste-to-energy incinerators:	___	megawatts



N

———— LANDFILL PROPERTY BOUNDARY
 - - - - - REFUSE BOUNDARY
 PARCEL BOUNDARY
 CELL BOUNDARY

0' 300' 600'

SCALE



CTI and Associates, Inc.

DRAWING	SCALE:	1" = 600'
1	PROJECT NO.:	75010002.2
	FILE NAME:	FACILITY MAP
	DATE:	FEB 2007

FACILITY MAP

**WEXFORD COUNTY LANDFILL
WEXFORD COUNTY, MICHIGAN**

DESIGNED BY:	RWC
DRAWN BY:	BDA
CHECKED BY:	
APPROVED BY:	

AMENDMENT #3

SOLID WASTE COLLECTION SERVICES AND TRANSPORTATION:

The following describes the solid waste collection services and transportation infrastructure, which will be utilized within the County to collect and transport waste.

Collection services within the County are currently handled by private haulers that collect solid waste in the County and transport it to the Wexford County Landfill located in Cedar Creek Township. There is one transfer station in Haring Charter Township served by Waste Management, Inc. Refuse collection is available to all residents in the cities, villages, and townships in the County through private waste haulers or the residents can elect to haul their own waste to a disposal area located within the County. Final disposal of all solid waste shall be in a permitted and licensed landfill located in Wexford County. 

Waste haulers and County residents are served by state trunklines, as well as, County maintained primary and secondary roads.

Overall, the County is adequately served by the present system of solid waste collection, transportation, and disposal.

AMENDMENT #4

SITING REVIEW PROCEDURES

AUTHORIZED DISPOSAL AREA TYPES

The following solid waste disposal area types may not be sited by this Plan. Any proposal to construct a facility listed herein shall be deemed inconsistent with this Plan unless specifically added to the Plan through a properly approved Plan amendment.

N/A

SITING CRITERIA AND PROCESS

The following process describes the criteria and procedures to be used to site solid waste disposal facilities and determine consistency with this Plan. (Attach additional pages if necessary.)

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[Approval Letter](#)

Expansion of the Wexford County Landfill is authorized by this Plan and shall be limited to the total acreage found on the Facility Description.

Proposals for all new disposal areas must be found consistent with the criteria contained in this section before a determination of consistency may be issued.

1. To initiate the review under this Plan, the facility developer shall submit ten copies of the information required below to the Wexford County Board of Commissioners (BOC).
2. Solid waste facility siting proposals will be reviewed for consistency with the Plan. The BOC may designate or appoint a solid waste planning committee, a technical committee, or a planning agency, as it deems appropriate, to review the solid waste facility proposal for consistency with the Plan according to the procedures outlined herein. In that case, the designated planning agency must be appointed within 30 days of the BOC receiving this application. This chosen body shall make a recommendation to the BOC on the consistency of the proposal; however, it is the responsibility of the BOC to make the decision on whether the proposal is consistent with the County Plan. A proposal that is declared to be consistent with the Plan by the BOC shall become part of the Plan upon issuance of a construction permit by the DNRE.
3. Upon receipt of the application from the BOC, the designated planning agency shall have 30 days to review the application for administrative completeness in accordance with the requirements listed in subparts (i)-(vii) below. If it is not complete, the developer shall be notified and given an opportunity to provide additional information to make the application complete. The developer has 30 working days to provide the requested information. If no determination is made within 30 working days after the reception of the additional information by the designated planning agency, the application shall be considered administratively complete.
 - i. The application shall include a name, address, and telephone number for: the applicant (including partners and other ownership interests), the property owner(s) of the site, any consulting engineers and geologists that will be involved in the project, a designated contact person for the facility developer (if different than the applicant), and shall specify the type of facility being proposed.

ii. The application shall contain information on the site location and orientation. This shall include a legal land description of the project area, a site map showing all roadways and principal land features within two miles of the site, a topographic map with contour intervals of no more than ten feet for the site, a map and description of all access roads showing their location, type of surface material, proposed access point to the facility, haul route from access roads to the nearest state trunkline, and a current map showing the proposed site and surrounding zoning, domiciles, and present usage of all property within one mile of the site.

iii. The application shall contain a map showing locations of any permitted oil and gas wells drilled in the section containing a proposed landfill site and in adjacent sections and their current status. The plugging records of any permitted oil and gas wells on a proposed landfill site shall also be included with the application.

iv. The application shall contain a description of the current site use and ground cover, a map showing the locations of all structures within 1,200 feet of the perimeter of the site, the location of all utilities, the location of the 100-year floodplain as defined by Rule 323.311 of the administrative rules of Part 31, Water Resources Protection, of Act 451, as amended within 1,200 feet of the site, the location of all wetlands as defined by Part 303, Wetlands Protection, of Act 451, as amended within 1,200 feet of the site, and the site soil types and general geological characteristics.

v. The application shall contain a description of the proposed site and facility design. This shall consist of a written proposal including the final design capacity.

vi. The application shall contain a description of the operations of the facility and shall provide information indicating the planned annual usage, anticipated sources of solid waste, and the facility life expectancy.

vii. If necessary to satisfy the requirements of criteria xiii, a signed statement indicating the willingness of the developer to provide road improvements and/or maintenance.

4. Within 45 days from the date the application is determined to be administratively complete, the designated planning agency shall complete the consistency review and make their recommendations to the BOC who shall send the County's written final determination of consistency for the proposal to the applicant. To be found consistent with the Plan, a proposed solid waste disposal area must comply with all the siting criteria and requirements described in subparts (i)-(xiii) below.

As provided by Section 11537a of Part 115 of Act 451, as amended, if Wexford County has 66 months of disposal capacity available for all waste generated in the county, the BOC may, at its discretion, refuse to allow this siting criteria to be used.

Siting Criteria

- i. The active work area for a new facility or expansion of an existing facility shall not be located closer than 100 feet from adjacent property lines or road rights-of-way.
 - a. In addition, the approval of an isolation distance less than 200 feet from adjacent property lines or road rights-of-way requires the existence of a berm, which is not less than 8 feet high, which has a 4 foot fence on top and that is constructed around the perimeter of the active work area or the existence of natural screening that offers equivalent protection.

- ii. The active work area for a new facility or expansion of an existing facility shall not be located closer than 300 feet from domiciles or public schools existing at the time of submission of the application.
- iii. The active work area for a new facility or expansion of an existing facility shall not be located closer than 400 feet from inland lakes and streams, but not including drains as defined by 1956 PA 40, MCL 280.1.
- iv. A new, previously unlicensed sanitary landfill shall not be constructed within 10,000 feet of a licensed airport runway. This restriction does not apply to expansions of existing sanitary landfills.
- v. A facility shall not be located in a 100-year floodplain as defined by Rule 323.311 of the administrative rules of Part 31, Water Resources Protection, of Act 451, as amended.
- vi. A facility shall not be located in a wetland regulated by Part 303, Wetlands Protection, of Act 451, as amended unless a permit is issued.
- vii. A facility shall not be constructed in lands enrolled under Part 361, Farmland and Open Space Preservation, of Act 451, as amended.
- viii. A facility shall not be located in a sensitive environmental area as defined in Part 323, Shorelands Protection and Management, of Act 451, as amended or in areas of unique habitat as defined by the Department of Natural Resources, Natural Features Inventory.
- ix. A facility shall not be located in an area of groundwater recharge as defined by the United States Geological Survey or in a wellhead protection area as approved by the DNRE.
- x. A facility shall not be located in a designated historic or archaeological area as defined by the state historical preservation officer.
- xi. A facility shall not be located or permitted to expand on land owned by the United States of America or the state of Michigan. Disposal areas may be located on state land only if both of the following conditions are met:

 - a. Thorough investigation and evaluation of the proposed site by the developer indicates, to the satisfaction of the DNRE, that the site is suitable for such use; and
 - b. The state determines that the land may be released for landfill purposes and the facility developer acquires the property in fee title from the state in accordance with state requirements for such acquisition.
- xii. Facilities may only be located on property zoned as agricultural, industrial, or commercial at the time the facility developer applies to the county for such determination of consistency under the Plan. Facilities may be located on unzoned property, but may not be located on property zoned residential.
- xiii. A facility shall be located on a paved, all weather “Class A” road. If a facility is not on such a road, the developer shall sign a statement agreeing to provide for upgrading and/or maintenance of the road serving the facility.

5. If the facility developer does not agree with the consistency decision by the BOC or if no consistency determination has been rendered within 45 working days, the developer may request the DNRE determine consistency of the proposal with the Plan as part of DNRE review of a construction permit application.
6. If the proposal is found to be inconsistent with the Plan, the facility developer may provide additional information to address the identified deficiencies. The facility developer has 30 days to submit the additional information to the designated planning agency. The designated planning agency may only determine consistency and make its recommendation to the BOC on such a resubmittal in regards to the criteria originally found deficient.
7. After the additional information provided by the developer to address identified deficiencies has been submitted to the designated planning agency, the agency has 30 days to make a recommendation to the BOC. Upon receiving the designated planning agency's recommendation, the BOC must determine whether the corrected proposal is consistent with the Plan.
8. If the facility developer does not agree with the consistency decision by the BOC or if no consistency determination has been rendered within 45 working days, the developer may request the DNRE determine consistency of the proposal with the Plan as part of the DNRE review of a construction permit application.
9. The final determination of consistency with the Plan shall be made by the DNRE upon submittal by the developer of an application for a construction permit. The DNRE shall review the determination made by the BOC to insure that the criteria and review procedures have been properly adhered to by the County.

AMENDMENT #5

LOCAL ORDINANCES AND REGULATIONS AFFECTING SOLID WASTE DISPOSAL

This Plan update's relationship to local ordinances and regulations within the County is described in the option(s) marked below:

1. Section 11538 (8) and Rule 710 (3) of Part 115 prohibits enforcement of all county and local ordinances and regulations pertaining to solid waste disposal areas unless explicitly included in an approved Solid Waste Management Plan. Local regulations and ordinances intended to be part of this Plan must be specified below and the manner in which they will be applied described.

There are two principal areas where the County's Solid Waste Management System is authorized to include ordinance provisions and appropriate rules and regulations.

These are:

- A. Selected provisions of the Siting Mechanism contained in this Plan cover ancillary construction details and operational aspects of any permitted facility that is sited within the County. These provisions are considered to be consistent with the Plan and are enabled and authorized by the Plan including any ordinance and related rules and regulations required to implement them which may be adopted and implemented by the appropriate governmental unit without additional authorization from, or formal amendment to, the Solid Waste Management Plan. These include and are not limited to the following:
- a. Certain ancillary construction details;
 - b. Hours of operation;
 - c. Noise, litter, odor and dust controls as well as other site nuisances;
 - d. Operating records and reports;
 - e. Facility security and safety;
 - f. Monitoring requirements for wastes accepted, banned or prohibited;
 - g. Volume reduction, recycling, and composting requirements;
 - h. Waste disposal surcharges;
 - i. Licensing of waste haulers; and
 - j. Enforcement of import/export authorization.
- B. The Plan's enforceable Program and Process, including Authorized Management Component, the Authorized Import/Export conditions, and the Plan's authorized Ordinance provisions, will be carried out through the County's system of intergovernmental contracts, Wexford County Ordinance # _____ in current and future amended form, its administrative rules and regulations, and the supporting hauler licensing, facility designation agreements, and service contracts and system procurement provisions. These provisions and mechanisms are considered to be consistent with the Plan's Enforceable program, including any further amendments to the ordinances and related rules and regulations, as required to implement the Plan's Enforceable Program which may be adopted and implemented by the appropriate governmental unit without additional authorization from, or formal amendment to, the Solid Waste Management Plan, except that such amendments shall not exceed the authority provided for in Part 115 of NREPA with regards to the location of disposal areas.

[Return to
Amendment
Letter](#)

SELECTED SYSTEM – 2009 Amendment to Local Ordinances and Regulations Affecting Solid Waste Disposal

2. This Plan recognizes and incorporates as enforceable the following specific provisions based on existing zoning ordinances:

- A. Geographic area/Unit of Government: _____
Type of disposal area affected: _____
Ordinance or legal basis: _____
Requirement / Restriction: _____

- B. Geographic area/Unit of Government: _____
Type of disposal area affected: _____
Ordinance or legal basis: _____
Requirement / Restriction: _____

- C. Geographic area/Unit of Government: _____
Type of disposal area affected: _____
Ordinance or legal basis: _____
Requirement / Restriction: _____

- D. Geographic area/Unit of Government: _____
Type of disposal area affected: _____
Ordinance or legal basis: _____
Requirement / Restriction: _____

3. This Plan authorizes adoption and implementation of local regulations governing the following subjects by the indicated units of government without further authorization from or amendment to the Plan.

Regulations meeting these qualifications may be adopted and implemented by the appropriate governmental unit without additional authorization from, or formal amendment to, the Solid Waste Management Plan. Allowable areas of local regulation, beyond those specified elsewhere in this document, include:

1. Certain ancillary construction details, such as landscaping and screening;
2. Hours of operation;
3. Noise, litter, odor, and dust control;
4. Operating records and reports;
5. Facility security;
6. Monitoring of wastes accepted and prohibited; and
7. Composting and recycling.

ATTACHMENT A

SOLID WASTE ORDINANCE

DRAFT

WEXFORD COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO ADOPT AN ORDINANCE TO REGULATE THE COLLECTION, TRANSPORTATION, DELIVERY AND DISPOSAL OF SOLID WASTE; TO REQUIRE THE LICENSING OF WASTE HAULERS; TO PROHIBIT ROADSIDE DUMPING OF REFUSE; AND TO PROVIDE PENALTIES AND REMEDIES FOR VIOLATIONS THEREOF

WHEREAS, Wexford County is required under Part 115 of the Natural Resources and Environmental Protection Act (NREPA), MCL 342.11501 *et seq.*, to have a Solid Waste Management Plan; and

WHEREAS, Wexford County wishes to amend its Solid Waste Management Plan to take into account the sale of the County-owned landfill to a private entity, and to provide for regulation of the collection, transportation and disposal of solid waste by ordinance; and

WHEREAS, Wexford County is authorized under Part 115 of NREPA and MCL 46.11(j) to adopt an ordinance regulating the collection, transportation and disposal of solid waste generated within Wexford County.

THEREFORE BE IT RESOLVED, that the Wexford County Board of Commissioners hereby adopts the Wexford County Solid Waste Ordinance, attached and incorporated by reference as Exhibit 1 to this Resolution; and

BE IT FURTHER RESOLVED, that the license fees to be charged annually for solid waste haulers shall be as follows, payable to the DPW upon application for a license or license renewal, and subject to change from time to time by County Board Resolution:

Initial Base License Fee	= \$100.00
Initial Fee for Each Truck	= \$ 25.00
Renewal Base License Fee	= \$ 25.00
Renewal Fee for Each Truck	= \$ 15.00

BE IT FINALLY RESOLVED, that this Ordinance shall take effect sixty (60) days after its adoption when notice of its adoption is published in a newspaper of general circulation in the County.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE TO REGULATE THE COLLECTION, TRANSPORTATION, DELIVERY AND DISPOSAL OF SOLID WASTE; TO REQUIRE THE LICENSING OF WASTE HAULERS; TO PROHIBIT ROADSIDE DUMPING OF REFUSE; AND TO PROVIDE PENALTIES AND REMEDIES FOR VIOLATIONS THEREOF

THE COUNTY OF WEXFORD ORDAINS:

Section 1. Adoption of Ordinance. The Wexford County Solid Waste Ordinance is hereby adopted to read as follows:

SECTION 1

SHORT TITLE

This Ordinance may be referred to as the "Solid Waste Ordinance" of the County of Wexford.

SECTION 2

DEFINITIONS

2.1 **Definitions.** For purposes of this Ordinance, the words and phrases listed below shall have the following meanings:

- 1) "Administrative Rules" means, except as otherwise expressly provided herein, those administrative rules promulgated under Section 8 of this Ordinance.
- 2) "BPW" means the Board of Public Works of the County.
- 3) "Container Pick Up" means the collection of refuse from one container on one day.
- 4) "County" means the County of Wexford, Michigan, acting through the County Board.
- 5) "County Board" means the Board of Commissioners of the County of Wexford.
- 6) "County-approved Refuse Container" means a container meeting all the specifications set forth in this Ordinance.
- 7) "County-Designated Facility" means a facility which is identified in the Administrative Rules as an approved location for the disposal of refuse including any of the following: (1) a licensed and permitted sanitary landfill operating within Wexford County, Michigan, or (2) any other solid waste handling facility utilized in

the transfer or disposal of solid waste located outside of the State of Michigan.

- 8) "Director" means the Director of the Department of Public Works of the County of Wexford, or other person appointed by the County Board to administer or enforce this Ordinance.
- 9) "Hazardous Waste" means hazardous waste as defined in the NREPA, as amended, and as identified in administrative rules promulgated pursuant to the NREPA. See Attachment A.
- 10) "Individual" means any person who transports solid waste who is not a licensed waste hauler.
- 11) "Local Unit of Government" means a city, village, general law township or charter township within the County.
- 12) "NREPA" means Part 115, Solid Waste Management, of the Michigan Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.
- 13) "Person" means an individual, firm, public or private corporation, partnership, trust, public or private agency or any other entity or any group of persons.
- 14) "Premises" means a parcel of land, including any building or structures located thereon, within the County, which is being used for residential, commercial, industrial or institutional purposes, either separately or in combination, and to which a separate street address, postal address or box, tax roll description, or other similar identification has been assigned, or is being used by a person having control of the area.
- 15) "Recyclable Material" means material or articles separated for the express purpose of preparation and delivery to a secondary market or other legitimate end use, including, but not limited to, newspaper, corrugated cardboard, magazines, computer print-out paper, office paper, glass containers, high density and low density polyethylene (HDPE and LDPE) containers, polyethylene terephthalate (PET) containers, tin cans, ferrous metal and nonferrous metal.
- 16) "Refuse" means solid waste.
- 17) "Rural" means a unit of local government which is a general law township.
- 18) "Solid Waste" means solid waste as defined in the NREPA, as amended. See Attachment B.

- 19) "Special Refuse" means furniture, household appliances, brush, large tree limbs and other bulky refuse items, as may be further defined in the Administrative Rules.
- 20) "Tipping Fee" means a fee established by the owner of a County-Designated Facility to be charged upon delivery of solid waste to a County-Designated Facility.
- 21) "Urban" means any unit of local government which is a city, village or charter township.
- 22) "Waste Hauler" or "Hauler" means any person engaged, in whole or in part, in the business of collecting transporting, delivering, or disposing of solid waste within the County, other than refuse generated by the person so hauling.
- 23) "Yard Waste" means leaves, grass clippings, vegetable or other garden debris, shrubbery or brush or tree trimmings that can be converted to compost humus. Yard waste does not include stumps, agricultural waste, animal waste, roots, sewage sludge or garbage.

SECTION 3

LICENSING OF HAULERS

- 3.1 Hauler License. No person shall engage in the business of collecting, transporting, delivering or disposing of solid waste or recyclable material generated within the County, without first obtaining a hauler license.
- 3.2 License Application. Every person desiring to engage in the business of collecting, transporting, delivering or disposing of solid waste or recyclables generated within the County shall make written application to the Director on forms provided by or prescribed by the BPW. The application shall require such information as will enable the BPW to determine whether the applicant, if licensed, will serve the public in compliance with requirements of this Ordinance, and all other applicable laws, statutes, ordinances, rules, and regulations.
- 3.3 Approval or Denial of License. Upon receipt of an administratively complete application and payment of the licensing fee, the Director shall grant or deny the hauler license. If denied, a letter to the hauler explaining the reasons for the denial will be provided within ten (10) working days. If a license is denied, the applicant shall be provided with the opportunity for a hearing before the BPW within ten (10) working days of receipt of a written request for same from the applicant. The request for a hearing must be filed by the applicant with the Director within ten (10) working days of receipt of the denial. The BPW may affirm the denial of the issuance of the license for any of the following reasons:

- a) Failure of the applicant to comply with this Ordinance.
 - b) A violation of this Ordinance or other applicable laws, statutes, ordinances, rules, and regulations.
 - c) A prior criminal conviction, other than minor traffic offense, or prior license revocation, when such criminal conviction or license revocation bears on the ability of the applicant to serve the public as a refuse hauler in a safe and lawful manner.
 - d) A misrepresentation of a material fact in the application for the license.
- 3.4 License Fee. An annual hauler licensing fee shall be paid by the applicant upon submittal of a license application to the Director. A license fee schedule shall be adopted by resolution of the County Board and shall reasonably cover the cost of administration of the licensing. A fee schedule shall continue in full force and effect until amended by the County Board.
- 3.5 License Expiration and Renewal. A license issued under this Section shall expire on the first day of January of each year. A license shall be renewed annually, and the license fee paid, in the manner set forth in this Section, unless the applicant's license has been revoked in accordance with the terms of this Ordinance.
- 3.6 License Scope and Restrictions. A license issued under this Section may restrict the scope of services of the hauler based on the services defined in the hauler's license application. Restrictions may include (1) the geographic area to be served, (2) the class of waste generator to be served (such as residential, commercial or institutional), (3) the type of material to be collected (such as special refuse or recyclable materials), (4) the points of collection (such as curb, alley, roadside, or drop station), and/or the schedule of such collections and (5) the vehicles the hauler may use to make collections. The scope of services provided by a hauler shall be limited as expressly stated in the hauler license.
- 3.7 Non-transferability of Licenses. A hauler license shall be non-transferable.

SECTION 4

CONDITIONS OF HAULER LICENSE

- 4.1 General License Conditions. It shall be a condition of each hauler license that the hauler shall comply with all of the following:
- a) All provisions of this Ordinance, and any amendments thereto.

- b) All applicable federal, state, county, and local laws, statutes, rules and regulations, including, but not limited to, those pertaining to the collecting, transporting, delivering or disposal of solid waste and recyclable material generated within the County.
- c) All applicable provisions of the Wexford County Solid Waste Plan as required under the NREPA and any agreements regarding inter-county transport of solid waste authorized or restricted through that Plan.
- d) All applicable provisions of the Administrative Rules promulgated under Section 8 of this Ordinance.
- e) The hauler shall arrange for the delivery of all solid waste collected under the provisions of this Ordinance to a County-Designated Facility. However, the export of solid waste out of the State of Michigan shall be allowed as provided by federal and State law.
- f) The hauler shall not knowingly allow materials in solid waste collected by the hauler that have been banned by the County, or its designated agent, as described by the Administrative Rules.

4.2 Specific License Conditions. As a condition of a hauler license issued pursuant to this Ordinance, the hauler shall:

- (a) File in writing with the Director by the first (1st) day of January annually each of the following:
 - 1) A description of the methods and equipment the applicant will use for collecting refuse and/or recyclable material within the County.
 - 2) A description of the type of collection to be provided and the geographic area of the County to be served.
 - 3) A plan for meeting all collection and disposal requirements outlined in the Ordinance and in other local, state and federal regulations, as appropriate.
 - 4) Proof of liability insurance.
 - 5) A schedule of basic rates for collection, the services provided to customers and all fees associated with those services.
 - 6) A list of all collection trucks to be used in the County, including the capacity, license plate number, and identifying markers of each.

- (b) Notify the Director in writing ten (10) days prior to any substantive change in the information filed under subsection (a) above.
- (c) File with the Director by the twentieth (20th) day of January, April, July and October of each year, operations information from the last full three (3) month period. This information shall include the segregated quantities, in yards and tons, of solid waste, yard waste, and recyclable material collected by the hauler within the County.
- (d) Establish fees for service.

SECTION 5

PROPER DISPOSAL OF REFUSE

- 5.1 Unlawful Dumping. No person shall deposit or cause to be deposited, sort, scatter, throw, drop or leave any solid waste, hazardous waste, special refuse, yard waste or recyclable material upon or into any street, right-of-way, alley, container or other property, public or private, within the County without the prior permission of the owner, proprietor, occupant, or agent in charge of the premises.
- 5.2 Accumulation of Refuse. No owner and/or occupant of a residential dwelling unit or commercial establishment shall permit the accumulation of refuse upon any urban residential or commercial premises for a period in excess of fifteen (15) days. No owner or occupant of a residential dwelling unit shall permit the accumulation of refuse upon any rural residential premises for a period in excess of thirty (30) days.
- 5.3 Composting and Recycling. Yard waste may be accumulated on residential property for composting purposes in a manner which will not create odor, harbor rodents or become a public nuisance. Yard waste which has been collected commercially may only be accumulated if actively managed as compost in a manner which will not create odor, harbor rodents, or become a public nuisance.

Recyclable material may be accumulated in a manner which will not create odor, harbor rodents or become a public nuisance, for the express purpose of transport and delivery to a recycling facility.

- 5.4 Collection Restrictions. No person shall place in any refuse container any material that might endanger collection personnel or which would be detrimental to the normal operation of collection, including, but not limited to, gaseous, solid or liquid poisons, dead animals, ammunition, explosives, or any material that possesses heat sufficient to ignite other collected materials.

- 5.5 Anti-Scavenging. No person shall take, collect or transport any refuse, yard waste, or recyclable material from any street right-of-way, alley or dumpster which has been designated for collection by a public agency or licensed hauler. This includes materials that have been placed at a drop-off location, at the edge of a curb, road or alley, or other designated collection site. Materials so restricted shall be placed in a well-marked container, stating the name of the authorized agent. An exception to this provision shall be annual bulk clean-ups sponsored by a local unit of government whereby scavenging of materials set out for refuse pick up reduces the volume of reusable material being disposed of in a landfill.

SECTION 6

REFUSE CONTAINER SPECIFICATIONS

- 6.1 Approved Residential Refuse Containers. For the purposes of residential refuse collection, an approved residential refuse container shall be a plastic bag or can liner closed by drawstring or twist tie, or a container constructed of a permanent material such as steel, aluminum or plastic with a tight fitting cover, which, if lifted manually shall have a capacity of no less than five or more than thirty (30) gallons and a gross weight not exceeding fifty (50) pounds.
- 6.2 Approved Commercial Refuse Containers. For the purpose of commercial refuse collection, an approved refuse container shall consist of a durable, water-tight metal container or dumpster with tight-fitting cover meeting the National Solid Waste Management Association, American National Standards Institute, and Consumer Products Safety Commission Standards for design, application and safety. The lid and side doors of all commercial refuse collection containers shall be kept closed. The net volume of refuse in a commercial refuse container placed for collection shall not exceed the specified capacity of the container.
- 6.3 Condition of Containers. The owner and/or occupant of each residential and commercial premises shall keep all refuse containers clean and in good repair, and shall maintain sanitary conditions in and around each refuse container.

SECTION 7

DISPOSAL OF SOLID WASTE

- 7.1 Approved Collection Methods. The owner or occupant of each residential and commercial property in the County shall be responsible for securing an approved method of solid waste collection. Approved methods shall be limited to: (1) arrangements with a licensed waste hauler, or (2) transport of a person's own solid waste to a County-Designated Facility.

- 7.2 Approved Refuse Container. Any person setting out refuse other than special refuse for collection by a waste hauler shall place all accumulated refuse in an approved refuse container as provided in Section 6 of this Ordinance. A hauler shall not pick up refuse from any residential or commercial location within the County unless it has been placed in a County-Approved Refuse Container.
- 7.3 Delivery of Solid Waste by Waste Haulers. Waste haulers shall (a) deliver all solid waste collected or transported from a site of generation within the County to a County-Designated Facility set forth in the hauler's valid hauler license, and (b) pay the tipping fee for delivery thereof. However, the export of solid waste out of the State of Michigan shall be allowed as provided by federal and State law.
- 7.4 Delivery of Solid Waste by Individuals. An individual transporting solid waste from his or her premises shall (a) deliver such waste to a County-Designated Facility and (b) pay the tipping fee for delivery thereof.
- 7.5 Contingent Disposal Option. If for any reason an emergency or permanent closure of the County-Designated Facilities occurs, Wexford County will notify licensed waste haulers of available contingency disposal options. Such a contingency shall be in compliance with the current approved County Solid Waste Management Plan.

SECTION 8

ADMINISTRATIVE RULES

- 8.1 Promulgation by BPW: Approval by County Board. The BPW may promulgate Administrative Rules to carry out the provisions of this Ordinance. The Administrative Rules shall be subject to approval by resolution of the County Board following the same procedures as are required for the adoption of ordinances.

SECTION 9

ENFORCEMENT

- 9.1 Authorized County Officials. The following personnel of the County of Wexford shall have the authority to enforce this Ordinance and to issue and serve notices and citations for violations of this Ordinance:
- a) The Director of Public Works, or his/her designee.
 - b) The Wexford County Sheriff or his/her deputies.

SECTION 10

VIOLATIONS AND REMEDIES

10.1 **Violation.** Any person who violates, disobeys, omits, neglects or refuses to comply with any provision of this Ordinance or any license issued pursuant to this Ordinance shall be guilty of a misdemeanor, punishable by a fine of not more than \$500 or imprisonment for not more than 90 days, or both. Each day that a violation is permitted to continue shall constitute a separate infraction.

10.2 **Additional Remedies.** In addition to enforcing a violation of this Ordinance as a misdemeanor, the County may initiate proceedings in a court of competent jurisdiction to abate or eliminate a violation or to seek other equitable and/or legal relief, including, but not limited to, suspension of a hauler license.

Section 2. Severability. The invalidity of any clause, sentence, paragraph or part of this Ordinance shall not affect the validity of the remaining parts of this Ordinance.

Section 3. Repeal. Any ordinances or parts of ordinances inconsistent with this Ordinance are repealed.

Section 4. Effective Date of Ordinance. The Ordinance shall take effect sixty (60) days after its adoption.

State of Michigan)
County of Wexford)

I, Elaine L. Richardson, Clerk of the County of Wexford and of the Wexford County Board of Commissioners, do hereby certify that the foregoing Ordinance was adopted by a majority vote of the Board on _____, 2010.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County of Wexford this _____ day of _____, 2010, at Cadillac, Michigan.

Elaine L. Richardson, Clerk

ATTACHMENT A

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)

Act 451 of 1994

324.11103 Definitions; G to O.

Sec. 11103.

"Hazardous waste" means waste or a combination of waste and other discarded material including solid, liquid, semisolid, or contained gaseous material that because of its quantity, quality, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible illness or serious incapacitating but reversible illness, or may pose a substantial present or potential hazard to human health or the environment if improperly treated, stored, transported, disposed of, or otherwise managed. Hazardous waste does not include material that is solid or dissolved material in domestic sewage discharge, solid or dissolved material in an irrigation return flow discharge, industrial discharge that is a point source subject to permits under section 402 of title IV of the federal water pollution control act, chapter 758, 86 Stat. 880, 33 U.S.C. 1342, or is a source, special nuclear, or by-product material as defined by the atomic energy act of 1954, chapter 1073, 68 Stat. 919.

ATTACHMENT B

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)

Act 451 of 1994

Part 115

Solid Waste Management

324.11506 Definitions; S to Y.

Sec. 11506.

"Solid waste" means garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, municipal and industrial sludges, solid commercial and solid industrial waste, and animal waste other than organic waste generated in the production of livestock and poultry. Solid waste does not include the following:

- (a) Human body waste.
- (b) Medical waste as it is defined in part 138 of the public health code, 1978 PA 368, MCL 333.13801 to 333.13831, and regulated under that part and part 55.
- (c) Organic waste generated in the production of livestock and poultry.
- (d) Liquid waste.
- (e) Ferrous or nonferrous scrap directed to a scrap metal processor or to a reuser of ferrous or nonferrous products.
- (f) Slag or slag products directed to a slag processor or to a reuser of slag or slag products.
- (g) Sludges and ashes managed as recycled, or nondetrimental materials appropriate for agricultural or silvicultural use pursuant to a plan approved by the department. Food processing residuals; wood ashes resulting solely from a source that burns only wood that is untreated and inert; lime from kraft pulping processes generated prior to bleaching; or aquatic plants may be applied on, or composted and applied on, farmland or forestland for an agricultural or silvicultural purpose, or used as animal feed, as appropriate, and such an application or use does not require a plan described in this subdivision or a permit or license under this part. In addition, source separated materials approved by the department for land application for agricultural and silvicultural purposes and compost produced from those materials may be applied to the land for agricultural and silvicultural purposes and such an application does not require a plan described in this subdivision or permit or license under this part. Land application authorized under this subdivision for an agricultural or silvicultural purpose, or use as animal feed, as provided for in this subdivision shall occur in a manner that prevents losses from runoff and leaching, and if applied to land, the land application shall be at an agronomic rate consistent with generally accepted agricultural and management practices under the Michigan right to farm act, 1981 PA 93, MCL 286.471 to 286.474.
- (h) Materials approved for emergency disposal by the department.
- (i) Source separated materials.
- (j) Site separated material.
- (k) Fly ash or any other ash produced from the combustion of coal, when used in the following instances:
 - (i) With a maximum of 6% of unburned carbon as a component of concrete, grout, mortar, or casting molds.
 - (ii) With a maximum of 12% unburned carbon passing M.D.O.T. test method MTM 101 when used as a raw material in asphalt for road construction.

AMENDMENT #6

CAPACITY CERTIFICATIONS

Every County with less than ten years of capacity identified in their Plan is required to annually prepare and submit to the DNRE an analysis and certification of solid waste disposal capacity validly available to the County. This certification is required to be prepared and approved by the County Board of Commissioners.

- This County has more than ten years capacity identified in this Plan and an annual certification process is not included in this Plan.
- Ten years of disposal capacity has not been identified in this Plan. The County will annually submit capacity certifications to the DNRE by June 30 of each year on the form provided by DNRE. The County's process for determination of annual capacity and submission of the County's capacity certification is as follows:

As indicated on page II-3 (and III-7), estimated yearly volumes of solid waste disposal in the Wexford County Landfill from its current service area (Wexford and Missaukee) is 200,000 yards per year, before compaction. With an estimated 50% compaction rate, the annual volume of space taken up by solid waste is approximately 100,000 cubic yards per year. With a current capacity of over 4 million cubic yards (2008 Construction Permit), the projected site life of the landfill is 40 years.

Roll call: Motion approved unanimously.

5. 2009 Solid Waste Management Plan Amendment
MOTION by Comm Copley with the support of Comm Bulock to approve the Wexford County 2009 Solid Waste Management Plan Amendment, as presented, and authorize release to the municipalities for approval.

A commissioner expressed that flow control was not put in the amendment in order to sell the landfill. If the landfill does not sell, the county still needs flow control. It was pointed out that the SWM Committee recommended flow control. It was also pointed out that the county is not voting on the ordinance tonight, just a plan to go to all municipalities.

John Divozzo, Director of the Department of Public Works came forward to explain the amendment to the SWMP. The Plan amendment was approved by the SWM Committee on June 29, 2009. The Board of Commissioners raised their objections to the amendment at their August 24 joint meeting with the SWM Committee. Also, at the same meeting the SWM Committee requested that the ordinance be removed from the amendment, as well as flow control. Mr. Divozzo explained that flow control cannot be removed because it is in the current solid waste plan.

Another commissioner questioned Mr. Divozzo as to why the county landfill does not operate in the black. He explained that years ago, the landfill was making \$1,000,000 a year in interest. In 1991, the interest earned dropped to approximately \$250,000. The contamination, construction of new cells, and the county taking interest money for projects all helped to decrease their fund. He also spoke of the decrease in revenues he is seeing, which includes foundry sand.

Ken Hinton, Administrator felt the issues in the amendment were well addressed. The potential that the county may have to continue to operate the landfill is out there because there is not a final sale document. The county needs to look at protecting their citizens and passing the SWMP amendment is the best way to do that.

Roll call: Motion passed seven to two with Comm Stump and Beck voting against the motion.

6. 5th Annual Open Government Rally – *Added*
There will be an Open Government Rally held on October 6, 2010 at the Courthouse from 5:00 p.m. to 6:00 p.m.
7. Cancelled September 1, 2010 meeting – *Added*

A commissioner expressed concern that he did not receive notice of the September 1, 2010 meeting being cancelled. Others spoke of receiving the cancellation in the board packet.

Administrator's Report

Adm. Hinton is in the process of meeting with department heads to review their 2011 budgets. Once the process is completed, Adm. Hinton will compile all the data and make his recommendations, if necessary.

Correspondence

Board members received a letter from Northern Michigan Substance Abuse regarding the retirement of their Executive Director Dennis Priess.

Public Comments

Matthew Gunnerson is a member of the SWM Board for both Wexford and Missaukee. He explained how the SWM board functions in sending information to the Board of Commissioners. He believes some of the information they submitted was changed and he questions why they have meetings.

Rita McNamara believes that flow control and the sale of the landfill are linked within the plan. She stated that some small landfills O&M do operate in the black and questioned why Wexford County does not. She does not believe the county can address the sins of the past with gate rate increase. She believes the county has the waste volume to sustain the operation at the landfill. She went on to further express her dissatisfaction with this board and their actions.

Michael MacCready of Manton was glad this board clarified what is going on with the SWMP amendment. He then discussed how the DPW packets are being distributed to the public, free or under FOIA. He also questioned why Drain Commissioner Solomon was being paid to attend certain meetings and billing the DPW. He thanked the board for their diligence. In conclusion, he stated that he has not heard a bad word on American Waste.

Matthew Gunnerson of Best Trash Removal believes that the county should look at selling the landfill.

Liaison Reports

Comm Copley attended a Housing Council meeting and went with CAMA to a meeting in Midland. He also attended a meeting in the City Council Chambers with CAMA where they discussed a plan for looking into getting more business and maintaining business in the Cadillac/Wexford County area.

Board Comment



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

May 1, 2012

Ms. Leslie Housler, Chairperson
Wexford County Board of Commissioners
437 East Division Street
Cadillac, Michigan 49601

Dear Ms. Housler:

The locally-approved amendment to the Wexford County Solid Waste Management Plan (Plan Amendment) received by the Department of Environmental Quality (DEQ) on February 29, 2012, is hereby approved.

The Plan Amendment creates the following changes:

- The import authorization requirement for agreements and negotiated volumes are removed from Table 1-A.
- Additional primary export authorizations are added to Table 2A.
- The special import and export conditions found in Attachment D-6 have been deleted.

The DEQ would like to thank Wexford County for its efforts in addressing its solid waste management issues. If you have any questions, please contact Ms. Rhonda S. Oyer, Chief, Solid Waste Management Unit, Solid Waste and Land Application Section, RMD, at 517-373-4750; oyerr@michigan.gov; or DEQ, P.O. Box 30241, Lansing, Michigan 48909-7741.

Sincerely,

Liane J. Shekter Smith, P.E., Chief
Resource Management Division
517-373-9523

cc: Senator Darwin L. Boher
Representative Phil Potvin
Mr. John Divizzo, Wexford County
Mr. Dan Wyant, Director, DEQ
Mr. Jim Sygo, Deputy Director, DEQ
Ms. Maggie Cox, Legislative Liaison, DEQ
Mr. Steve Sliver, DEQ
Mr. Phil Roycraft, DEQ
Ms. Rhonda S. Oyer, DEQ
Ms. Christina Miller, DEQ Wexford County File

DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE
CADILLAC, MICHIGAN 49601
231-775-0155
231-775-0156 (FAX)



LANDFILL

990 NORTH U.S. 131
MANTON, MICHIGAN 49663
231-824-6858
231-824-6859 (FAX)

February 28, 2012

Ms. Christina Miller
Department of Natural Resources and Environment
Solid Waste Management Unit
525 West Allegan Street
P.O. Box 30241
Lansing, Michigan 48909

Re: Wexford County Solid Waste Management Plan Amendment (2011)

Dear Ms. Miller:

Wexford County is submitting an amendment to its current approved solid waste management plan in accordance with *Rule 709* of the Solid Waste Management Act Administrative Rules promulgated pursuant to Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

The proposed amendment was released for public review on July 1, 2011. A public hearing was held on September 29, 2011. The proposed amendment was modified based on public comments received and approved by the Solid Waste Management Planning Committee on October 13, 2011.

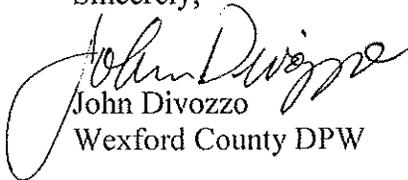
On October 26, 2011, the Board of Commissioners provided written objections to the plan and received the Solid Waste Management Planning Committee's response.

On December 7, 2011, the Board of Commissioners approved the amendment with changes and authorized its release to the municipalities for approval.

Wexford County received approval of the amendment through resolution of at least 67% of its municipalities; 18 of the 19 municipalities that have voted on the amendment.

Documentation pertaining to the amendment is attached for department review. If you have any questions, comments, or concerns please do not hesitate to contact me.

Sincerely,


John Divozzo
Wexford County DPW

Enclosure

DEQ
FEB 29 2012
RESOURCE MANAGEMENT DIVISION

DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE
CADILLAC, MICHIGAN 49601
231-775-0155
231-775-0156 (FAX)



LANDFILL

990 NORTH U.S. 131
MANTON, MICHIGAN 49663
231-824-6858
231-824-6859 (FAX)

Subject: Proposed Amendment to the Wexford County Solid Waste Management Plan

The following sections of the Wexford County Solid Waste Management Plan Update dated March 7, 2002, as amended, are amended as follows:

A. Section III - IMPORT AUTHORIZATION

The attached page III-4; Table 1A (Import Authorization), replaces the same page in the 2002 Plan, as amended.

The current language regarding import authorization for all counties listed on page III-4 is Primary (Agreement Required)* with authorized Daily/Annual Quantities being negotiated.

The proposed amended language to the Import Authorization is as follows:

1. Import authorization for all counties listed in Table 1A is changed to Primary; requirement for agreement is removed.
2. Change the term *negotiated* to unrestricted in the Authorized Daily/Annual Quantity columns.

B. Section III - EXPORT AUTHORIZATION

The attached page III-4a; Table 2A (Export Authorization), replaces the same page in the 2002 Plan, as amended.

The current export authorization detailed on page III-4a, Table 2A, includes Missaukee, Leelanau, Manistee, Clare, and Osceola Counties with authorized conditions being Primary (Agreement Required)* for Missaukee and Contingency for Leelanau, Manistee, Clare, and Osceola.

The proposed amended language to the Export Authorization is as follows:

1. Add Antrim, Benzie, Grand Traverse, Kalkaska, Lake, Emmett, Charlevoix, Otsego, Crawford, Roscommon, Ogemaw, Mason, Gladwin, Oceana, Newaygo, Mecosta, and Isabella Counties to Table 2A.
2. Change Authorized Conditions to Primary for all counties listed in Table 2A.
3. Change the term *negotiated* to unrestricted in the Authorized Daily/Annual Quantity columns.

C. Attachment D-6 – SPECIAL CONDITIONS

The current language for attachment D-6, Special Conditions is as follows:

“Any primary or contingency use of the Wexford County Landfill must be preceded by a negotiated agreement executed by and between the Wexford County Board of Public Works and the appropriate authority of the exporting county”.

The proposed amended language to Attachment D-6; SPECIAL CONDITIONS, is as follows:

Delete current language.

Please see attached Amended pages III-4, III-4a, and Attachment D-6.

###

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

**TABLE 1-A
CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE**

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ²
<u>Wexford</u>	<u>Missaukee</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Leelanau</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Clare</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Manistee</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Osceola</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Antrim</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Benzie</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Grand Traverse</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Kalkaska</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Lake</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Emmett</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the exporting county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal.

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

TABLE 1-A; continued

CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ³	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ⁴
<u>Wexford</u>	<u>Charlevoix</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Otsego</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Crawford</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Roscommon</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Ogemaw</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Mason</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Gladwin</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Oceana</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Newaygo</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Mecosta</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Isabella</u>	<u>Wexford County Landfill</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P

³ Facilities are only listed if the exporting county is restricted to using specific facilities within the exporting county.

⁴ Authorization indicated by P = Primary Disposal; C = Contingency Disposal.

EXPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within another County, disposal of solid waste generated by the EXPORTING COUNTY is authorized up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 2-A; IF authorized for import in the approved Solid Waste Management Plan of the receiving County.

**TABLE 2-A
CURRENT EXPORT VOLUME AUTHORIZATION OF SOLID WASTE**

EXPORTING COUNTY	IMPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ²
<u>Wexford</u>	<u>Missaukee</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Leelanau</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Clare</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Manistee</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Osceola</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Antrim</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Benzie</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Grand Traverse</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Kalkaska</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Lake</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P
<u>Wexford</u>	<u>Emmett</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	P

EXPORT AUTHORIZATION

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal.

SELECTED SYSTEM – 2011 Amendment to Export Authorization

If a Licensed solid waste disposal area is currently operating within another County, disposal of solid waste generated by the EXPORTING COUNTY is authorized up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 2-A; IF authorized for import in the approved Solid Waste Management Plan of the receiving County.

TABLE 2-A; continued
CURRENT EXPORT VOLUME AUTHORIZATION OF SOLID WASTE

EXPORTING COUNTY	IMPORTING COUNTY	FACILITY NAME ³	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ⁴
<u>Wexford</u>	<u>Charlevoix</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Otsego</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Crawford</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Roscommon</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Ogemaw</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Mason</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Gladwin</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Oceana</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Newaygo</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Mecosta</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>
<u>Wexford</u>	<u>Isabella</u>	<u>N/A</u>	<u>Unrestricted</u>	<u>Unrestricted</u>	<u>P</u>

³ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

⁴ Authorization indicated by P = Primary Disposal; C = Contingency Disposal.



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

April 19, 2011

Ms. Leslie Housler, Chairperson
Wexford County Board of Commissioners
437 East Division Street
Cadillac, Michigan 49601

Dear Ms. Housler:

The Department of Environmental Quality (DEQ) received the locally-approved amendment to the Wexford County Solid Waste Management Plan (Plan Amendment) on November 23, 2010. Please note that due to the recent DEQ separation from Department of Natural Resources and Environment (DNRE), all references to the "DNRE" in the Plan Amendment, modification letter, and this approval letter are now changed to "Department of Environmental Quality" or "DEQ." Except for the items indicated below, the Plan Amendment is approvable. As outlined in the March 4, 2011, revised letter to you from Ms. Christina Miller, DEQ, Resource Management Division (RMD), and as confirmed in your letter dated March 21, 2011, the DEQ makes the following modifications to the Plan Amendment:

Page II-3 and III-7, FACILITY DESCRIPTION: The "Construction Permit" box shall be marked under the operating status on the facility description.

Page III-10, SOLID WASTE COLLECTION SERVICES AND TRANSPORTATION, second paragraph, last sentence states, "Final disposal of all solid waste shall be in a permitted and licensed landfill located in Wexford County." This sentence is not consistent with the Export Authorization Table found on page III-4a. Therefore, the sentence shall be replaced with the following: "Final disposal of all solid waste shall be in a permitted and licensed landfill located in Wexford County or in counties authorized per the export authorizations found in Table 2-A."

Page III-26, SITING CRITERIA AND PROCESS, second paragraph states, "Expansion of the Wexford County Landfill is authorized by this Plan and shall be limited to the total acreage found on the Facility Description." This language authorizes the landfill to initiate the siting criteria; however, it was the County's intent to deem the facility automatically consistent with the Plan without the need to go through the siting process and meet the siting criteria. In order to alleviate this discrepancy this sentence shall be replaced with the following: "Expansions of the Wexford County Landfill, limited to the total acreage found on the Facility Description found in pages II-3 and III-7 of the Plan, are deemed automatically consistent with the Plan."

Page III-27 and III-28, criteria i, ii, and iii refer to "active work area." Please note that the term "active work area" only applies to landfills under Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and its administrative rules. It was the County's intent to apply these criteria to all disposal

area types and not just landfills. Therefore, the phrase "active work area" shall be replaced with "area where solid waste will be handled, disposed, or managed."

Page III-31, LOCAL ORDINANCES AND REGULATIONS AFFECTING SOLID WASTE DISPOSAL, subsection 1(B), fourth line down, shall identify that a sample ordinance is included. Therefore, the phrase "(Sample Ordinance Included)" shall be added after the phrase "Wexford County Ordinance # _____."

Page 8, SAMPLE SOLID WASTE ORDINANCE, Section 8, Administrative Rules: This section states that the Board of Public Works may promulgate administrative rules to carry out the provision of the ordinance. However, a sample of the administrative rules is not included in the Plan Amendment. In order for the Plan Amendment to be approvable with the sample ordinance, the administrative rules must be included. Therefore, the following sample rules for the ordinance are identified below and separated with a double line.

ADMINISTRATIVE RULES FOR WEXFORD COUNTY SOLID WASTE ORDINANCE

_____, 2011

ADMINISTRATIVE RULES FOR AN ORDINANCE TO REGULATE THE COLLECTION, TRANSPORTATION, DELIVERY AND DISPOSAL OF SOLID WASTE; TO REQUIRE THE LICENSING OF WASTE HAULERS; TO PROHIBIT ROADSIDE DUMPING OF REFUSE; AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF.

- Section 1: Definitions
- Section 2: Collection Service Requirements
- Section 3: Fees
- Section 4: County Designated Facility
- Section 5: Registration and Reporting Requirements

THE BOARD OF PUBLIC WORKS OF WEXFORD COUNTY HEREBY PROMULGATES THE FOLLOWING RULES AND REGULATIONS FOR THE WEXFORD COUNTY SOLID WASTE ORDINANCE:

SECTION 1

DEFINITIONS

- 1.1 Definitions. For purposes of these Rules and Regulations, the definitions provided for key words and phrases will be those contained in Section 2 of the Solid Waste Ordinance. The following definitions are hereby added to that list:
 - 1) "Act 451 Solid Waste Management Planning Process" means an authorized solid waste planning process managed by a DEQ-approved Wexford County designated planning agent as described in Act 451, Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA).

- 2) "DPW" means the Department of Public Works for Wexford County.
- 3) "DEQ" means the Michigan Department Environmental Quality.

SECTION 2

COLLECTION SERVICE REQUIREMENTS

- 2.1 Requirements for Hauler License. A hauler license will be required for all those engaged in the business of collecting, transporting, delivering, or disposing of solid waste or recyclable materials generated within Wexford County. This may include:
 - a) Refuse haulers
 - b) Recycling collection companies
- 2.2 Exception to Requirement for Hauler License. Individuals hauling solid waste or recyclable materials from their own residence or site of principal business activity to county-designated facilities are exempt from the requirement to have a hauler license.

SECTION 3

FEES

- 3.1 Initial Hauler License Application Fee. At the time of initial application for a hauler license, a base application fee of \$100.00 (one hundred dollars) shall be paid to the DPW. An additional fee of \$25.00 (twenty-five dollars) for each truck to be used in Wexford County for the collection of solid waste shall be paid to the DPW at the time of license application. Each truck shall be listed on the license application, identified by truck type, model, and identifying marker.
- 3.2 License Renewal Fee. At the time of renewal application for a hauler license, a base application fee of \$25.00 (twenty-five dollars) shall be paid to the DPW. An additional fee of \$15.00 (fifteen dollars) for each truck to be used in Wexford County for the collection of solid waste shall be paid to the DPW at the time of submitting an application for license renewal. Each truck shall be listed on the license application, identified by truck type, model, and identifying marker.

SECTION 4

COUNTY DESIGNATED FACILITY

- 4.1 County Designated Facilities. The county designates permitted and licensed landfills operating within Wexford County or outside the State of Michigan for the deposit of solid waste generated within Wexford County to be utilized by all licensed solid waste haulers.

- 4.2 Contingent Disposal Option. If for any reason an emergency or permanent closure of the County-Designated Facilities occurs, Wexford County will notify licensed waste haulers of available contingency disposal options. Such a contingency shall be in compliance with the current approved County Solid Waste Management Plan.

SECTION 5

REGISTRATION AND REPORTING REQUIREMENTS

- 5.1 Licensed haulers are required to submit quarterly reports on a form prepared by the DPW of their estimated activity in the previous three-month period in collecting solid waste, special refuse, and recyclable material. Such estimates shall be in the form of both cubic yards and tonnages, and shall be broken down by type of collection activity and by point of final delivery. Due dates for filing this information are the twentieth day of January, April, July, and October of each year.

With these modifications, the Plan Amendment is hereby approved. When distributing copies of the approved Plan Amendment, please ensure that a copy of this letter is included.

The DEQ would like to thank Wexford County for its efforts in addressing its solid waste management issues. If you have any questions, please contact Ms. Rhonda S. Oyer, Chief, Solid Waste Management Unit, Solid Waste and Land Application Section, RMD, at 517-373-4750; oyerr@michigan.gov; or DEQ, P.O. Box 30241, Lansing, Michigan 48909-7741.

Sincerely,



Liane J. Shekter Smith, P.E., Chief
Resource Management Division
517-373-9523

cc: Senator Darwin L. Booher
Representative Phil Potvin
Mr. John Divizzo, Wexford County
Mr. Dan Wyant, Director, DEQ
Mr. Jim Sygo, Deputy Director, DEQ
Mr. Randy Gross, Director of Legislative Affairs, DEQ
Mr. Steve Sliver, DEQ
Mr. Phil Roycraft, DEQ
Ms. Rhonda S. Oyer, DEQ
Ms. Christina Miller, DEQ
Wexford County File

DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE
CADILLAC, MICHIGAN 49601
231-775-0155
231-775-0156 (FAX)



LANDFILL

990 NORTH U.S. 131
MANTON, MICHIGAN 49663
231-824-6858
231-824-6859 (FAX)

November 19, 2010

Ms. Christina Miller
Department of Natural Resources and Environment
Solid Waste Management Unit
525 West Allegan Street
P.O. Box 30241
Lansing, Michigan 48909

Re: Wexford County Solid Waste Management Plan Amendment (2009)

Dear Ms. Miller:

Wexford County is submitting an amendment to its current approved solid waste management plan in accordance with *Rule 709* of the Solid Waste Management Act Administrative Rules promulgated pursuant to Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

The proposed amendment was released for public review on March 2, 2009. A public hearing was held on May 21, 2009. The proposed amendment was modified based on public comments received and approved by the Solid Waste Management Planning Committee on June 29, 2009. The proposed amendment was received by the Board of Commissioners on July 15, 2009.

On August 24, 2010, the Board of Commissioners provided written objections to the plan and received the Solid Waste Management Planning Committee's response.

On September 15, 2010, the Board of Commissioners approved the amendment with changes and authorized its release to the municipalities for approval.

Wexford County received approval of the amendment through resolution of at least 67% of its municipalities; 16 of the 21.

Documentation pertaining to the amendment is attached for department review. If you have any questions, comments, or concerns please do not hesitate to contact me.

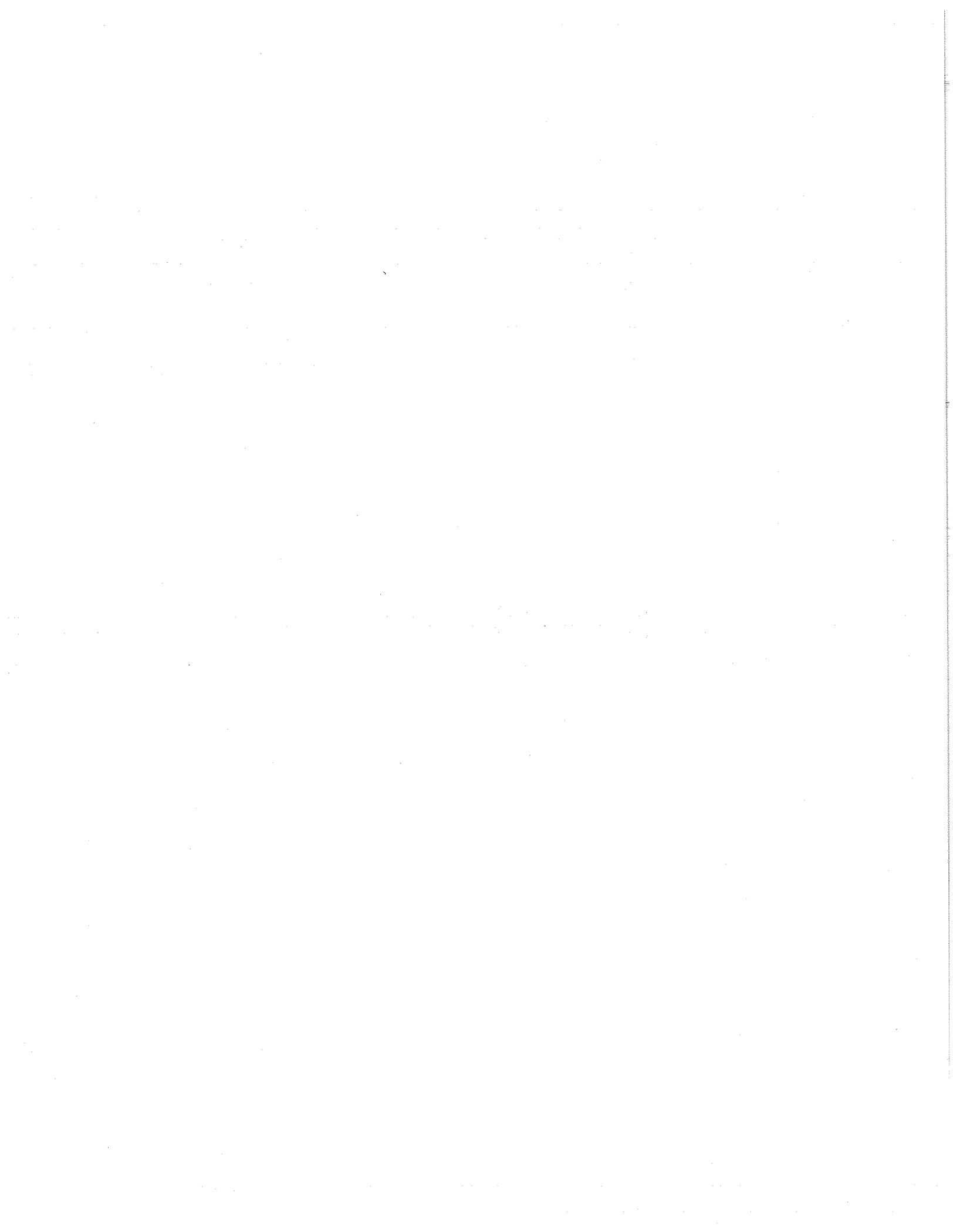
Sincerely,

Handwritten signature of John Divozzo in black ink.
John Divozzo

DNRE

NOV 23 2010

ENVIRONMENTAL RESOURCE
MANAGEMENT DIVISION





September 16, 2010

Subject: Wexford County 2009 Solid Waste Management Plan Amendment

Released for public review on March 2, 2009

Public Comment Period: March 16, 2009 to June 15, 2009

Public Hearing Date: May 21, 2009

The Amendment consists of changes to six sections of the Current Solid Waste Management Plan (approved by the MDEQ on March 7, 2002) and inclusion of a draft solid waste ordinance. The Department of Public Works and the Solid Waste Management Planning Committee have reviewed all public comments regarding the 2009 Plan Amendment.

June 29, 2009: Solid Waste Management Planning Committee approval of the 2009 Plan Amendment;

Roll Call Vote [7-3]:

- Yeas (7): Matt Gunnerson, Jane Finnerty, Jerry Richards, Jean Schnitker, Scott Conradson, Rich Leszcz, and Mike Solomon.
- Nays (3): Todd Harland, Michael Kennedy, and Mark Howie.
- Abstain (1): Bob Johnson.
- Absent (2): Painter and Bathrick.
- Vacant (1): Environmental Group Representative.

July 6, 2009: Solid Waste Management Planning Committee reaffirmed its approval of the 2009 Plan Amendment

Roll Call Vote [9-0]:

- Yeas (9): Russell Painter, Matt Gunnerson, Jane Finnerty, Jerry Richards, Jean Schnitker, Scott Conradson, Rich Leszcz, Mike Solomon, and Michael Kennedy.
- Nays (0): None.
- Absent (4): Todd Harland, Robert Johnson, Mark Howie, and Glenn Bathrick.
- Vacant (1): Environmental Group Representative.

DNRE

NOV 23 2010

ENVIRONMENTAL RESOURCE
MANAGEMENT DIVISION

The Board of Commissioners reviewed the Plan Amendment and provided its written objections to the Solid Waste Management Planning Committee on August 24, 2010.

The Solid Waste Management Planning Committee reviewed the BOC objections and provided its response on August 24, 2010.

The Board of Commissioners approved the Plan Amendment on September 15, 2010.

The 2009 Plan Amendment is detailed as follows:

- **Import/Export Authorization – Amendment #1**

The Current Plan includes import/export authorization for solid waste generated outside Wexford County; specifically pages III-4 through III-5b (Tables 1A, 2A, 1B, and 2B). Four (4) counties are listed to import/export solid waste.

The proposed amended language to the Import Authorization is as follows:

1. Import Authorization; Page III-4, Table 1A

- a. Delete the language; “***Contingency – refers to authorization to import or export waste into or from Wexford County only under emergency conditions to be defined within any processed agreement*” from page III-4 (Table 1A).

In the March 7, 2002 approval letter for the Current Plan; the MDEQ stated that the Current Plan was approved with the deletion of this language. Since Wexford County is including Table 1A in its Amendment, this language must be deleted for public review.

- b. Include Antrim, Benzie, Grand Traverse, Kalkaska, Lake, Emmett, Charlevoix, Otsego, Crawford, Leelanau, Manistee, Roscommon, Ogemaw, Mason, Osceola, Clare, Gladwin, Oceana, Newaygo, Mecosta, and Isabella Counties; Authorized Condition is “Primary (Agreement Required) **”

The “**” refers to Special Conditions, which are detailed on page D-6 of the Current Plan; Wexford County is not proposing any changes to this page.

- c. Remove reference to the Wexford County Landfill in the Facility Name column of Table 1A.

The proposed amended language to the Export Authorization is as follows:

Wexford County Board of Commissioners
Regular Meeting * Wednesday, September 15, 2010
Page five (5)

Comm Beck stated he has watched this board dealing with the landfill issue over the last six years. He believes if the county sells the landfill it will be the worst thing that could happen today for the citizens of Wexford County.

Comm Saari invited all to look at the renovations to the Law Library. The Building and Recreation Committee will then address the furniture needs for the room.

Comm Stump believes the last time the SWMP Amendment failed due to lack of trust between municipalities and townships and the people presenting the plan. Now, five years late, he sees the same process. It is important to earn their trust.

Chairman's Comments

Comm Housler thanked all for attending the meeting tonight.

Adjourn

MOTION by Comm Akers with the support of Comm Bulock to
adjourn at 7:05 p.m.

All in favor.



Leslie Housler, Board Chairperson



Elaine L Richardson, County Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF WEXFORD)

I, **Elaine L. Richardson**, County Clerk and Court Clerk for the Circuit Court of said County, do hereby certify that the foregoing is a true and correct copy of the original on file in this office.

Signed and sealed in the City of Cadillac, on this date: November 18, 2010



ELAINE L. RICHARDSON, County Clerk

1. Export Authorization; Page III-4a, Table 2A

- a. Add Osceola County; Authorized Condition is "Contingency"

Please see attached Amended pages III-4 and III-4a.

• **Facility Description – Amendment #2**

The Current Plan includes a Facility Description for the Wexford County Landfill (pages II-3 and III-7).

Since 2005, Wexford County has performed extensive site remediation and received approval for construction permit modifications as necessary to mitigate concerns regarding historic groundwater contamination and to receive an approved Remedial Action Plan for the site.

In 2006, Wexford County purchased 18.18 acres of land from the DNR to maintain adequate distance from the property line to the limits of waste on the eastern border of the facility. This was necessary to provide adequate airspace for county residents and businesses and continue site remediation through to completion.

In 2008, Wexford County received an approved construction permit for expansion of the existing disposal area.

In 2009, Wexford County performed a topographical survey of the in-place waste and compared this to the permitted design capacity resulting in an increase to the design capacity and remaining site life.

In an effort to maintain accurate and current records, the Facility Description listed on pages II-3 and III-7 requires amending.

Please see attached Amended pages II-3 and III-7.

• **Solid Waste Collection Services and Transportation – Amendment #3**

This section requires amending to be consistent with the other proposed changes to the Current Plan (page III-10).

Wexford County is proposing to delete the current language of the Solid Waste Collection Services and Transportation section and replace with the following text:

Collection services within the County are currently handled by private haulers that collect solid waste in the County and transport it to the Wexford County Landfill located in Cedar Creek Township. There is one transfer station in Haring Charter Township served by Waste Management, Inc. Refuse collection is available to all residents in the cities, villages, and townships in the County through private waste haulers or the residents can elect to haul their own waste to a disposal area located within the County. Final disposal of all solid waste shall be in a permitted and licensed landfill located in Wexford County.

Waste haulers and County residents are served by state trunklines, as well as, County maintained primary and secondary roads.

Overall, the County is adequately served by the present system of solid waste collection, transportation, and disposal.

Please see attached Amended page III-10.

- **Siting Review Procedures – Amendment #4**

Pursuant to the MDEQ approval letter dated March 7, 2002, the Current Plan was approved if pages III-26 and III-26a were deleted and replaced with the following language (the current siting review procedures):

“The Wexford County Department of Public Works is authorized to vertically and horizontally expand the current Wexford County Sanitary Landfill. The expansion of the Wexford County Landfill is restricted to property owned or leased by the Wexford County Department of Public Works.”

In the case of transfer stations, the facility must be located on industrial or commercially zoned property. The transfer facility will be no closer than 300 feet from the nearest residential unit existing at the time of the application. It shall be located on a paved concrete or asphalt pad designed and constructed for that purpose. Ingress and egress shall be to and from a Class A connector street or major road. The perimeter of the facility shall be fenced (the fence shall be a minimum of five feet high).”

Wexford County is proposing to delete the text in this section and replace with new language to allow expansion of the present operating landfill to its full potential and to include specific siting criteria in the event available airspace is reduced to less than 66 months.

Please see attached Amended pages III-26 to III-29.

- **Local Ordinances and Regulations Affecting Solid Waste Disposal – Amendment #5**

In the March 7, 2002 approval letter for the Current Plan; the MDEQ stated the Plan was approved with the deletion of this entire section. This section requires amending in order to allow for various local regulations regarding solid waste management. Wexford County has included a draft solid waste ordinance for future consideration. The draft ordinance is included in this section as Attachment A.

Please see the attached Amended pages III-30 and 31; including Attachment A.

- **Capacity Certifications – Amendment #6**

The current solid waste capacity for the Wexford County exceeds 20 years. Wexford County is proposing amendments to the Facility Description on pages II-3 and III-7, which identify over 40 years of site life at the existing disposal facility located within the County; the proposed change in text for this section is necessary to maintain consistency throughout the Plan.

Please see the attached Amended page III-33.

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AMENDMENT #1

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

TABLE 1-A

CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ²
<u>Wexford</u>	<u>Missaukee</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Leelanau</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Clare</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Manistee</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Osceola</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Antrim</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Benzie</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Grand Traverse</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Kalkaska</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Lake</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Emmett</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

TABLE 1-A; continued

CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ³	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ⁴
<u>Wexford</u>	<u>Charlevoix</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Otsego</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Crawford</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Roscommon</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Ogemaw</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Mason</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Gladwin</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Oceana</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Newaygo</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Mecosta</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>
<u>Wexford</u>	<u>Isabella</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required) *</u>

³ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

⁴ Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

EXPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within another County, disposal of solid waste generated by the EXPORTING COUNTY is authorized up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 2-A; IF authorized for import in the approved Solid Waste Management Plan of the receiving County.

TABLE 2-A

CURRENT EXPORT VOLUME AUTHORIZATION OF SOLID WASTE

EXPORTING COUNTY	IMPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ²
<u>Wexford</u>	<u>Missaukee</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Primary (Agreement Required)*</u>
<u>Wexford</u>	<u>Manistee</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>
<u>Wexford</u>	<u>Leelanau</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>
<u>Wexford</u>	<u>Clare</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>
<u>Wexford</u>	<u>Osceola</u>	<u>N/A</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

AMENDMENT #2

FACILITY DESCRIPTIONS

Facility Type: Sanitary Type II Landfill
 Facility Name: Wexford County Landfill
 County: Wexford Location: Town: 23N Range: 9W Section: 33/34

Map identifying location included in Attachment Section: Yes No

If facility is an Incinerator or a Transfer Station, list the final disposal site and location for Incinerator Ash or Transfer Station Wastes: Not applicable

Public Private Owner: Wexford County

Operating Status (Check)	Waste Types Received (check all that apply)
<input checked="" type="checkbox"/> open	<input checked="" type="checkbox"/> residential
<input type="checkbox"/> closed	<input checked="" type="checkbox"/> commercial
<input checked="" type="checkbox"/> licensed	<input checked="" type="checkbox"/> industrial
<input type="checkbox"/> unlicensed	<input checked="" type="checkbox"/> construction & demolition
<input type="checkbox"/> construction permit	<input checked="" type="checkbox"/> contaminated soils
<input type="checkbox"/> open, but closure	<input checked="" type="checkbox"/> special wastes*
<input type="checkbox"/> pending	<input checked="" type="checkbox"/> other: <u>all other non-hazardous wastes regulated by Act 451, Part 115</u>

*Explanation of special wastes, including a specific list and/or conditions:

- Lime, Asbestos, Wastewater Treatment Sludge, Street Sweepings, Foundry Sand, Ash, other non-hazardous wastes as defined in Act 451, Part 115 that require special handling or treatment

Site Size:

Total area of facility property:	<u>196.4</u>	acres
Total area sited for use:	<u>196.4</u>	acres
Total Area permitted:	<u>56.1</u>	acres
Operating:	<u>33.1</u>	acres
Not excavated:	<u>23.0</u>	acres

Current Capacity:	<u>4,600,000</u>	<input type="checkbox"/> tons or <input checked="" type="checkbox"/> yards
Estimated Lifetime:	<u>40</u>	years
Estimated days open per year:	<u>260</u>	days
Estimated yearly disposal volume:	<u>200,000</u>	<input type="checkbox"/> tons or <input checked="" type="checkbox"/> yards

(If applicable)

Annual energy production:

Landfill gas recovery projects:	_____	megawatts
Waste-to-energy incinerators:	_____	megawatts

FACILITY DESCRIPTIONS

Facility Type: Sanitary Type II Landfill
 Facility Name: Wexford County Landfill
 County: Wexford Location: Town: 23N Range: 9W Section: 33/34

Map identifying location included in Attachment Section: Yes No

If facility is an Incinerator or a Transfer Station, list the final disposal site and location for Incinerator Ash or Transfer Station Wastes: Not applicable

Public Private Owner: Wexford County

Operating Status (Check)

Waste Types Received (check all that apply)

- open
- closed
- licensed
- unlicensed
- construction permit
- open, but closure
- pending

- residential
- commercial
- industrial
- construction & demolition
- contaminated soils
- special wastes*
- other: all other non-hazardous wastes regulated by Act 451, Part 115

*Explanation of special wastes, including a specific list and/or conditions:

- Lime, Asbestos, Wastewater Treatment Sludge, Street Sweepings, Foundry Sand, Ash, other non-hazardous wastes as defined in Act 451, Part 115 that require special handling or treatment

Site Size:

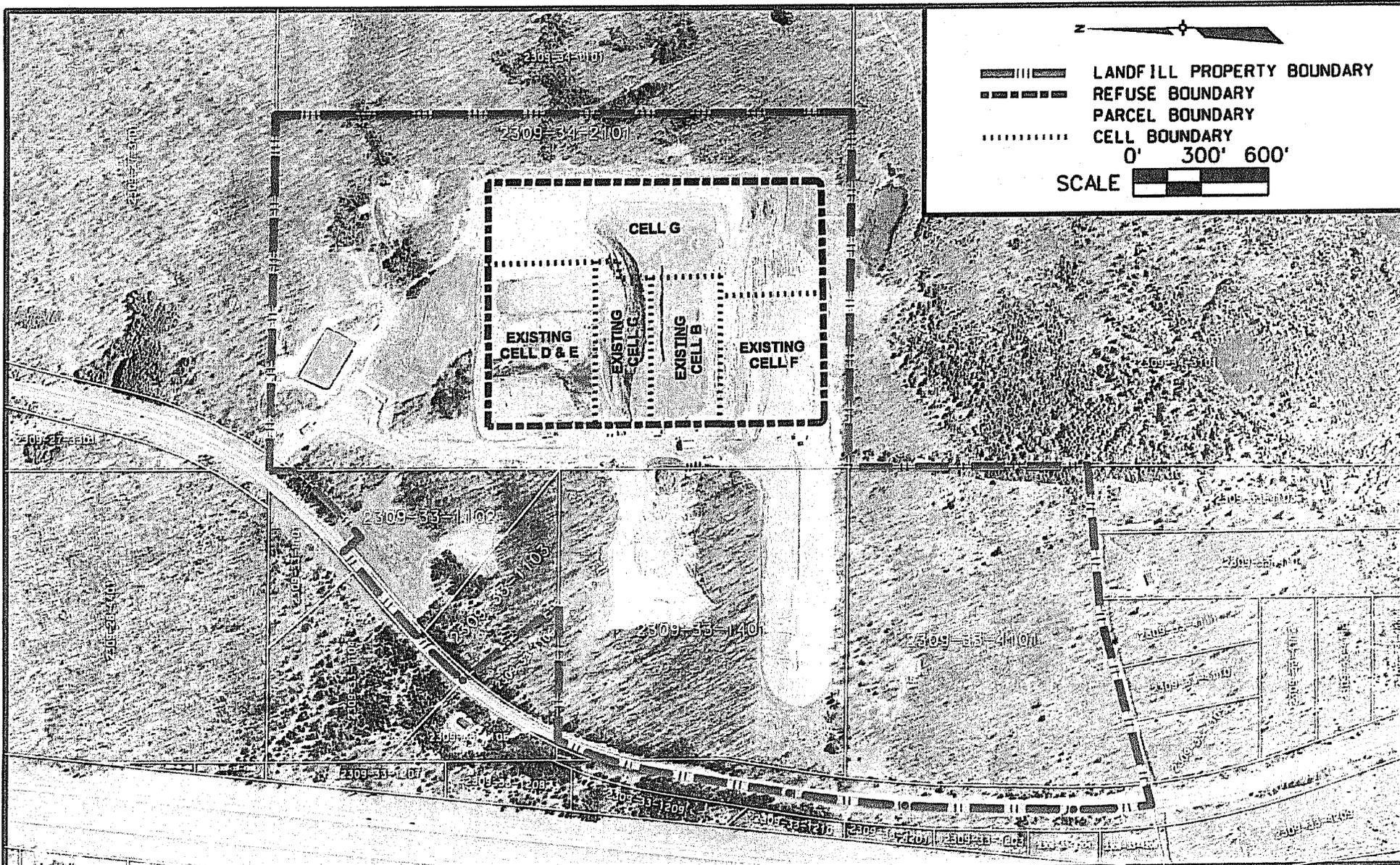
Total area of facility property:	<u>196.4</u>	acres
Total area sited for use:	<u>196.4</u>	acres
Total Area permitted:	<u>56.1</u>	acres
Operating:	<u>33.1</u>	acres
Not excavated:	<u>23.0</u>	acres

Current Capacity:	<u>4,600,000</u>	<input type="checkbox"/> tons or <input checked="" type="checkbox"/> yards
Estimated Lifetime:	<u>40</u>	years
Estimated days open per year:	<u>260</u>	days
Estimated yearly disposal volume:	<u>200,000</u>	<input type="checkbox"/> tons or <input checked="" type="checkbox"/> yards

(If applicable)

Annual energy production:

Landfill gas recovery projects:	___	megawatts
Waste-to-energy incinerators:	___	megawatts



N

———— LANDFILL PROPERTY BOUNDARY
 - - - - - REFUSE BOUNDARY
 _____ PARCEL BOUNDARY
 CELL BOUNDARY

0' 300' 600'

SCALE



CTI and Associates, Inc.

1	DRAWING	SCALE: 1" = 600'
	PROJECT NO.:	75010002.2
	FILE NAME:	FACILITY MAP
	DATE:	FEB 2007

FACILITY MAP

**WEXFORD COUNTY LANDFILL
WEXFORD COUNTY, MICHIGAN**

DESIGNED BY:	RWC
DRAWN BY:	BDA
CHECKED BY:	
APPROVED BY:	

AMENDMENT #3

SOLID WASTE COLLECTION SERVICES AND TRANSPORTATION:

The following describes the solid waste collection services and transportation infrastructure, which will be utilized within the County to collect and transport waste.

Collection services within the County are currently handled by private haulers that collect solid waste in the County and transport it to the Wexford County Landfill located in Cedar Creek Township. There is one transfer station in Haring Charter Township served by Waste Management, Inc. Refuse collection is available to all residents in the cities, villages, and townships in the County through private waste haulers or the residents can elect to haul their own waste to a disposal area located within the County. Final disposal of all solid waste shall be in a permitted and licensed landfill located in Wexford County.

Waste haulers and County residents are served by state trunklines, as well as, County maintained primary and secondary roads.

Overall, the County is adequately served by the present system of solid waste collection, transportation, and disposal.

AMENDMENT #4

SITING REVIEW PROCEDURES

AUTHORIZED DISPOSAL AREA TYPES

The following solid waste disposal area types may not be sited by this Plan. Any proposal to construct a facility listed herein shall be deemed inconsistent with this Plan unless specifically added to the Plan through a properly approved Plan amendment.

N/A

SITING CRITERIA AND PROCESS

The following process describes the criteria and procedures to be used to site solid waste disposal facilities and determine consistency with this Plan. (Attach additional pages if necessary.)

Expansion of the Wexford County Landfill is authorized by this Plan and shall be limited to the total acreage found on the Facility Description.

Proposals for all new disposal areas must be found consistent with the criteria contained in this section before a determination of consistency may be issued.

1. To initiate the review under this Plan, the facility developer shall submit ten copies of the information required below to the Wexford County Board of Commissioners (BOC).
2. Solid waste facility siting proposals will be reviewed for consistency with the Plan. The BOC may designate or appoint a solid waste planning committee, a technical committee, or a planning agency, as it deems appropriate, to review the solid waste facility proposal for consistency with the Plan according to the procedures outlined herein. In that case, the designated planning agency must be appointed within 30 days of the BOC receiving this application. This chosen body shall make a recommendation to the BOC on the consistency of the proposal; however, it is the responsibility of the BOC to make the decision on whether the proposal is consistent with the County Plan. A proposal that is declared to be consistent with the Plan by the BOC shall become part of the Plan upon issuance of a construction permit by the DNRE.
3. Upon receipt of the application from the BOC, the designated planning agency shall have 30 days to review the application for administrative completeness in accordance with the requirements listed in subparts (i)-(vii) below. If it is not complete, the developer shall be notified and given an opportunity to provide additional information to make the application complete. The developer has 30 working days to provide the requested information. If no determination is made within 30 working days after the reception of the additional information by the designated planning agency, the application shall be considered administratively complete.
 - i. The application shall include a name, address, and telephone number for: the applicant (including partners and other ownership interests), the property owner(s) of the site, any consulting engineers and geologists that will be involved in the project, a designated contact person for the facility developer (if different than the applicant), and shall specify the type of facility being proposed.

ii. The application shall contain information on the site location and orientation. This shall include a legal land description of the project area, a site map showing all roadways and principal land features within two miles of the site, a topographic map with contour intervals of no more than ten feet for the site, a map and description of all access roads showing their location, type of surface material, proposed access point to the facility, haul route from access roads to the nearest state trunkline, and a current map showing the proposed site and surrounding zoning, domiciles, and present usage of all property within one mile of the site.

iii. The application shall contain a map showing locations of any permitted oil and gas wells drilled in the section containing a proposed landfill site and in adjacent sections and their current status. The plugging records of any permitted oil and gas wells on a proposed landfill site shall also be included with the application.

iv. The application shall contain a description of the current site use and ground cover, a map showing the locations of all structures within 1,200 feet of the perimeter of the site, the location of all utilities, the location of the 100-year floodplain as defined by Rule 323.311 of the administrative rules of Part 31, Water Resources Protection, of Act 451, as amended within 1,200 feet of the site, the location of all wetlands as defined by Part 303, Wetlands Protection, of Act 451, as amended within 1,200 feet of the site, and the site soil types and general geological characteristics.

v. The application shall contain a description of the proposed site and facility design. This shall consist of a written proposal including the final design capacity.

vi. The application shall contain a description of the operations of the facility and shall provide information indicating the planned annual usage, anticipated sources of solid waste, and the facility life expectancy.

vii. If necessary to satisfy the requirements of criteria xiii, a signed statement indicating the willingness of the developer to provide road improvements and/or maintenance.

4. Within 45 days from the date the application is determined to be administratively complete, the designated planning agency shall complete the consistency review and make their recommendations to the BOC who shall send the County's written final determination of consistency for the proposal to the applicant. To be found consistent with the Plan, a proposed solid waste disposal area must comply with all the siting criteria and requirements described in subparts (i)-(xiii) below.

As provided by Section 11537a of Part 115 of Act 451, as amended, if Wexford County has 66 months of disposal capacity available for all waste generated in the county, the BOC may, at its discretion, refuse to allow this siting criteria to be used.

Siting Criteria

- i. The active work area for a new facility or expansion of an existing facility shall not be located closer than 100 feet from adjacent property lines or road rights-of-way.
 - a. In addition, the approval of an isolation distance less than 200 feet from adjacent property lines or road rights-of-way requires the existence of a berm, which is not less than 8 feet high, which has a 4 foot fence on top and that is constructed around the perimeter of the active work area or the existence of natural screening that offers equivalent protection.

SELECTED SYSTEM – 2009 Amendment to Siting Review Procedures

- ii. The active work area for a new facility or expansion of an existing facility shall not be located closer than 300 feet from domiciles or public schools existing at the time of submission of the application.
- iii. The active work area for a new facility or expansion of an existing facility shall not be located closer than 400 feet from inland lakes and streams, but not including drains as defined by 1956 PA 40, MCL 280.1.
- iv. A new, previously unlicensed sanitary landfill shall not be constructed within 10,000 feet of a licensed airport runway. This restriction does not apply to expansions of existing sanitary landfills.
- v. A facility shall not be located in a 100-year floodplain as defined by Rule 323.311 of the administrative rules of Part 31, Water Resources Protection, of Act 451, as amended.
- vi. A facility shall not be located in a wetland regulated by Part 303, Wetlands Protection, of Act 451, as amended unless a permit is issued.
- vii. A facility shall not be constructed in lands enrolled under Part 361, Farmland and Open Space Preservation, of Act 451, as amended.
- viii. A facility shall not be located in a sensitive environmental area as defined in Part 323, Shorelands Protection and Management, of Act 451, as amended or in areas of unique habitat as defined by the Department of Natural Resources, Natural Features Inventory.
- ix. A facility shall not be located in an area of groundwater recharge as defined by the United States Geological Survey or in a wellhead protection area as approved by the DNRE.
- x. A facility shall not be located in a designated historic or archaeological area as defined by the state historical preservation officer.
- xi. A facility shall not be located or permitted to expand on land owned by the United States of America or the state of Michigan. Disposal areas may be located on state land only if both of the following conditions are met:

 - a. Thorough investigation and evaluation of the proposed site by the developer indicates, to the satisfaction of the DNRE, that the site is suitable for such use; and
 - b. The state determines that the land may be released for landfill purposes and the facility developer acquires the property in fee title from the state in accordance with state requirements for such acquisition.
- xii. Facilities may only be located on property zoned as agricultural, industrial, or commercial at the time the facility developer applies to the county for such determination of consistency under the Plan. Facilities may be located on unzoned property, but may not be located on property zoned residential.
- xiii. A facility shall be located on a paved, all weather "Class A" road. If a facility is not on such a road, the developer shall sign a statement agreeing to provide for upgrading and/or maintenance of the road serving the facility.

5. If the facility developer does not agree with the consistency decision by the BOC or if no consistency determination has been rendered within 45 working days, the developer may request the DNRE determine consistency of the proposal with the Plan as part of DNRE review of a construction permit application.
6. If the proposal is found to be inconsistent with the Plan, the facility developer may provide additional information to address the identified deficiencies. The facility developer has 30 days to submit the additional information to the designated planning agency. The designated planning agency may only determine consistency and make its recommendation to the BOC on such a resubmittal in regards to the criteria originally found deficient.
7. After the additional information provided by the developer to address identified deficiencies has been submitted to the designated planning agency, the agency has 30 days to make a recommendation to the BOC. Upon receiving the designated planning agency's recommendation, the BOC must determine whether the corrected proposal is consistent with the Plan.
8. If the facility developer does not agree with the consistency decision by the BOC or if no consistency determination has been rendered within 45 working days, the developer may request the DNRE determine consistency of the proposal with the Plan as part of the DNRE review of a construction permit application.
9. The final determination of consistency with the Plan shall be made by the DNRE upon submittal by the developer of an application for a construction permit. The DNRE shall review the determination made by the BOC to insure that the criteria and review procedures have been properly adhered to by the County.

AMENDMENT #5

LOCAL ORDINANCES AND REGULATIONS AFFECTING SOLID WASTE DISPOSAL

This Plan update's relationship to local ordinances and regulations within the County is described in the option(s) marked below:

1. Section 11538 (8) and Rule 710 (3) of Part 115 prohibits enforcement of all county and local ordinances and regulations pertaining to solid waste disposal areas unless explicitly included in an approved Solid Waste Management Plan. Local regulations and ordinances intended to be part of this Plan must be specified below and the manner in which they will be applied described.

There are two principal areas where the County's Solid Waste Management System is authorized to include ordinance provisions and appropriate rules and regulations.

These are:

- A. Selected provisions of the Siting Mechanism contained in this Plan cover ancillary construction details and operational aspects of any permitted facility that is sited within the County. These provisions are considered to be consistent with the Plan and are enabled and authorized by the Plan including any ordinance and related rules and regulations required to implement them which may be adopted and implemented by the appropriate governmental unit without additional authorization from, or formal amendment to, the Solid Waste Management Plan. These include and are not limited to the following:
- a. Certain ancillary construction details;
 - b. Hours of operation;
 - c. Noise, litter, odor and dust controls as well as other site nuisances;
 - d. Operating records and reports;
 - e. Facility security and safety;
 - f. Monitoring requirements for wastes accepted, banned or prohibited;
 - g. Volume reduction, recycling, and composting requirements;
 - h. Waste disposal surcharges;
 - i. Licensing of waste haulers; and
 - j. Enforcement of import/export authorization.
- B. The Plan's enforceable Program and Process, including Authorized Management Component, the Authorized Import/Export conditions, and the Plan's authorized Ordinance provisions, will be carried out through the County's system of intergovernmental contracts, Wexford County Ordinance # _____ in current and future amended form, its administrative rules and regulations, and the supporting hauler licensing, facility designation agreements, and service contracts and system procurement provisions. These provisions and mechanisms are considered to be consistent with the Plan's Enforceable program, including any further amendments to the ordinances and related rules and regulations, as required to implement the Plan's Enforceable Program which may be adopted and implemented by the appropriate governmental unit without additional authorization from, or formal amendment to, the Solid Waste Management Plan, except that such amendments shall not exceed the authority provided for in Part 115 of NREPA with regards to the location of disposal areas.

SELECTED SYSTEM – 2009 Amendment to Local Ordinances and Regulations Affecting Solid Waste Disposal

2. This Plan recognizes and incorporates as enforceable the following specific provisions based on existing zoning ordinances:

- A. Geographic area/Unit of Government: _____
Type of disposal area affected: _____
Ordinance or legal basis: _____
Requirement / Restriction: _____

- B. Geographic area/Unit of Government: _____
Type of disposal area affected: _____
Ordinance or legal basis: _____
Requirement / Restriction: _____

- C. Geographic area/Unit of Government: _____
Type of disposal area affected: _____
Ordinance or legal basis: _____
Requirement / Restriction: _____

- D. Geographic area/Unit of Government: _____
Type of disposal area affected: _____
Ordinance or legal basis: _____
Requirement / Restriction: _____

3. This Plan authorizes adoption and implementation of local regulations governing the following subjects by the indicated units of government without further authorization from or amendment to the Plan.

Regulations meeting these qualifications may be adopted and implemented by the appropriate governmental unit without additional authorization from, or formal amendment to, the Solid Waste Management Plan. Allowable areas of local regulation, beyond those specified elsewhere in this document, include:

1. Certain ancillary construction details, such as landscaping and screening;
2. Hours of operation;
3. Noise, litter, odor, and dust control;
4. Operating records and reports;
5. Facility security;
6. Monitoring of wastes accepted and prohibited; and
7. Composting and recycling.

ATTACHMENT A

SOLID WASTE ORDINANCE

DRAFT

WEXFORD COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO ADOPT AN ORDINANCE TO REGULATE THE COLLECTION, TRANSPORTATION, DELIVERY AND DISPOSAL OF SOLID WASTE; TO REQUIRE THE LICENSING OF WASTE HAULERS; TO PROHIBIT ROADSIDE DUMPING OF REFUSE; AND TO PROVIDE PENALTIES AND REMEDIES FOR VIOLATIONS THEREOF

WHEREAS, Wexford County is required under Part 115 of the Natural Resources and Environmental Protection Act (NREPA), MCL 342.11501 *et seq.*, to have a Solid Waste Management Plan; and

WHEREAS, Wexford County wishes to amend its Solid Waste Management Plan to take into account the sale of the County-owned landfill to a private entity, and to provide for regulation of the collection, transportation and disposal of solid waste by ordinance; and

WHEREAS, Wexford County is authorized under Part 115 of NREPA and MCL 46.11(j) to adopt an ordinance regulating the collection, transportation and disposal of solid waste generated within Wexford County.

THEREFORE BE IT RESOLVED, that the Wexford County Board of Commissioners hereby adopts the Wexford County Solid Waste Ordinance, attached and incorporated by reference as Exhibit 1 to this Resolution; and

BE IT FURTHER RESOLVED, that the license fees to be charged annually for solid waste haulers shall be as follows, payable to the DPW upon application for a license or license renewal, and subject to change from time to time by County Board Resolution:

Initial Base License Fee	= \$100.00
Initial Fee for Each Truck	= \$ 25.00
Renewal Base License Fee	= \$ 25.00
Renewal Fee for Each Truck	= \$ 15.00

BE IT FINALLY RESOLVED, that this Ordinance shall take effect sixty (60) days after its adoption when notice of its adoption is published in a newspaper of general circulation in the County.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE TO REGULATE THE COLLECTION, TRANSPORTATION, DELIVERY AND DISPOSAL OF SOLID WASTE; TO REQUIRE THE LICENSING OF WASTE HAULERS; TO PROHIBIT ROADSIDE DUMPING OF REFUSE; AND TO PROVIDE PENALTIES AND REMEDIES FOR VIOLATIONS THEREOF

THE COUNTY OF WEXFORD ORDAINS:

Section 1. Adoption of Ordinance. The Wexford County Solid Waste Ordinance is hereby adopted to read as follows:

SECTION 1

SHORT TITLE

This Ordinance may be referred to as the "Solid Waste Ordinance" of the County of Wexford.

SECTION 2

DEFINITIONS

2.1 **Definitions.** For purposes of this Ordinance, the words and phrases listed below shall have the following meanings:

- 1) "Administrative Rules" means, except as otherwise expressly provided herein, those administrative rules promulgated under Section 8 of this Ordinance.
- 2) "BPW" means the Board of Public Works of the County.
- 3) "Container Pick Up" means the collection of refuse from one container on one day.
- 4) "County" means the County of Wexford, Michigan, acting through the County Board.
- 5) "County Board" means the Board of Commissioners of the County of Wexford.
- 6) "County-approved Refuse Container" means a container meeting all the specifications set forth in this Ordinance.
- 7) "County-Designated Facility" means a facility which is identified in the Administrative Rules as an approved location for the disposal of refuse including any of the following: (1) a licensed and permitted sanitary landfill operating within Wexford County, Michigan, or (2) any other solid waste handling facility utilized in

the transfer or disposal of solid waste located outside of the State of Michigan.

- 8) "Director" means the Director of the Department of Public Works of the County of Wexford, or other person appointed by the County Board to administer or enforce this Ordinance.
- 9) "Hazardous Waste" means hazardous waste as defined in the NREPA, as amended, and as identified in administrative rules promulgated pursuant to the NREPA. See Attachment A.
- 10) "Individual" means any person who transports solid waste who is not a licensed waste hauler.
- 11) "Local Unit of Government" means a city, village, general law township or charter township within the County.
- 12) "NREPA" means Part 115, Solid Waste Management, of the Michigan Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.
- 13) "Person" means an individual, firm, public or private corporation, partnership, trust, public or private agency or any other entity or any group of persons.
- 14) "Premises" means a parcel of land, including any building or structures located thereon, within the County, which is being used for residential, commercial, industrial or institutional purposes, either separately or in combination, and to which a separate street address, postal address or box, tax roll description, or other similar identification has been assigned, or is being used by a person having control of the area.
- 15) "Recyclable Material" means material or articles separated for the express purpose of preparation and delivery to a secondary market or other legitimate end use, including, but not limited to, newspaper, corrugated cardboard, magazines, computer print-out paper, office paper, glass containers, high density and low density polyethylene (HDPE and LDPE) containers, polyethylene terephthalate (PET) containers, tin cans, ferrous metal and nonferrous metal.
- 16) "Refuse" means solid waste.
- 17) "Rural" means a unit of local government which is a general law township.
- 18) "Solid Waste" means solid waste as defined in the NREPA, as amended. See Attachment B.

- 19) "Special Refuse" means furniture, household appliances, brush, large tree limbs and other bulky refuse items, as may be further defined in the Administrative Rules.
- 20) "Tipping Fee" means a fee established by the owner of a County-Designated Facility to be charged upon delivery of solid waste to a County-Designated Facility.
- 21) "Urban" means any unit of local government which is a city, village or charter township.
- 22) "Waste Hauler" or "Hauler" means any person engaged, in whole or in part, in the business of collecting transporting, delivering, or disposing of solid waste within the County, other than refuse generated by the person so hauling.
- 23) "Yard Waste" means leaves, grass clippings, vegetable or other garden debris, shrubbery or brush or tree trimmings that can be converted to compost humus. Yard waste does not include stumps, agricultural waste, animal waste, roots, sewage sludge or garbage.

SECTION 3

LICENSING OF HAULERS

- 3.1 Hauler License. No person shall engage in the business of collecting, transporting, delivering or disposing of solid waste or recyclable material generated within the County, without first obtaining a hauler license.
- 3.2 License Application. Every person desiring to engage in the business of collecting, transporting, delivering or disposing of solid waste or recyclables generated within the County shall make written application to the Director on forms provided by or prescribed by the BPW. The application shall require such information as will enable the BPW to determine whether the applicant, if licensed, will serve the public in compliance with requirements of this Ordinance, and all other applicable laws, statutes, ordinances, rules, and regulations.
- 3.3 Approval or Denial of License. Upon receipt of an administratively complete application and payment of the licensing fee, the Director shall grant or deny the hauler license. If denied, a letter to the hauler explaining the reasons for the denial will be provided within ten (10) working days. If a license is denied, the applicant shall be provided with the opportunity for a hearing before the BPW within ten (10) working days of receipt of a written request for same from the applicant. The request for a hearing must be filed by the applicant with the Director within ten (10) working days of receipt of the denial. The BPW may affirm the denial of the issuance of the license for any of the following reasons:

- a) Failure of the applicant to comply with this Ordinance.
 - b) A violation of this Ordinance or other applicable laws, statutes, ordinances, rules, and regulations.
 - c) A prior criminal conviction, other than minor traffic offense, or prior license revocation, when such criminal conviction or license revocation bears on the ability of the applicant to serve the public as a refuse hauler in a safe and lawful manner.
 - d) A misrepresentation of a material fact in the application for the license.
- 3.4 License Fee. An annual hauler licensing fee shall be paid by the applicant upon submittal of a license application to the Director. A license fee schedule shall be adopted by resolution of the County Board and shall reasonably cover the cost of administration of the licensing. A fee schedule shall continue in full force and effect until amended by the County Board.
- 3.5 License Expiration and Renewal. A license issued under this Section shall expire on the first day of January of each year. A license shall be renewed annually, and the license fee paid, in the manner set forth in this Section, unless the applicant's license has been revoked in accordance with the terms of this Ordinance.
- 3.6 License Scope and Restrictions. A license issued under this Section may restrict the scope of services of the hauler based on the services defined in the hauler's license application. Restrictions may include (1) the geographic area to be served, (2) the class of waste generator to be served (such as residential, commercial or institutional), (3) the type of material to be collected (such as special refuse or recyclable materials), (4) the points of collection (such as curb, alley, roadside, or drop station), and/or the schedule of such collections and (5) the vehicles the hauler may use to make collections. The scope of services provided by a hauler shall be limited as expressly stated in the hauler license.
- 3.7 Non-transferability of Licenses. A hauler license shall be non-transferable.

SECTION 4

CONDITIONS OF HAULER LICENSE

- 4.1 General License Conditions. It shall be a condition of each hauler license that the hauler shall comply with all of the following:
- a) All provisions of this Ordinance, and any amendments thereto.

- b) All applicable federal, state, county, and local laws, statutes, rules and regulations, including, but not limited to, those pertaining to the collecting, transporting, delivering or disposal of solid waste and recyclable material generated within the County.
- c) All applicable provisions of the Wexford County Solid Waste Plan as required under the NREPA and any agreements regarding inter-county transport of solid waste authorized or restricted through that Plan.
- d) All applicable provisions of the Administrative Rules promulgated under Section 8 of this Ordinance.
- e) The hauler shall arrange for the delivery of all solid waste collected under the provisions of this Ordinance to a County-Designated Facility. However, the export of solid waste out of the State of Michigan shall be allowed as provided by federal and State law.
- f) The hauler shall not knowingly allow materials in solid waste collected by the hauler that have been banned by the County, or its designated agent, as described by the Administrative Rules.

4.2 Specific License Conditions. As a condition of a hauler license issued pursuant to this Ordinance, the hauler shall:

- (a) File in writing with the Director by the first (1st) day of January annually each of the following:
 - 1) A description of the methods and equipment the applicant will use for collecting refuse and/or recyclable material within the County.
 - 2) A description of the type of collection to be provided and the geographic area of the County to be served.
 - 3) A plan for meeting all collection and disposal requirements outlined in the Ordinance and in other local, state and federal regulations, as appropriate.
 - 4) Proof of liability insurance.
 - 5) A schedule of basic rates for collection, the services provided to customers and all fees associated with those services.
 - 6) A list of all collection trucks to be used in the County, including the capacity, license plate number, and identifying markers of each.

- (b) Notify the Director in writing ten (10) days prior to any substantive change in the information filed under subsection (a) above.
- (c) File with the Director by the twentieth (20th) day of January, April, July and October of each year, operations information from the last full three (3) month period. This information shall include the segregated quantities, in yards and tons, of solid waste, yard waste, and recyclable material collected by the hauler within the County.
- (d) Establish fees for service.

SECTION 5

PROPER DISPOSAL OF REFUSE

- 5.1 Unlawful Dumping. No person shall deposit or cause to be deposited, sort, scatter, throw, drop or leave any solid waste, hazardous waste, special refuse, yard waste or recyclable material upon or into any street, right-of-way, alley, container or other property, public or private, within the County without the prior permission of the owner, proprietor, occupant, or agent in charge of the premises.
- 5.2 Accumulation of Refuse. No owner and/or occupant of a residential dwelling unit or commercial establishment shall permit the accumulation of refuse upon any urban residential or commercial premises for a period in excess of fifteen (15) days. No owner or occupant of a residential dwelling unit shall permit the accumulation of refuse upon any rural residential premises for a period in excess of thirty (30) days.
- 5.3 Composting and Recycling. Yard waste may be accumulated on residential property for composting purposes in a manner which will not create odor, harbor rodents or become a public nuisance. Yard waste which has been collected commercially may only be accumulated if actively managed as compost in a manner which will not create odor, harbor rodents, or become a public nuisance.

Recyclable material may be accumulated in a manner which will not create odor, harbor rodents or become a public nuisance, for the express purpose of transport and delivery to a recycling facility.

- 5.4 Collection Restrictions. No person shall place in any refuse container any material that might endanger collection personnel or which would be detrimental to the normal operation of collection, including, but not limited to, gaseous, solid or liquid poisons, dead animals, ammunition, explosives, or any material that possesses heat sufficient to ignite other collected materials.

- 5.5 Anti-Scavenging. No person shall take, collect or transport any refuse, yard waste, or recyclable material from any street right-of-way, alley or dumpster which has been designated for collection by a public agency or licensed hauler. This includes materials that have been placed at a drop-off location, at the edge of a curb, road or alley, or other designated collection site. Materials so restricted shall be placed in a well-marked container, stating the name of the authorized agent. An exception to this provision shall be annual bulk clean-ups sponsored by a local unit of government whereby scavenging of materials set out for refuse pick up reduces the volume of reusable material being disposed of in a landfill.

SECTION 6

REFUSE CONTAINER SPECIFICATIONS

- 6.1 Approved Residential Refuse Containers. For the purposes of residential refuse collection, an approved residential refuse container shall be a plastic bag or can liner closed by drawstring or twist tie, or a container constructed of a permanent material such as steel, aluminum or plastic with a tight fitting cover, which, if lifted manually shall have a capacity of no less than five or more than thirty (30) gallons and a gross weight not exceeding fifty (50) pounds.
- 6.2 Approved Commercial Refuse Containers. For the purpose of commercial refuse collection, an approved refuse container shall consist of a durable, water-tight metal container or dumpster with tight-fitting cover meeting the National Solid Waste Management Association, American National Standards Institute, and Consumer Products Safety Commission Standards for design, application and safety. The lid and side doors of all commercial refuse collection containers shall be kept closed. The net volume of refuse in a commercial refuse container placed for collection shall not exceed the specified capacity of the container.
- 6.3 Condition of Containers. The owner and/or occupant of each residential and commercial premises shall keep all refuse containers clean and in good repair, and shall maintain sanitary conditions in and around each refuse container.

SECTION 7

DISPOSAL OF SOLID WASTE

- 7.1 Approved Collection Methods. The owner or occupant of each residential and commercial property in the County shall be responsible for securing an approved method of solid waste collection. Approved methods shall be limited to: (1) arrangements with a licensed waste hauler, or (2) transport of a person's own solid waste to a County-Designated Facility.

- 7.2 Approved Refuse Container. Any person setting out refuse other than special refuse for collection by a waste hauler shall place all accumulated refuse in an approved refuse container as provided in Section 6 of this Ordinance. A hauler shall not pick up refuse from any residential or commercial location within the County unless it has been placed in a County-Approved Refuse Container.
- 7.3 Delivery of Solid Waste by Waste Haulers. Waste haulers shall (a) deliver all solid waste collected or transported from a site of generation within the County to a County-Designated Facility set forth in the hauler's valid hauler license, and (b) pay the tipping fee for delivery thereof. However, the export of solid waste out of the State of Michigan shall be allowed as provided by federal and State law.
- 7.4 Delivery of Solid Waste by Individuals. An individual transporting solid waste from his or her premises shall (a) deliver such waste to a County-Designated Facility and (b) pay the tipping fee for delivery thereof.
- 7.5 Contingent Disposal Option. If for any reason an emergency or permanent closure of the County-Designated Facilities occurs, Wexford County will notify licensed waste haulers of available contingency disposal options. Such a contingency shall be in compliance with the current approved County Solid Waste Management Plan.

SECTION 8

ADMINISTRATIVE RULES

- 8.1 Promulgation by BPW: Approval by County Board. The BPW may promulgate Administrative Rules to carry out the provisions of this Ordinance. The Administrative Rules shall be subject to approval by resolution of the County Board following the same procedures as are required for the adoption of ordinances.

SECTION 9

ENFORCEMENT

- 9.1 Authorized County Officials. The following personnel of the County of Wexford shall have the authority to enforce this Ordinance and to issue and serve notices and citations for violations of this Ordinance:
- a) The Director of Public Works, or his/her designee.
 - b) The Wexford County Sheriff or his/her deputies.

SECTION 10

VIOLATIONS AND REMEDIES

10.1 **Violation.** Any person who violates, disobeys, omits, neglects or refuses to comply with any provision of this Ordinance or any license issued pursuant to this Ordinance shall be guilty of a misdemeanor, punishable by a fine of not more than \$500 or imprisonment for not more than 90 days, or both. Each day that a violation is permitted to continue shall constitute a separate infraction.

10.2 **Additional Remedies.** In addition to enforcing a violation of this Ordinance as a misdemeanor, the County may initiate proceedings in a court of competent jurisdiction to abate or eliminate a violation or to seek other equitable and/or legal relief, including, but not limited to, suspension of a hauler license.

Section 2. Severability. The invalidity of any clause, sentence, paragraph or part of this Ordinance shall not affect the validity of the remaining parts of this Ordinance.

Section 3. Repeal. Any ordinances or parts of ordinances inconsistent with this Ordinance are repealed.

Section 4. Effective Date of Ordinance. The Ordinance shall take effect sixty (60) days after its adoption.

State of Michigan)
County of Wexford)

I, Elaine L. Richardson, Clerk of the County of Wexford and of the Wexford County Board of Commissioners, do hereby certify that the foregoing Ordinance was adopted by a majority vote of the Board on _____, 2010.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County of Wexford this _____ day of _____, 2010, at Cadillac, Michigan.

Elaine L. Richardson, Clerk

ATTACHMENT A

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)

Act 451 of 1994

324.11103 Definitions; G to O.

Sec. 11103.

"Hazardous waste" means waste or a combination of waste and other discarded material including solid, liquid, semisolid, or contained gaseous material that because of its quantity, quality, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible illness or serious incapacitating but reversible illness, or may pose a substantial present or potential hazard to human health or the environment if improperly treated, stored, transported, disposed of, or otherwise managed. Hazardous waste does not include material that is solid or dissolved material in domestic sewage discharge, solid or dissolved material in an irrigation return flow discharge, industrial discharge that is a point source subject to permits under section 402 of title IV of the federal water pollution control act, chapter 758, 86 Stat. 880, 33 U.S.C. 1342, or is a source, special nuclear, or by-product material as defined by the atomic energy act of 1954, chapter 1073, 68 Stat. 919.

ATTACHMENT B

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)

Act 451 of 1994

Part 115

Solid Waste Management

324.11506 Definitions; S to Y.

Sec. 11506.

"Solid waste" means garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, municipal and industrial sludges, solid commercial and solid industrial waste, and animal waste other than organic waste generated in the production of livestock and poultry. Solid waste does not include the following:

- (a) Human body waste.
- (b) Medical waste as it is defined in part 138 of the public health code, 1978 PA 368, MCL 333.13801 to 333.13831, and regulated under that part and part 55.
- (c) Organic waste generated in the production of livestock and poultry.
- (d) Liquid waste.
- (e) Ferrous or nonferrous scrap directed to a scrap metal processor or to a reuser of ferrous or nonferrous products.
- (f) Slag or slag products directed to a slag processor or to a reuser of slag or slag products.
- (g) Sludges and ashes managed as recycled, or nondetrimental materials appropriate for agricultural or silvicultural use pursuant to a plan approved by the department. Food processing residuals; wood ashes resulting solely from a source that burns only wood that is untreated and inert; lime from kraft pulping processes generated prior to bleaching; or aquatic plants may be applied on, or composted and applied on, farmland or forestland for an agricultural or silvicultural purpose, or used as animal feed, as appropriate, and such an application or use does not require a plan described in this subdivision or a permit or license under this part. In addition, source separated materials approved by the department for land application for agricultural and silvicultural purposes and compost produced from those materials may be applied to the land for agricultural and silvicultural purposes and such an application does not require a plan described in this subdivision or permit or license under this part. Land application authorized under this subdivision for an agricultural or silvicultural purpose, or use as animal feed, as provided for in this subdivision shall occur in a manner that prevents losses from runoff and leaching, and if applied to land, the land application shall be at an agronomic rate consistent with generally accepted agricultural and management practices under the Michigan right to farm act, 1981 PA 93, MCL 286.471 to 286.474.
- (h) Materials approved for emergency disposal by the department.
- (i) Source separated materials.
- (j) Site separated material.
- (k) Fly ash or any other ash produced from the combustion of coal, when used in the following instances:
 - (i) With a maximum of 6% of unburned carbon as a component of concrete, grout, mortar, or casting molds.
 - (ii) With a maximum of 12% unburned carbon passing M.D.O.T. test method MTM 101 when used as a raw material in asphalt for road construction.

AMENDMENT #6

CAPACITY CERTIFICATIONS

Every County with less than ten years of capacity identified in their Plan is required to annually prepare and submit to the DNRE an analysis and certification of solid waste disposal capacity validly available to the County. This certification is required to be prepared and approved by the County Board of Commissioners.

- This County has more than ten years capacity identified in this Plan and an annual certification process is not included in this Plan.
- Ten years of disposal capacity has not been identified in this Plan. The County will annually submit capacity certifications to the DNRE by June 30 of each year on the form provided by DNRE. The County's process for determination of annual capacity and submission of the County's capacity certification is as follows:

As indicated on page II-3 (and III-7), estimated yearly volumes of solid waste disposal in the Wexford County Landfill from its current service area (Wexford and Missaukee) is 200,000 yards per year, before compaction. With an estimated 50% compaction rate, the annual volume of space taken up by solid waste is approximately 100,000 cubic yards per year. With a current capacity of over 4 million cubic yards (2008 Construction Permit), the projected site life of the landfill is 40 years.

Roll call: Motion approved unanimously.

5. 2009 Solid Waste Management Plan Amendment
MOTION by Comm Copley with the support of Comm Bulock to approve the Wexford County 2009 Solid Waste Management Plan Amendment, as presented, and authorize release to the municipalities for approval.

A commissioner expressed that flow control was not put in the amendment in order to sell the landfill. If the landfill does not sell, the county still needs flow control. It was pointed out that the SWM Committee recommended flow control. It was also pointed out that the county is not voting on the ordinance tonight, just a plan to go to all municipalities.

John Divozzo, Director of the Department of Public Works came forward to explain the amendment to the SWMP. The Plan amendment was approved by the SWM Committee on June 29, 2009. The Board of Commissioners raised their objections to the amendment at their August 24 joint meeting with the SWM Committee. Also, at the same meeting the SWM Committee requested that the ordinance be removed from the amendment, as well as flow control. Mr. Divozzo explained that flow control cannot be removed because it is in the current solid waste plan.

Another commissioner questioned Mr. Divozzo as to why the county landfill does not operate in the black. He explained that years ago, the landfill was making \$1,000,000 a year in interest. In 1991, the interest earned dropped to approximately \$250,000. The contamination, construction of new cells, and the county taking interest money for projects all helped to decrease their fund. He also spoke of the decrease in revenues he is seeing, which includes foundry sand.

Ken Hinton, Administrator felt the issues in the amendment were well addressed. The potential that the county may have to continue to operate the landfill is out there because there is not a final sale document. The county needs to look at protecting their citizens and passing the SWMP amendment is the best way to do that.

Roll call: Motion passed seven to two with Comm Stump and Beck voting against the motion.

6. 5th Annual Open Government Rally – *Added*
There will be an Open Government Rally held on October 6, 2010 at the Courthouse from 5:00 p.m. to 6:00 p.m.
7. Cancelled September 1, 2010 meeting – *Added*

A commissioner expressed concern that he did not receive notice of the September 1, 2010 meeting being cancelled. Others spoke of receiving the cancellation in the board packet.

Administrator's Report

Adm. Hinton is in the process of meeting with department heads to review their 2011 budgets. Once the process is completed, Adm. Hinton will compile all the data and make his recommendations, if necessary.

Correspondence

Board members received a letter from Northern Michigan Substance Abuse regarding the retirement of their Executive Director Dennis Priess.

Public Comments

Matthew Gunnerson is a member of the SWM Board for both Wexford and Missaukee. He explained how the SWM board functions in sending information to the Board of Commissioners. He believes some of the information they submitted was changed and he questions why they have meetings.

Rita McNamara believes that flow control and the sale of the landfill are linked within the plan. She stated that some small landfills O&M do operate in the black and questioned why Wexford County does not. She does not believe the county can address the sins of the past with gate rate increase. She believes the county has the waste volume to sustain the operation at the landfill. She went on to further express her dissatisfaction with this board and their actions.

Michael MacCready of Manton was glad this board clarified what is going on with the SWMP amendment. He then discussed how the DPW packets are being distributed to the public, free or under FOIA. He also questioned why Drain Commissioner Solomon was being paid to attend certain meetings and billing the DPW. He thanked the board for their diligence. In conclusion, he stated that he has not heard a bad word on American Waste.

Matthew Gunnerson of Best Trash Removal believes that the county should look at selling the landfill.

Liaison Reports

Comm Copley attended a Housing Council meeting and went with CAMA to a meeting in Midland. He also attended a meeting in the City Council Chambers with CAMA where they discussed a plan for looking into getting more business and maintaining business in the Cadillac/Wexford County area.

Board Comment



JOHN ENGLER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



RUSSELL J. HARDING
DIRECTOR

March 7, 2002

Mr. Darrell Kelley, Chairperson
Wexford County Board of Commissioners
437 East Division
Cadillac, Michigan 49601

Dear Mr. Kelley:

The Department of Environmental Quality (DEQ) received the locally approved update to the Wexford County Solid Waste Management Plan (Plan) on July 20, 2001. Except for the items indicated below, the Plan is approvable. As outlined in the August 15, 2001 letter to you from Mr. Stan Idziak, DEQ, Waste Management Division (WMD), and as confirmed in your letter dated December 20, 2001, the DEQ makes the following modifications to the Plan:

On [page III-4 of the Plan, Table 1-A](#), Current Import Volume Authorization of Solid Waste, contingency is defined as follows: "*** Contingency - refers to authorization to import or export waste into or from Wexford County [County] only under emergency conditions to be defined within any processed authorization agreement." Although the Plan format uses the terms "primary" and "contingency" as disposal types under "authorized conditions," neither Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), nor the Part 115 administrative rules define these terms. However, the DEQ generally recognizes contingency capacity as capacity intended to be used only when primary disposal capacity is unavailable to meet a county's needs, and failure to use the contingency disposal options would result in the waste having no place to go for disposal. Contingency disposal is triggered by the actual unavailability of primary disposal capacity, not by economic, business, or convenience considerations. If the term "contingency" is to be used; it must be explicitly defined in the Plan and cannot be defined in some unspecified manner via an authorization agreement executed outside the scope of the Plan. Therefore, the statement: "*** Contingency - refers to authorization to import or export waste into or from Wexford County only under emergency conditions to be defined within any processed authorization agreement." shall be deleted from the Plan.

On [page III-6](#) under "Solid Waste Disposal Areas," the disposal areas identified under this heading are those existing disposal areas that will be utilized to provide the required capacity and management needs for solid waste generated within the County. Therefore, the statement, "Possible siting and construction of a type III Landfill in

Mr. Darrell Kelley
Page 2
March 7, 2002

accordance with MDEQ Regulations” is deleted from the Plan as this is not an existing landfill.

In addition, the statement, “Potential conversion of the wood burning energy general facility in Cadillac to a refuse derived fuel facility” is deleted under the heading “Waste-to-Energy Incinerator.” for the same reason

Recycling drop-off facilities are not defined as disposal areas; therefore, on page III-6, the statement “Waste Management Inc. (recycling drop-off facility) (Page III-8) Additional drop-off recycling containers to be located in municipalities and townships subject to local approval” is deleted from the Plan.

On [page III-8](#), the facility description for the Waste Management, Inc. Recycling Drop-off Center shall be deleted from the Plan. The facility description pages are intended for disposal areas and a recycling drop-off facility is not defined as a disposal area.

On [page III-26](#), under “Siting Review Procedures, Siting Criteria and Process,” the Plan does not include an approvable siting process. The Plan does not indicate what information a complete application for a disposal site should contain, the process by which an application is made, and does not identify the authorized body to which the application is to be made. Additionally, a timetable for reviewing the application, a default mechanism to guarantee a timely review process, and a procedure to make corrections or additions to the application in the event the application is deficient have not been addressed in the siting process. Further, the Plan does not clearly identify the entity responsible for determining the consistency of a disposal area or the means by which the applicant is notified of its decision. Since the County has ten years of capacity, the County is not required to have a siting process and siting criteria in its Plan. Therefore, the statements under the heading “Siting Criteria and Process,” on page III-26 and III-26a, are deleted from the Plan and replaced with the following language:

The Wexford County Department of Public Works is authorized to vertically and horizontally expand the current Wexford County Sanitary Landfill. The expansion of the Wexford County Sanitary Landfill is restricted to property owned or leased by the Wexford County Department of Public Works

In the case of transfer stations, the facility must be located on industrial or commercially zoned property. The transfer facility will be no closer than 300 feet from the nearest residential unit existing at the time of the application. It shall be located on a paved concrete or asphalt pad designed and constructed for that purpose. Ingress and egress shall be to and from a Class A collector street or major road. The perimeter of the facility shall be fenced (the fence shall be a minimum of five feet high).

On [page III-26a](#), the Plan outlines siting criteria for recycling facilities. Recycling facilities are not considered disposal areas and are not regulated under Part 115. Therefore, the following statements are deleted from the Plan:

For recycling facilities, the following shall apply:

- a. The facility shall be consistent with the County's Act 451, Part 115 Solid Waste Management Plan and documented as such by the County Solid Waste Management Agency.
- b. Facility will accept only clean, source-separated, recyclable materials.
- c. Facility must provide a means of controlling access to the site to prevent entry and/or drop off of materials when facility is closed/unattended.
- d. No exterior (ie, outside of the secured area of building) display or storage of materials shall be permitted.

On [page III-32](#), under the heading "Local Ordinances and Regulations Affecting Solid Waste Disposal," section 3 lists the following ordinances and jurisdictions:

- Wexford County Zoning Ordinance
 - Siting of: Type II and Type III Landfills, Type A and Type B Transfer Stations, Household Hazardous Waste Collection Facilities
- Haring Township Zoning Ordinance
 - Siting of Type A and Type B Transfer Stations
 - Siting of Household Hazardous Waste Collection Facilities
- Cedar Creek Township Zoning Ordinance
 - Siting of Type II and Type III Landfills, Type A and Type B Transfer Stations, Household Hazardous Waste Collection Facilities
- Springville Township Zoning Ordinance
 - Siting of Type A and Type B Transfer Stations
- City of Cadillac Zoning Ordinance
 - Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant
 - Siting of Type A and Type B Transfer Stations
- Village of Buckley Zoning Ordinance
 - Siting of Type A and Type B Transfer Stations

In general, the DEQ will not approve the broad inclusion of all local zoning authorizations in solid waste management plans where local ordinances may include provisions that will have siting impacts not included in the Plan's siting criteria, may provide for discretionary local decisions that may impermissibly impact siting decisions that by law are controlled by the siting provisions specified in the Plan, or may otherwise interfere with or conflict with the DEQ's regulatory responsibilities. This section attempts to incorporate local municipal ordinances into the Plan that specifically include

Mr Darrell Kelley
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March 7, 2002

siting for Type II and Type III landfills, and Type A and Type B Transfer Stations. Therefore, the entire "Local Ordinances and Regulations Affecting Solid Waste Disposal" section is deleted from the Plan.

With these modifications, the County's updated Plan is hereby approved, and the County now assumes responsibility for the enforcement and implementation of this Plan. Please ensure that a copy of this letter is included with copies of the approved Plan distributed by the County

By approving the Plan with modifications, the DEQ has determined that it complies with the provisions of Part 115, Solid Waste Management, and the Part 115 administrative rules concerning the required content of solid waste management plans. Specifically, the DEQ has determined that the Plan identifies the enforceable mechanisms that authorize the state, a county, a municipality, or a person to take legal action to guarantee compliance with the Plan, as required by Part 115. The Plan is enforceable, however, only to the extent the County properly implements these enforceable mechanisms under applicable enabling legislation. The Plan itself does not serve as such underlying enabling authority, and DEQ approval of the Plan neither restricts nor expands County authority to implement these enforceable mechanisms

The Plan may also contain other provisions that are neither required nor expressly authorized for inclusion in a solid waste management plan. The DEQ approval of the Plan does not extend to any such provisions. Under Part 115, the DEQ has no statutory authority to determine whether such provisions have any force or effect.

The DEQ applauds your efforts and commitment in addressing the solid waste management issues in Wexford County. If you have any questions, please contact Ms. Rhonda Oyer Zimmerman, Chief, Solid Waste Management Unit, WMD, at 517-373-4750.

Sincerely,



Russell J. Harding
Director
517-373-7917

Mr Darrell Kelley

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March 7, 2002

cc: Senator George A. McManus, Jr.
Representative Rick Johnson
Mr Arthur R. Nash Jr., Deputy Director, DEQ
Mr Thomas M. Hickson, Legislative Liaison, DEQ
Mr. Jim Sygo, DEQ

bcc: Ms. Joan Peck, DEQ
Mr. Philip Roycraft, DEQ – Cadillac
Ms. Rhonda Oyer Zimmerman, DEQ
Ms. Lynn Dumroese, DEQ
Wexford County File

WEXFORD COUNTY

DEPARTMENT OF PUBLIC WORKS

SOLID WASTE MANAGEMENT PLAN

2000 UPDATE

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EXECUTIVE SUMMARY

The following summarizes the solid waste management system selected to manage solid waste within the County. In case of conflicting information between the executive summary and the remaining contents of the Plan update, the information provided in the main body of the Plan update found on the following pages will take precedence over the executive summary.

OVERALL VIEW OF THE COUNTY (attach additional pages as necessary)

Township or Municipality Name	Population (1998 Estimated)	% of Land Use			% of Economic Base*				
		Rural	Urban	Ag	For	Ind	Com	Other	
Cadillac City	10,510		100	N/A					
Manton City	1,394		100	N/A					
Mesick Village	447		100	N/A					
Buckley Village	476		100	N/A					
Harrietta Village	172		100	N/A					
Balance of County	16,605	99	1	N/A					
Total Population	29,604								

*Ag = Agriculture; For = Forestry; Ind = Industry; Com = Commercial; Oth = All Other Economic Bases
Additional listings, if necessary, are listed on an attached page.

EXECUTIVE SUMMARY

The following summarizes the solid waste management system selected to manage solid waste in the County. In case of conflicting information between the executive summary and the remaining contents of the Plan update, the information in the main body of the Plan update found on the following pages will take precedence over the executive summary.

CONCLUSIONS

Major conclusions resulting from the planning process include:

The selected alternative is one of five explored by the Solid Waste Management Planning Committee and was selected because it continues the current system yet provides for taking advantage of additional resource recovery opportunities as they arise. This system will be easy to implement for that reason.

Recycling has potential for the future, and its success will be dependent upon the willingness of local residents and businesses to engage in recycling and upon the viability of recycling markets.

Waste generated in the County is landfilled in the licensed Wexford County Landfill in Cedar Creek Township. Consequently, Wexford County is relatively independent in terms of setting its own solid waste management policies and decision-making processes.

The County landfill has adequate land area to provide capacity over the life of this plan plus many years into the future.

Transportation and collection of solid waste is undertaken effectively through the private sector.

There is limited recycling taking place within the County.

At the present time, landfilling is the most economically viable option for final disposal.

There is a need to provide hazardous waste collection and disposal opportunities to the County's residents.

SELECTED ALTERNATIVES

The selected alternative (Alternative 1) calls for continued use of the County Landfill for ultimate disposal, with expanded recycling, possibly including both a drop-off recycling collection and curbside system. A central processing facility for recycling may be established as an interim collection point before shipment to recycling markets. As an option, additional transfer station facilities with bins for drop-off recycling could be located within the County, with additional bins for recyclable materials.

The potential for cogeneration, using refuse derived fuel, should also be explored.

A household hazardous waste collection program may be instituted.

A Type III Landfill may be constructed to facilitate the disposal of foundry sand.

INTRODUCTION

GOALS AND OBJECTIVES

To comply with Part 115 and its requirements, each Plan must be directed toward goals and objectives based on the purposes stated in Part 115, Sections 11538.(1)(a), 11541 (4) and the State Solid Waste Policy adopted pursuant to this Section, and Administrative Rules 711(b)(i) and (ii). At a minimum, the goals must reflect two major purposes of Solid Waste Management Plans:

- (1) To utilize to the maximum extent possible the resources available in Michigan's solid waste stream through source reduction, source separation, and other means of resource recovery and;
- (2) to prevent adverse effects on the public health and the environment resulting from improper solid waste collection, transportation, processing, or disposal, so as to protect the quality of the air, the land, and ground and surface waters.

This Solid Waste Management Plan works toward the following goals through actions designed to meet the objectives described under the respective goals which they support:

- Goal 1 Produce a solid waste management system which meets the solid waste disposal needs of the service area
- Objective 1a: Work with the Michigan DEQ to expand and continue licensure of the Wexford County landfill
- Objective 1b: Continue to assign responsibility of monitoring the use of waste disposal facilities in accordance with Act 451 and its rules to the County Department of Public Works
- Goal 2 Design the solid waste management system for technical and economic feasibility
- Objective 2a: Encourage the cooperative use of existing solid waste facilities and services, and the coordination of collection activities by solid waste haulers with local governments
- Objective 2b: Promote continued financial assistance from the State of Michigan for solid waste management in all categories
- Objective 2c: Processing and recycling centers and disposal sites shall be located to adhere to adopted standards, and be compatible with land uses in the area

INTRODUCTION

Goal 3: Protect the public health and safety, protect the natural environment from contamination, and promote volume reduction in the solid waste stream

Objective 3a: Ensure use of proper containers for refuse and storage through local ordinances to stabilize solid waste volumes and prevent proliferation of vermin

Objective 3b: Route collection vehicles from designated collection routes to the County's disposal facility with due consideration for traffic flow and for the residents along that route

Objective 3c: Encourage the growth of markets for recycled and recovered materials and the use of recyclable and recycled materials by government, business, industry, and the public

Objective 3d: Encourage the use of private/nonprofit organizations for operating and coordinating formal efforts in recycling and resource recovery

Objective 3e: Continue to implement State sponsored education programs for waste reduction, source separation, recycling, resources recovery, and integrated waste management for the residents of Wexford County

Objective 3f: Establish office paper recycling programs in the County, townships, City of Cadillac, and City of Manton government offices, local school districts, and promote a paper recycling program for major corporate and public institutions in Wexford County.

Objective 3g: Encourage civic groups to participate in recycling programs

Objective 3h: Identify any local government and public institution procurement policies if they exist and suggest their revision when necessary to encourage the use of recycled and recyclable materials

Goal 4: Consider wastes generated by agricultural and manufacturing interests which may require special handling, as well as special facilities required for collection and processing of junk vehicles, farm implements and large appliances

Objective 4a: Encourage development of local junk ordinances for the control of accumulation of junk vehicles and other discarded materials on private property

Objective 4b: Continue to seek resources to fund the collection and/or processing of materials requiring special handling, including hazardous wastes

INTRODUCTION

Goal 5: Encourage a realistic program to effectively and efficiently implement the planned solid waste management system

Objective 5a: *Maintain an active roster of solid waste committee members to address concerns as they arise that could affect the solid waste management plan under the auspices of the Board of Public Works*

DATA BASE

Identification of sources of waste generation within the county, total quantity of solid waste generated to be disposed, and sources of the information. (Attach additional pages as necessary)

Wexford County Waste Generation	Estimated and Projected Annual Volumes		
	1998	2003	2008
Household	15,302 tons	15,514 tons	15,784 tons
Commercial	2,739 tons	2,762 tons	2,785 tons
Industrial	7,430 tons	7,757 tons	8,085 tons
Transportation/Utilities	2,700 tons	3,493 tons	4,267 tons
Office	1,308 tons	1,348 tons	1,389 tons
Construction	131 tons	169 tons	207 tons
Agriculture	318 tons	279 tons	240 tons
Total	*29,298 tons	31,322 tons	32,757 tons
	*87,894 c.y.	93,966 c.y.	98,271 c.y.
*Conversion Factor - 3 cyd/ton.			

Of the 29,298 tons projected to be generated for the year 1998, it is estimated that 28,494 (97.3%) enters the waste stream. By the year 2003, an estimated 30,463 tons per year are projected to enter the waste stream. This should increase to 31,859 tons by the year 2008. About 37% of the waste entering the waste stream can potentially be recycled. That represents a maximum volume that could be withdrawn from the waste stream. Consequently, the amount of waste that would require landfilling in 1998 is estimated to be 10,737 tons. This should increase to 11,475 tons per year by 2003 and to 12,001 tons per year by 2008.

TOTAL QUANTITY OF SOLID WASTE GENERATED:

116.8 Tons or Cubic Yards in _____ (identify unit of time) per day

TOTAL QUANTITY OF SOLID WASTE NEEDING DISPOSAL:

92.7 Tons or Cubic Yards in _____ (identify unit of time) per day

DATA BASE

Inventory and description of all solid waste disposal areas within the County or to be utilized by the County to meet its disposal needs for the planning period.

Wexford County (Type II) Sanitary Landfill
990 US-131 North
Manton, Michigan 49663

DATA BASE

FACILITY DESCRIPTIONS

Facility Type: Type II Sanitary Landfill

Facility Name: Wexford County Landfill

County: Wexford Location: Town: 23N Range: 9W Section(s): 34

Map identifying location included in Attachment Section: Yes No

If facility is an Incinerator or a Transfer Station, list the final disposal site and location for Incinerator ash or Transfer Station wastes: N.A.

Public Private Owner: Wexford County Department of Public Works

Operating Status (check)

- open
- closed
- licensed
- unlicensed
- construction permit
- open, but closure pending

Waste Types Received (check all that apply)

- residential
- commercial
- industrial
- construction & demolition
- contaminated soils
- special wastes *
- other: Foundry sand

* Explanation of special wastes, including a specific list and/or conditions:

Asbestos

Site Size:

Total area of facility property:	<u>187.34</u>	acres
Total area sited for use:	<u>81.4</u>	acres
Total area permitted:	<u>81.4</u>	acres
Operating:	<u>4</u>	acres
Not excavated:	<u>NA</u>	acres

Current capacity:	2,932,645	<input type="checkbox"/> tons or <input checked="" type="checkbox"/> yds ³	(Cells A-E w/vertical & lateral expansion over B-E)
Estimated lifetime:	<u>15</u>	years	
Estimated days open per year:	<u>254</u>	days	
Estimated yearly disposal volume:	<u>210,000</u>	<input type="checkbox"/> tons or <input checked="" type="checkbox"/> yds ³	

(if applicable)

Annual energy production:		
Landfill gas recovery projects:	<u>NA</u>	megawatts
Waste-to-energy incinerators:	<u>NA</u>	megawatts

CADILLAC NORTH QUADRANGLE
MICHIGAN-WEXFORD CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

26 25'

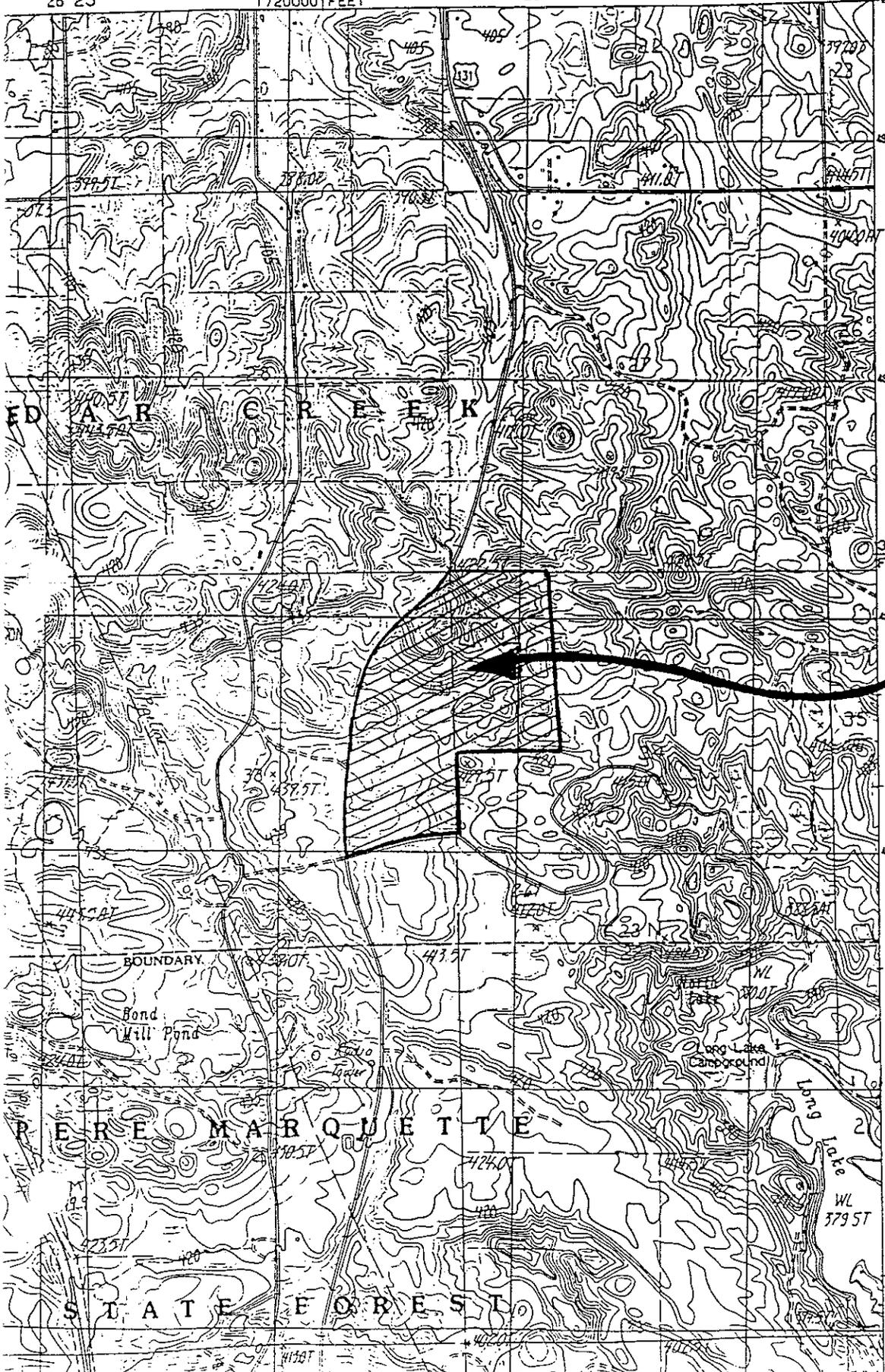
1720000 FEET

628

629

85° 22' 30"

44° 22' 30"



380000
FEET

SITE
(187.34 Acres)

BOUNDARY

Bond
Mill Pond

Long Lake
Carbopound

Long
Lake

PERE MARQUETTE

STATE FOREST

DATA BASE

SOLID WASTE COLLECTION SERVICES AND TRANSPORTATION INFRASTRUCTURE

The following describes the solid waste collection services and transportation infrastructure that will be utilized within the County to collect and transport solid waste.

A. Private Ownership Haulers:

1. Waste Management, Inc. - covers the County
2. Manton Disposal - within the Manton area
3. Riches Waste Disposal - throughout County, individual contracts
4. Northern Disposal
5. Grand Traverse Disposal

B. Michigan Department of Natural Resources - Campgrounds and parks (state owned land)

C. All wastes transported by private haulers and individuals is disposed of in the Wexford County Landfill.

DATA BASE

EVALUATION OF DEFICIENCIES AND PROBLEMS

The following is a description of problems or deficiencies in the existing solid waste system.

Management

The Wexford County Landfill is owned and operated by the Wexford County Department of Public Works. Since the DPW manages and operates the landfill, and the individual haulers are privately owned and operated, it is not always possible for the DPW to ensure that wastes are properly collected and disposed. Although it is not allowed by this plan, there is the potential that some waste generated in the County and collected and hauled by private haulers is disposed of outside the County. At the same time, Wexford County has one primary intercounty agreement with Missaukee County to receive waste from that county.

Coordination/Communication

With the consolidation and reorganization of the solid waste hauling industry, it is often difficult to keep track of current "players" within the County. While there is no formal program established for coordination of private waste collection and County landfill disposal, the inclusion of waste haulers on the Solid Waste Management Planning Committee provides a line of formal communication between the waste haulers and the DPW.

Recycling/Resource Recovery

Markets and market prices for recycled materials fluctuate or materials periodically drop out of the market, making it difficult to project costs and benefits associated with recycling. There is no door-to-door (curbside) pickup of recyclable materials. There is no household hazardous waste collection program in the County.

DATA BASE

DEMOGRAPHICS

The following presents the current and projected population densities and centers for five and ten year periods, identification of current and projected centers of solid waste generation including industrial solid waste for five and ten year periods as related to the Selected Solid Waste Management System for the next five and ten year periods. Solid waste generation data is expressed in tons or cubic yards, and if it was extrapolated from yearly data, then it was calculated by using 365 days per year, or another number of days as indicated.

The centers of solid waste generation are the same as the population centers. That pattern is expected to remain the same.

Residential development is largely concentrated in and around the City of Cadillac, Lake Mitchell, and the City of Manton. Commercial development is also concentrated in Cadillac, Manton, and Mesick, and is spread along US-131 in Haring Township. The source of industrial waste generation is mainly concentrated in the northwestern portion of Cadillac in an area of contiguous industrial parks. Industrial expansion will be generally limited to that group of industrial parks. There are substantial public lands within the Pere Marquette State Forest and Huron-Manistee National Forest located within the County.

Future growth is expected to continue in Townships adjacent to the City of Cadillac. The US-131 corridor will be an area of continued developmental activities. The smaller lake areas in the County will continue to develop residentially.

POPULATION PROJECTIONS

<p>Wexford Twp</p> <p>1994 - 621</p> <p>2000 - 649</p> <p>2005 - 663</p> <p>2010 - 677</p>	 <p>Buckley</p> <p>1994 465</p> <p>2000 481</p> <p>2005 489</p> <p>2010 497</p>	<p>Hanover Twp (balance)</p> <p>500</p> <p>518</p> <p>527</p> <p>537</p>	<p>Greenwood Twp</p> <p>1994 - 398</p> <p>2000 - 409</p> <p>2005 - 415</p> <p>2010 - 421</p>	<p>Liberty Twp</p> <p>1994 - 690</p> <p>2000 - 724</p> <p>2005 - 741</p> <p>2010 - 759</p>
 <p>Mesick</p> <p>Springville Twp (balance)</p> <p>1994 1,071</p> <p>2000 1,154</p> <p>2005 1,198</p> <p>2010 1,243</p> <p>438</p> <p>452</p> <p>459</p> <p>467</p>	<p>Antioch Twp</p> <p>1994 - 747</p> <p>2000 - 788</p> <p>2005 - 809</p> <p>2010 - 831</p>	<p>Colfax Twp</p> <p>1994 - 619</p> <p>2000 - 647</p> <p>2005 - 661</p> <p>2010 - 675</p>	 <p>Manton</p> <p>Cedar Creek Twp (balance)</p> <p>1,014</p> <p>1,088</p> <p>1,128</p> <p>1,168</p> <p>1994-1,308</p> <p>2000-1,434</p> <p>2005-1,501</p> <p>2010-1,572</p>	
<p>Slagle Twp (balance)</p> <p>1994 - 500</p> <p>2000 - 518</p> <p>2005 - 527</p> <p>2010 - 537</p>	 <p>Harrietta</p> <p>Boon Twp (balance)</p> <p>505</p> <p>523</p> <p>533</p> <p>542</p> <p>1994 170</p> <p>2000 172</p> <p>2005 173</p> <p>2010 174</p>	<p>Selma Twp</p> <p>1994 - 1,726</p> <p>2000 - 1,943</p> <p>2005 - 2,062</p> <p>2010 - 2,187</p>	<p>Haring Twp</p> <p>1994 - 2,753</p> <p>2000 - 3,319</p> <p>2005 - 3,644</p> <p>2010 - 4,001</p>	
<p>South Branch Twp</p> <p>1994 - 321</p> <p>2000 - 328</p> <p>2005 - 332</p> <p>2010 - 335</p>	<p>Henderson Twp</p> <p>1994 - 178</p> <p>2000 - 180</p> <p>2005 - 181</p> <p>2010 - 182</p>	<p>Cherry Grove Twp</p> <p>1994 - 1,816</p> <p>1995 - 2,105</p> <p>2000 - 2,387</p> <p>2005 - 2,543</p> <p>2010 - 2,708</p>	 <p>Cadillac Lake Twp</p> <p>1,832</p> <p>2,078</p> <p>2,213</p> <p>2,357</p> <p>1994 -10,443</p> <p>2000 -10,810</p> <p>2005 -10,939</p> <p>2010 -11,075</p>	

DATA BASE

LAND DEVELOPMENT

The following describes current and projected land development patterns, as related to the Selected Solid Waste Management System, for the next five and ten year periods.

An analysis of land use patterns assists in the determination of current and future concentrations of solid waste generation. Wexford County contains 392 square miles of area dominated by forested and open space land use.

Residential development is largely concentrated in and around the City of Cadillac, Lake Mitchell and the City of Manton. Large lot residential development has occurred along the frontage of county roads in rural areas. Commercial development is also concentrated in Cadillac, Manton and Mesick and spread along US-131 in Haring Township. Industrial activity is limited outside of the limits of the City of Cadillac, with some industrial development in Manton. There are substantial public lands within the Pere Marquette State Forest and Huron-Manistee National Forest located within the county.

Future growth is expected to continue around the City of Cadillac and in the adjacent townships. The US-131 corridor will be an area of continued developmental activities and the smaller lakes in the county will continue to develop residentially.

The Conservation District has defined "essential agricultural lands" on the basis of soil characteristics and agricultural use. The amount of land devoted to agricultural use in the county decreased by 8.4 percent from 56,990 acres in 1972 to 52,200 acres in 1982. Agricultural land represents about 15 percent of the total land area in the county. There are, however, no soils association within the county considered to be prime for agriculture. Act 116 lands have been designated under Michigan's Farmland and Open Space Preservation Act (Act 116, P.A. 1974). These lands are protected under a legally binding agreement executed by a landowner and the State for a minimum of 10 years. The landowner agrees to use the land for active agricultural production and promises not to convert or divide it during the term of agreement. In exchange, the landowner receives property tax relief. While no agricultural lands are considered to be desirable locations for solid waste facilities, essential and unique agricultural lands, in particular, should be discouraged as sites for solid waste facilities. Act 116 lands are legally exempt from non-agricultural uses.

SOLID WASTE MANAGEMENT ALTERNATIVES

The following briefly describes all solid waste management systems considered by the County and how each alternative will meet the needs of the County. The manner of evaluation and ranking of each alternative is also described. Details regarding the Selected Alternatives are located in the following section. Details regarding each non-selected alternative are located in Appendix B.

Alternative I - Recycling/Waste Reduction/Landfilling

This alternative emphasizes reduction of the volume of wastes that are landfilled through recycling of a variety of materials, and waste volume reduction at the landfill site through baling, shredding and/or compacting. This Plan update estimates that there are currently 92.7 tons per day of processable waste generated in the county.

Although there are no defined standard capture rates, it is reasonable to assume that *optimally* about 55 percent of all of the processable paper in the county and approximately 37.5 percent of all the processable glass, ferrous metals and aluminum could be captured for recycling purposes. This is based on the assumption that 65 percent of all paper is recyclable and that 85 percent of that amount, under optimum conditions, could be collected.

Alternative II - (Status Quo)

Alternative I assumes that the existing solid waste management practices in Wexford County will be continued including the recycling of newsprint; corrugated paper, plastics and metals by private for-profit and nonprofit organizations. Aluminum, copper and other metals will continue to be collected at the Wexford County Landfill and by Padnos Iron & Metal. Used oil will also continue to be collected and recycled at designated businesses and there will be no household hazardous waste collection and disposal program. Private waste haulers will collect residential and commercial wastes, and Waste Management will continue to operate a transfer station at its facility in Cadillac, under contract with the Department of Public Works.

The City of Cadillac will continue to operate the only municipal composting system in the County. No waste-to-energy systems will be constructed, although the woodburning generation plant in Cadillac will continue to operate. It is not anticipated that this plant will be converted to burn combustible solid wastes (Refuse Derived Fuel).

The Wexford County landfill will continue to serve county residents and private haulers will continue to transport wastes from throughout the county to the landfill.

Alternative II poses potential long-range problems, as volumes of waste going to the county landfill will continue to accumulate, thus diminishing the effective life of that facility.

In the immediate future, Alternative I will not result in siting problems. However, if this facility were to close, the county's options for alternative disposal would be limited, unless arrangements are made for contingency disposal.

Under this alternative a County , **private or volunteer operated drop-off program** may be expanded and **local unit drop-off sites** may be instituted to incorporate a countywide public sector effort to capture a larger volume of recyclable materials, including glass, ferrous metals, aluminum, plastic and paper.

Composting of yard wastes is a component of this alternative. While home (composting) operations would not necessarily become an activity the county would encourage, an education and health monitoring program may be established for those that choose to compost their own organic material. The cities of Cadillac and Manton may initiate composting of bio-solids - wood chips and leaves for use on city properties. In addition, an annual countywide household hazardous waste collection and disposal program may be initiated, within a five-month period between May and September. This household hazardous waste program may be operated by the Wexford County Department of Public Works, with a collection site at the landfill.

A viable recycling **operation** would include Wexford County government coordinated with **local units of government** and private haulers.

The recycling program would have to be expanded geographically, in program content, in type and volume of materials collected, in processing and shipping capabilities, and in education/promotion. To facilitate this expansion, a formal contract, written agreement, or memorandum of understanding between the county **local units of government** and private sector haulers to implement recycling in the county would have to be executed.

This contract could establish a formal organizational structure and define the responsibilities of each of the involved parties, with financial backing coming from a **set aside of up to 10 percent of the tipping fees** at the County landfill, as well as sale of recyclable material. The program would utilize drop-off centers for derived materials, and encourage commercial and industrial businesses to utilize their own recycling haulers. Residents in both the rural and urban areas of the county would be encouraged to transport recyclable materials to on-site recycling containers which facilitate material separation. Materials from throughout the county would be stored at these facilities until an adequate volume of each type of material was collected for shipment to a specified buyer or market. The frequency, types, and volumes of materials and shipments would depend upon market demand.

To facilitate implementation of such a program, the county, and local units of government and operators would have to make initial financial commitments, primarily for purchase of stationary recycling bins and/or retrofitting of the collection vehicles to accommodate recyclable materials.

As a second option, Type B transfer facilities could be located in the county and each would contain additional bins for recyclable materials. These sites could be manned by a nonprofit recycling operation during specified days of the week or month or, if a private operation, be manned by paid personnel at designated hours. This is currently in place with the Waste Management drop-off recycling facility and the recycling of batteries, used oil and metals at the landfill.

This alternative still requires the use of a licensed landfill, and the life of such a landfill can be extended if equipment such as compactors and shredders are used to increase the density and reduce the volumes of wastes. Recycling could also substantially increase the functional life of the landfill through reducing quantities of materials being landfilled. The two most viable options at this time for a landfill are the continued use of the county's facility or the construction of a new regional or multi-county licensed landfill.

This alternative also provides for the establishment of a Type III Landfill within Wexford County. Such a landfill would have to meet all the requirements of the MDEQ pertaining to construction and operation for the disposal of foundry sand.

This alternative still requires the use of a licensed landfill, and the life of such a landfill can be extended if equipment such as compactors and shredders are used to increase the density and reduce the volumes of wastes. The two most viable options at this time for a landfill are the continued use of the county's facility or the construction of a new regional or multi-county licensed landfill.

The potential of utilizing the existing wood generation facility to also burn combustible solid wastes should be further explored.

Alternative III - Multi-County Resource Recovery with Landfill

Under this alternative, the county could coordinate with surrounding counties to pursue the development of one or more energy producing facilities using solid waste as the primary source of fuel. Waste-to-energy feasibility studies would be commissioned to identify the most viable type of generation facility(ies) (steam, electric or both), the preferable location(s) and probable markets for purchasing energy, as well as the landfill or landfills designated to handle ash and residue from the plant(s).

In Alternative III, recycling would still take place, although the volumes and types of recyclable materials collected and processed would be reduced as a result of incineration in the waste-to-energy facility. If combustible and noncombustible wastes were separated at a Wexford County waste-to-energy plant prior to being burned, some recyclable materials from the surrounding counties would then become part of the total volume of recyclables that would be shipped to markets from Wexford County. If a regional waste-to-energy plant should be located in a surrounding county, with the Wexford County landfill or another landfill as the regional landfill, noncombustible materials could be separated from combustible material at the facility and transported to the Wexford County landfill or other regionwide landfills to be recycled or land filled.

As in Alternative II, while home composting would not necessarily be encouraged, education and health monitoring assistance could be provided by the county to residents that chose to compost. Again, a countywide household hazardous waste program would be initiated through the County Department of Public Works.

Alternative IV - Landfill

This alternative calls for landfilling to be the primary means of waste disposal over the next 20 years, and in that sense is similar in scope to Alternative I (Status Quo). It is assumed that no waste-to-energy facility will be built either within the county or at the regional level. Under this alternative two options are available. These consist of the continual use and expansion of the county landfill over the next 10 years, or the siting of a regionwide landfill in one of the surrounding counties.

Under the first option, the Department of Public Works would continue to operate a licensed Part 115 of Act 451 landfill that could also accommodate wastes from a multi-county area. A regional authority or commission may have to be established to oversee and monitor practices and activities associated with hauling and dumping.

In the second option, a regional landfill would be located in a surrounding county, with all wastes from the county going to this designated site. Under Alternative IV, recycling could be practiced on a volunteer basis, although it would be secondary to landfilling.

Finally, as in Alternatives II and III, composting of organic materials could be monitored, but would not be mandated. A household hazardous waste collection program would be instituted with the Department of Public Works overseeing the program.

Transfer facilities could be located in strategically cost-effective sites throughout the county, particularly if the second option is utilized.

Alternative No. V - Recycling/Waste Reduction/Multi-County Landfill - Balefill

This alternative is similar to Alternative II in that it emphasizes recycling. However, it also calls for a multi-county landfill without considering the option of limiting the Wexford County Landfill to County residents. In addition, the use of the county landfill would be limited to two counties, thereby fixing Wexford County's share of the capital and operating costs for the landfill to a pro-rated portion of the total cost. Refuse collection would occur throughout the county under municipal or individual contract to private haulers. Both Type B transfer stations in one or more locations in the County and a possible Type A transfer station in conjunction with a multi-county landfill or a waste-to-energy facility outside of Wexford County would be constructed. Waste volume reduction would occur at the multi-county landfill. This alternative also calls for an expanded recycling operation, incorporating recycling drop-off stations and curbside pickup. A formal recycling organization would be established to oversee and coordinate recycling in the county. A recycling center would be constructed and operated through joint agreement between both counties. As an option, Wexford County would operate its own recycling center.

Municipal composting would be implemented and information on efficient and safe composting practices would be provided. Under this alternative, the Wexford County landfill would be open to daily use by one other county under contractual arrangements or, as an option, a feasibility study would be initiated to determine the viability of a regional or multi-county landfill. A hazardous waste collection program would be instituted and administered by the County Department of Public Works.

SYNOPSIS OF SOLID WASTE MANAGEMENT ALTERNATIVES

SOLID WASTE MANAGEMENT SYSTEMS APPLICABLE TO WEXFORD COUNTY	ALTERNATE NO. 1 - RECYCLING/WASTE REDUCTION/LANDFILLING	ALTERNATE NO. 2 - (STATUS QUO)	ALTERNATE NO. 3 - RESOURCE RECOVERY WITH LANDFILLING	ALTERNATE NO. 4 - LANDFILLING/BALEFILL (MULTI-COUNTY)	ALTERNATE NO. 5 - RECYCLING/WASTE REDUCTION/ LANDFILLING/ BALEFILL (MULTI-COUNTY)
RESOURCE CONSERVATION: SOURCE OR WASTE REDUCTION; PRODUCT REUSE	<ul style="list-style-type: none"> ○ Emphasis on volume reduction of wastes with landfilling using compaction and increase recycling 	<ul style="list-style-type: none"> ○ Existing solid waste management practices will be continued. Continued use of existing Type II Landfill ○ Construction and licensing of Type III Landfill 	<ul style="list-style-type: none"> ○ Emphasis on a waste-to-energy facility with landfilling of residual and noncombustible wastes 	<ul style="list-style-type: none"> ○ Emphasis on landfilling as the primary means of waste disposal 	<ul style="list-style-type: none"> ○ Emphasis on volume reduction and resource recovery with a multi-county landfill operation
COLLECTION AND TRANSPORTATION	<ul style="list-style-type: none"> ○ Included to the extent that voluntary and State/Federal legislated measures apply 	<ul style="list-style-type: none"> ○ Same as Alternative No. 2 ○ Possible local legislated measures may apply 	<ul style="list-style-type: none"> ○ Same as Alternative No. 2 ○ Possible local legislated measures may apply 	<ul style="list-style-type: none"> ○ Same as Alternative No. 2 	<ul style="list-style-type: none"> ○ Same as Alternative No. 2 ○ Possible local legislated measures may apply
TRANSFER STATIONS	<ul style="list-style-type: none"> ○ Private collection of residential and commercial wastes in municipalities ○ Rural collection under individual or municipal contracts with private haulers ○ Interc. trans. agreements 	<ul style="list-style-type: none"> ○ One at West Michigan Disposal 391/4 Road facility 	<ul style="list-style-type: none"> ○ Type B transfer stations are optional for the townships 	<ul style="list-style-type: none"> ○ Type B transfer stations are optional for the townships ○ Possible Type A transfer station in conjunction with a regional landfill located in a surrounding county 	<ul style="list-style-type: none"> ○ Same as Alternative No. 2 ○ Same as Alternative No. 3
WASTE PROCESSING	<ul style="list-style-type: none"> ○ Same as Alternative No. 2 	<ul style="list-style-type: none"> ○ All metals are recovered/ recycled ○ All tires are recovered/ recycled ○ Used motor-oil is recycled ○ Automotive type batteries are recycled 	<ul style="list-style-type: none"> ○ Waste volume reduction facilities (i.e. bailing, shredding, compaction) ○ Increased recycling through stationary recycling bins in designated locations 	<ul style="list-style-type: none"> ○ Same as Alternative No. 1 ○ Burning of refuse derived fuel ○ Generation facility in City of Cadillac 	<ul style="list-style-type: none"> ○ Same as Alternative No. 1 ○ Same as Alternative No. 1

SELECTED SYSTEM

THE SELECTED SOLID WASTE MANAGEMENT SYSTEM

The Selected Solid Waste Management System (Selected System) is a comprehensive approach to managing the County's solid waste and recoverable materials. The Selected System addresses the generation, transfer and disposal of the County's solid waste. It aims to reduce the amount of solid waste sent for final disposal by volume reduction techniques and by various resource conservation and resource recovery programs. It also addresses collection processes and transportation needs that provide the most cost effective, efficient service. Proposed disposal area locations and capacity to accept solid waste are identified as well as program management, funding, and enforcement roles for local agencies. Detailed information on recycling programs, evaluation, and coordination of the Selected System is included in Appendix B. Following is an overall description of the Selected System:

The selected alternative calls for the continuing use of the County landfill while increasing the diversion of recyclable materials from the landfill through a more voluntary aggressive countywide recycling effort. It promotes the institution of additional environmental and public health efforts by making additional services and facilities available to local residents. It also retains the option of converting the wood-burning generation plant in Cadillac to a refuse derived fuel generation facility and **siting a Type III Landfill within the County**. In particular, it consists of the following components:

- Continuation and expansion of the Wexford County Landfill
- Expansion of drop-off recycling facilities within the County
- Establishment of a composting facility for Countywide use
- Establishment of a household hazardous waste collection program
- Institution of education programs for resource recovery, recycling, reuse, household hazardous waste disposal and composting
- Potential conversion of the existing wood burning energy generation plant in Cadillac to a refuse derived fuel facility
- **Potential siting of a Type III licensed landfill for disposal of foundry sand**

SELECTED SYSTEM

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

Table 1-A

CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ²
<u>Wexford</u>	<u>Missaukee</u>	<u>Wexford County Landfill</u>	<u>Negotiated</u>	<u>Negotiated</u>	* <u>Primary (Agreement Required)</u>
<u>Wexford</u>	<u>Manistee</u>	<u>Wexford County Landfill</u>	<u>Negotiated</u>	<u>Negotiated</u>	** <u>Contingency</u>
<u>Wexford</u>	<u>Leelanau</u>	<u>Wexford County Landfill</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>
<u>Wexford</u>	<u>Clare</u>	<u>Wexford County Landfill</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

*Any primary or contingency use of the Wexford County Landfill must be preceded by a negotiated agreement executed by and between the Wexford County Board of Public Works and the appropriate authority of the exporting county.

**Contingency - refers to authorization to import or export waste into or from Wexford County only under emergency conditions to be defined within any processed authorization agreement.

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

SELECTED SYSTEM

EXPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within another County, disposal of solid waste generated by the EXPORTING COUNTY is authorized up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 2-A if authorized for import in the approved Solid Waste Management Plan of the receiving County.

Table 2-A

CURRENT EXPORT VOLUME AUTHORIZATION OF SOLID WASTE

EXPORTING COUNTY	IMPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/	AUTHORIZED QUANTITY/	AUTHORIZED CONDITIONS ²
<u>Wexford</u>	<u>Missaukee</u>	<u>N/A</u>	<u>100%</u>	<u>100%</u>	<u>Primary</u>
<u>Wexford</u>	<u>Leelanau</u>	<u>N/A</u>	<u>100%</u>	<u>100%</u>	<u>Contingency</u>
<u>Wexford</u>	<u>Manistee</u>	<u>N/A</u>	<u>100%</u>	<u>100%</u>	<u>Contingency</u>
<u>Wexford</u>	<u>Clare</u>	<u>N/A</u>	<u>100%</u>	<u>100%</u>	<u>Contingency</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Additional authorizations and the above information for those authorizations are listed on an attached page.

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

SELECTED SYSTEM

If a new solid waste disposal area is constructed and operating in the future in the County, then disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the AUTHORIZED CONDITIONS in Table 1-B.

Table 1-B

FUTURE IMPORT VOLUME AUTHORIZATION OF SOLID WASTE
CONTINGENT ON NEW FACILITIES BEING SITED

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ²
Wexford	Missaukee	Wexford County Landfill	To be negotiated	To be negotiated	Primary
Wexford	Leelanau	Wexford County Landfill	To be negotiated	To be negotiated	Contingency
Wexford	Manistee	Wexford County Landfill	To be negotiated	To be negotiated	Contingency
Wexford	Clare	Wexford County Landfill	To be negotiated	To be negotiated	Contingency

Additional authorizations and the above information for those authorizations are listed on an attached page.

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

SELECTED SYSTEM

If a new solid waste disposal area is constructed and operates in the future in another County, then disposal of solid waste generated by the EXPORTING COUNTY is authorized up to the AUTHORIZED QUANTITY according to the AUTHORIZED CONDITIONS in Table 2-B if authorized for import in the approved Solid Waste Management Plan of the receiving County.

Table 2-B

FUTURE EXPORT VOLUME AUTHORIZATION OF SOLID WASTE
CONTINGENT ON NEW FACILITIES BEING SITED

EXPORTING COUNTY	IMPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/DAILY	AUTHORIZED QUANTITY/ANNUAL	AUTHORIZED CONDITIONS ²
Wexford	Leelanau	N/A	100%	100%	Contingency
Wexford	Manistee	N/A	100%	100%	Contingency
Wexford	Clare	N/A	100%	100%	Contingency
Wexford	Missaukee	N/A	100%	100%	Primary

Additional authorizations and the above information for those authorizations are listed on an attached page.

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

SOLID WASTE DISPOSAL AREAS

The following identifies the names of existing disposal areas which will be utilized to provide the required capacity and management needs for the solid waste generated within the County for the next five years and, if possible, the next ten years Pages III-7-1 through III-7-5 contain descriptions of the solid waste disposal facilities which are located within the County and the disposal facilities located outside of the County which will be utilized by the County for the planning period. Additional facilities within the County with applicable permits and licenses may be utilized as they are sited by this Plan, or amended into this Plan, and become available for disposal. If this Plan update is amended to identify additional facilities in other counties outside the County, those facilities may only be used if such import is authorized in the receiving County's Plan. Facilities outside of Michigan may also be used if legally available for such use.

Type II Landfill:

Wexford County Sanitary Landfill
(Page III-7)

Type A Transfer Facility:

RETURN TO
APPROVAL
LETTER

Type B Transfer Facility:

Waste Management Inc. Transfer Station
50 cy box

Type III Landfill:

Possible siting and construction
of a type III Landfill in accordance
with MDEQ Regulations



Processing Plant:

NA

Incinerator:

NA

Waste Piles:

NA

Waste-to-Energy Incinerator:

Potential conversion of the wood
burning energy general facility in
Cadillac to a refuse derived fuel facility

Other:

Waste Management, Inc. (recycling drop-off facility)
(Page III-8)
Additional drop-off recycling containers to be located in
municipalities and townships subject to local approval

Additional facilities are listed on an attached page. Letters from or agreements with the listed disposal areas owners/operators stating their facility capacity and willingness to accept the County's solid waste are in the AttachmentsSection.

SELECTED SYSTEM

FACILITY DESCRIPTIONS

Facility Type: Type II Sanitary Landfill
Facility Name: Wexford County Landfill
County: ~~Wexford~~ Location: Town: 23N Range: 9W Section(s): 34

Map identifying location included in Attachment Section: Yes No

If facility is an Incinerator or a Transfer Station, list the final disposal site and location for Incinerator ash or Transfer Station wastes : N.A.

Public Private Owner: Wexford County Department of Public Works

Operating Status (check)	Waste Types Received (check all that apply)
<input checked="" type="checkbox"/> open	<input checked="" type="checkbox"/> residential
<input type="checkbox"/> closed	<input checked="" type="checkbox"/> commercial
<input checked="" type="checkbox"/> licensed	<input checked="" type="checkbox"/> industrial
<input type="checkbox"/> unlicensed	<input checked="" type="checkbox"/> construction & demolition
<input checked="" type="checkbox"/> construction permit	<input checked="" type="checkbox"/> contaminated soils
<input type="checkbox"/> open, but closure	<input checked="" type="checkbox"/> special wastes *
<input type="checkbox"/> pending	<input checked="" type="checkbox"/> other: <u> </u>

* Explanation of special wastes, including a specific list and/or conditions:

Asbestos

Site Size:

Total area of facility property:	<u>187.34</u>	acres	
Total area sited for use:	<u>81.4</u>	acres	
Total area permitted:	<u>81.4</u>	acres	
Operating:	<u>4</u>	acres	
Not excavated:	<u>NA</u>	acres	
Current capacity:	<u>2,932,645</u>	<input type="checkbox"/> tons or <input checked="" type="checkbox"/> yds ³	(Cells A-E w/vertical & lateral expansion over B-E)
Estimated lifetime:	<u>15</u>	years	
Estimated days open per year:	<u>254</u>	days	
Estimated yearly disposal volume:	<u>210,000</u>	<input type="checkbox"/> tons or <input checked="" type="checkbox"/> yds ³	

(if applicable)

Annual energy production:		
Landfill gas recovery projects:	<u>NA</u>	megawatts
Waste-to-energy incinerators:	<u>NA</u>	megawatts

FACILITY DESCRIPTIONS



Facility Type: Recycling Center
Facility Name: Waste Management Inc. Recycling Drop-Off Center
County: Wexford Location: Town: 22 Range: 09 Section(s): 29

Map identifying location included in Attachment Section: Yes No

If facility is an Incinerator or a Transfer Station, list the final disposal site and location for Incinerator ash or Transfer Station wastes :

Public Private Owner: Waste Management of Michigan, Inc. (under contract with Wexford County DFW)

Operating Status (check)	Waste Types Received (check all that apply)
<input checked="" type="checkbox"/> open	<input type="checkbox"/> residential
<input type="checkbox"/> closed	<input type="checkbox"/> commercial
<input type="checkbox"/> licensed	<input type="checkbox"/> industrial
<input type="checkbox"/> unlicensed	<input type="checkbox"/> construction & demolition
<input type="checkbox"/> construction permit	<input type="checkbox"/> contaminated soils
<input type="checkbox"/> open, but closure	<input type="checkbox"/> special wastes *
<input type="checkbox"/> pending	<input checked="" type="checkbox"/> other: <u>Recycling Drop-off Center</u>

* Explanation of special wastes, including a specific list and/or conditions:

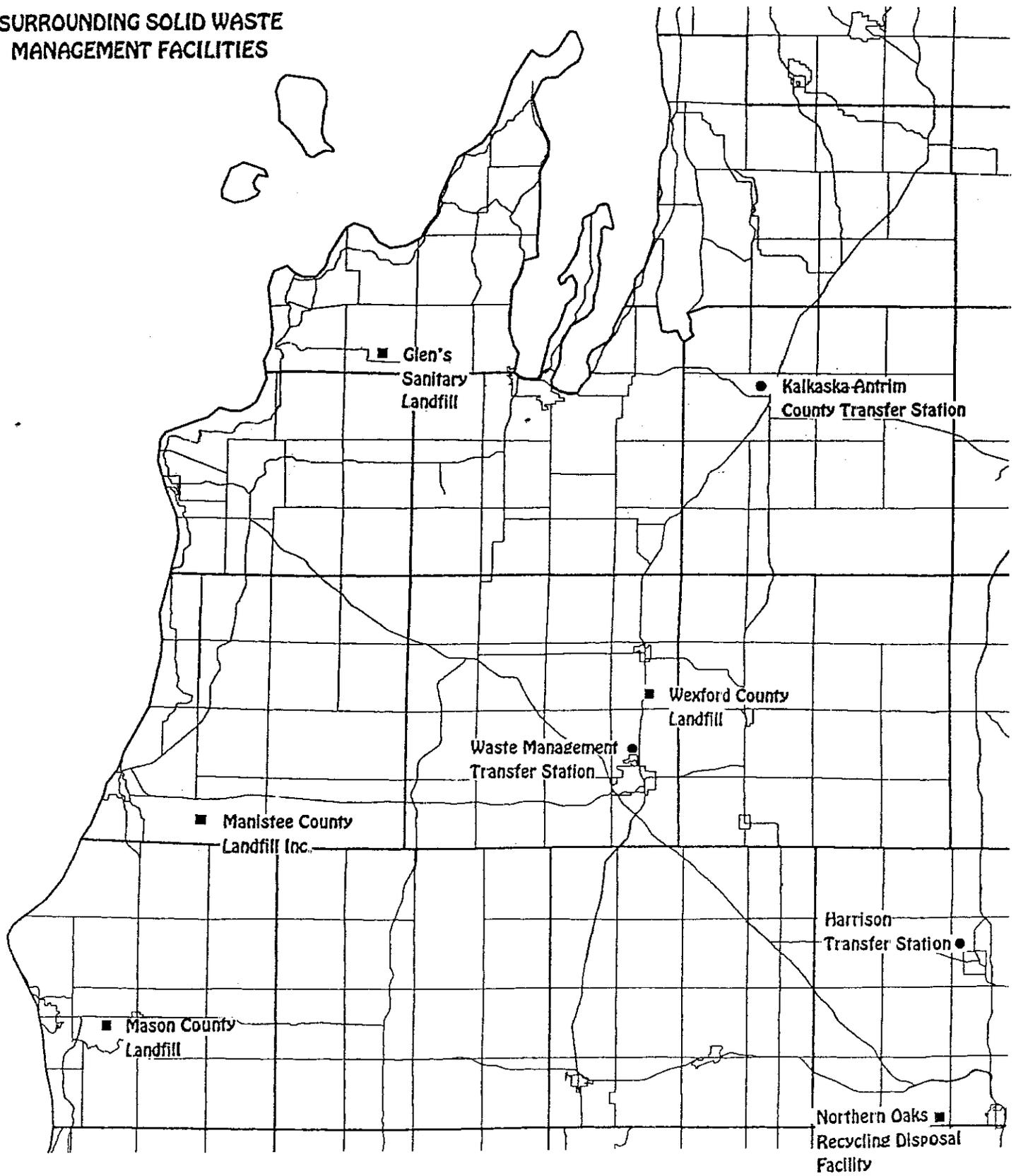
Site Size:

Total area of facility property:	<u>5.0</u>	acres
Total area sited for use:	<u>0.5</u>	acres
Total area permitted:	_____	acres
Operating:	_____	acres
Not excavated:	_____	acres
Current capacity:	_____	<input type="checkbox"/> tons or <input type="checkbox"/> yds ³
Estimated lifetime:	_____	years
Estimated days open per year:	_____	days
Estimated yearly disposal volume:	_____	<input type="checkbox"/> tons or <input type="checkbox"/> yds ³

(if applicable)

Annual energy production:		
Landfill gas recovery projects:	_____	megawatts
Waste-to-energy incinerators:	_____	megawatts

**SURROUNDING SOLID WASTE
MANAGEMENT FACILITIES**



SELECTED SYSTEM

FACILITY DESCRIPTIONS

Facility Type: Transfer Station
Facility Name: Waste Management Inc. Transfer Station
County: Wexford Location: Town: 21 Range: 09 Section(s): 29

Map identifying location included in Attachment Section: Yes No

If facility is an Incinerator or a Transfer Station, list the final disposal site and location for Incinerator ash or Transfer Station wastes :Wexford County Landfill

Public Private Owner: Waste Management Inc.

Operating Status (check)	Waste Types Received (check all that apply)
<input checked="" type="checkbox"/> open	<input checked="" type="checkbox"/> residential
<input type="checkbox"/> closed	<input checked="" type="checkbox"/> commercial
<input type="checkbox"/> licensed	<input checked="" type="checkbox"/> industrial
<input type="checkbox"/> unlicensed	<input checked="" type="checkbox"/> construction & demolition
<input type="checkbox"/> construction permit	<input type="checkbox"/> contaminated soils
<input type="checkbox"/> open, but closure	<input type="checkbox"/> special wastes *
<input type="checkbox"/> pending	<input type="checkbox"/> other: _

Explanation of special wastes, including a specific list and/or conditions:

Site Size:

Total area of facility property:	_____	acres
Total area sited for use:	_____	acres
Total area permitted:	_____	acres
Operating:	_____	acres
Not excavated:	_____	acres
Current capacity:	<u>50 cy</u>	<input type="checkbox"/> tons or <input type="checkbox"/> yds ³
Estimated lifetime:	_____	years
Estimated days open per year:	<u>280</u>	days
Estimated yearly disposal volume:	_____	<input type="checkbox"/> tons or <input type="checkbox"/> yds ³

(if applicable)

Annual energy production:	_____	megawatts
Landfill gas recovery projects:	_____	megawatts
Waste-to-energy incinerators:	_____	megawatts

SOLID WASTE COLLECTION SERVICES AND TRANSPORTATION:

The following describes the solid waste collection services and transportation infrastructure which will be utilized within the County to collect and transport solid waste.

The existing private waste haulers will continue to operate using curbside pickup on fixed routes. That includes Waste Management, Inc., Manton Disposal and Richie's Disposal. These haulers will also continue to service commercial businesses within the County. Additional haulers may operate within the County on a competitive, free enterprise basis. All nonrecyclable Type II solid waste collected within the County shall be disposed of in the County landfill. The Board of Public Works will encourage private haulers to institute curbside pickup of recyclable materials for deposit at either an expanded recycling station at the County landfill or at a larger recycling station at the existing Waste Management, Inc. yard on 39¼ Mile Road. Recyclable materials that are collected at either one of these facilities will be transported to a recycled materials processing center outside of the County, by one or more private haulers.

If the wood burning energy plant in Cadillac is converted to a refuse derived fuel cogeneration facility, it will require the transport of waste materials to the facility by private haulers. Combustible and non-combustible wastes would be separated at the facility. Combustible wastes would be burned and non-combustible wastes would be further separated for recycling or landfilling at the County Landfill site.

Transport to the Type III Landfill would be limited to foundry sand produced in Wexford County and carried from the manufacturing site by private haulers. No out-of-county materials would be allowed at the Type III Landfill.

SELECTED SYSTEM

Overview of Resource Recovery Programs:

The following describes the type and volume of material in the County's waste stream that may be available for recycling or composting programs. How conditions in the County affect or may affect a recycling or composting program and potential benefits derived from these programs is also discussed. Impediments to recycling or composting programs which exist or which may exist in the future are listed, followed by a discussion regarding reducing or eliminating such impediments.

RECYCLING

According to the 1989 Wexford County Solid Waste Management Plan, approximately forty-one percent (41%) of the total quantity of waste generated could be recycled including newsprint, cardboard, office paper, brown paper, glass, ferrous materials, aluminum and tin, and plastics. The following factors have an affect on the feasibility of the recycling program in Wexford County:

- ◇ Public perception and willingness to source separate waste.
- ◇ Geographically convenient drop-off site locations.
- ◇ Hauler participation and willingness to pick up source separated wastes
- ◇ Governmental financial support and oversight of the program.

The following impediments to recycling were identified in the 1989 Plan. No new impediments were identified during the update process although some were altered.

- ◇ Market and market prices for recycling materials fluctuate, making it difficult to project costs and benefits associated with recycling.
- ◇ Existing recycling is oriented primarily to local industries and commerce with limited household recycling primarily newspaper, at specified drop-off-locations. Since then, recycling has been expanded at the Wexford County Landfill to accept used oil, batteries and metals, and the Waste Management Recycling Drop-Off Facility to include the acceptance of paper, cardboard and plastics

Some of the available methods by which the impediments to recycling can be removed are as follows:

- ◇ Public education programs through the media, schools, etc.
- ◇ Encourage haulers and/or municipalities to institute a curbside recycling program
- ◇ Financial incentive to encourage recycling
- ◇ Adopt an ordinance prohibiting certain materials from being disposed of by landfilling
- ◇ Create markets by requiring all governmental units to purchase supplies made from recycled materials
- ◇ Expand current hours of operation of recycling drop-off station.

Recycling programs within the County are feasible. Details of existing and planned programs are included on the following pages.

Recycling programs for the County have been evaluated and it has been determined that it is not feasible to conduct any programs because of the following:

SELECTED SYSTEM

- Composting programs within the County are feasible. Details of existing and planned programs are included on the following pages.
- Composting programs for the County have been evaluated and it has been determined that it is not feasible to conduct any programs because of the following:

Composting

According to the 1989 Plan, up to twelve percent (12%) of the total quantity of waste generated could be composted, including paper, food wastes, yard wastes, wood products and other biodegradable materials. The following factors would have an effect on composting in the County:

- ◇ Public perception and willingness to participate.
- ◇ Convenience of the program.
- ◇ Governmental financial support of the program.

The following impediments to composting exist.

- ◇ Absence of an identified site.
- ◇ Lack of public knowledge as to the importance of composting.

The following methods by which the impediments to composting can be overcome:

- ◇ Public education programs through the media, schools, etc.
- ◇ Utilize Cadillac's municipal composting program as a model.

Composting programs for the County are feasible and the County may attempt to institute a countywide composting program. The Department of Public Works may conduct a feasibility study to identify the optimum site.

- Programs for source separation of potentially hazardous materials are feasible and details are included on the following pages.
- Separation of potentially hazardous materials from the County's waste stream has been evaluated and it has been determined that it is not feasible to conduct any separation programs because of the following:

Hazardous Materials

There is no regular household hazardous waste collection program available to County residents. The County has previously applied for State grants to institute a collection program, but was unsuccessful. These applications developed a facility and operation program, which will be applied when funding becomes available.

Wexford County Board of Public Works will continue to search for ways to finance household hazardous waste collection days. This program could be sited at the County landfill and may utilize a private licensed hauler for specified collection days during the year.

RECYCLING AND COMPOSTING

The following is a brief analysis of the recycling and composting programs selected for the County in this Plan. Additional information on operation of recycling and composting programs is included in Appendix A. The analysis covers various factors within the County and the impacts of these factors on recycling and composting. Following the written analysis the tables on pages III-16, 17, & 18 list the existing recycling and composting programs that are currently active in the County and which will be continued as part of this Plan. The second group of three tables on pages III-19, 20, & 21 list the recycling, composting, and source separation of hazardous materials programs that are proposed in the future for the County. It is not the intent of this Plan update to prohibit additional programs or expansions of current programs to be implemented beyond those listed.

Wexford County will maintain a recycling drop-off site at the landfill for the collection of all metals, used motor oil and auto batteries. Waste Management Inc. will continue to operate its recycling drop-off facility under contract with the Department of Public Works. Additional materials may be collected in the future as technology for recycling improves and markets are developed. Participation will be on a voluntary basis. The County recycling site, operational hours and types of materials received will be periodically evaluated to encourage accessible recycling while being economically feasible.

In addition, the County will establish its own recycling drop-off stations in identified locations (initially an additional recycling bin with separate containers in Cadillac, and recycling bins with separate containers in Buckley, Haring, Harrietta, Manton and Mesick). As demand warranted, additional drop-off facilities could be located in other sites in the County, and contract to have those materials transported to markets. Recyclables from the County's facilities will be transported to markets, under contract with private haulers.

The County will not encourage household composting, although education and health monitoring programs may be established. In addition, the Department of Public Works may develop a Composting Plan. The Plan may include the following:

- ❖ The kinds and volumes of wastes that will be composted.
- ❖ Collection methods
- ❖ Measures to ensure collection such as ordinances or cooperative arrangements.
- ❖ Ordinances or regulations affecting the program.
- ❖ The role of the County, municipalities, and townships in implementing the Plan.
- ❖ The involvement of solid waste haulers and the community.
- ❖ Anticipated costs.
- ❖ On-going program financing.
- ❖ Equipment selection.
- ❖ Public and private sector involvement.
- ❖ Site availability and selection.
- ❖ Operating parameters such as pH and heat range.

TABLE III-1

RECYCLING:

<u>Program Name</u>	<u>Service Area</u> ¹	<u>Public or Private</u>	<u>Collection Point</u> ³	<u>Collection Frequency</u> ⁴	<u>Materials Collected</u> ⁵	<u>Program Management Responsibilities</u> ²		
						<u>Development</u>	<u>Operation</u>	<u>Evaluation</u>
Wexford County Drop-Off Recycling Site	County	Public	d	d	A,B,C,D, E,F	3/5	5	3
Waste Management Drop-Off Site (under contract with DPW)	County	Public	d	d	A,B,C,D, E,F	5	5	5
Pachos Iron & Metal	County	Private	d/o	d	F	5	5	5
Northwoods Paper Recycling	County	Private	d/o	d	B,C,D	5	5	5
Wexford County Landfill	County	Public	d	d	F,K	3	3	3

Additional programs and the above information for those programs are listed on an attached page.

¹ Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

² Identified by 1 = Designated Planning Agency; 2 = County Board of Commissioners; 3 = Department of Public Works; 4 = Environmental Group (Identified on page 24); 5 = Private Owner/Operator; 6 = Other (Identified on page 24).

³ Identified by c = curbside; d = drop-off; o = onsite; and if other, explained.

⁴ Identified by d = daily; w = weekly; b = biweekly; m = monthly; and if seasonal service also indicated by Sp = Spring; Su = Summer; Fa = Fall; Wi = Winter.

⁵ Identified by the materials collected by listing of the letter located by that material type. A = Plastics; B = Newspaper; C = Corrugated Containers; D = Other Paper; E = Glass; F = Metals; P = Pallets; J = Construction/Demolition; K = Tires; L1, L2 etc. = as identified on page 25.

TABLE III-3

SOURCE SEPARATION OF POTENTIALLY HAZARDOUS MATERIALS:

Since improper disposal of nonregulated hazardous materials has the potential to create risks to the environment and human health, the following programs have been implemented to remove these materials from the County's solid waste stream.

<u>Program Name</u>	<u>Service Area¹</u>	<u>Public or Private</u>	<u>Collection Point³</u>	<u>Collection Frequency⁴</u>	<u>Materials Collected⁵</u>	<u>Program Management Responsibilities²</u>		
						<u>Development</u>	<u>Operation</u>	<u>Evaluation</u>
NONE		---	---	---	---	---	---	---
		---	---	---	---	---	---	---
		---	---	---	---	---	---	---
		---	---	---	---	---	---	---
		---	---	---	---	---	---	---
		---	---	---	---	---	---	---
		---	---	---	---	---	---	---
		---	---	---	---	---	---	---

Additional programs and the above information for those programs are listed on an attached page.

¹ Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

² Identified by 1 = Designated Planning Agency; 2 = County Board of Commissioners; 3 = Department of Public Works; 4 = Environmental Group (Identified on page 24); 5 = Private Owner/Operator; 6 = Other (Identified on page 24).

³ Identified by c = curbside; d = drop-off; o = onsite; and if other, explained.

⁴ Identified by d = daily; w = weekly; b = biweekly; m = monthly; and if seasonal service also indicated by Sp = Spring; Su = Summer; Fa = Fall; Wi = Winter.

⁵ Identified by the materials collected by listing of the letter located by that material type. AR = Aerosol Cans; A = Automotive Products except Used Oil, Oil Filters & Antifreeze; AN = Antifreeze; B1 = Lead Acid Batteries; B2 = Household Batteries; C = Cleaners and Polishers; H = Hobby and Art Supplies; OF = Used Oil Filters; P = Paints and Solvents; PS = Pesticides and Herbicides; PH = Personal and Health Care Products; U = Used Oil; OT = Other Materials and identified.

SELECTED SYSTEM

PROPOSED RECYCLING:

TABLE III-4

Program Name (if known)	Service Area ¹	Public or Private	Collection Point ¹	Collection Frequency ⁴	Materials Collected ⁵	Program Development	Management Operation	Responsibilities ³	Evaluation
Wexford County Recycling Drop-Off Centers									
Cadillac	City of Cadillac, Clam Lake, Cherry Grove, Selma townships	Public	d	w	A, B, C, D, E, F	3/5	3/5		1/3
Haring Township	Haring and Selma Twp.	Public	d	w	A, B, C, D, E, F	3/5	3/5		1/3
Manton	City of Manton, Cedar Creek, Liberty, Greenwood, Colfax twps.	Public	d	w	A, B, C, D, E, F	3/5	3.5		1/3
Harrietta	Village of Harrietta, Brannen, Henderson, Boon, Slagle twps.	Public	d	w	A, B, C, D, E, F	3/5	3/5		1/3
Mesick	Village of Mesick, Springville, Antioch, Wexford, Hanover twps.	Public	d	w	A, B, C, D, E, F	3/5	3/5		1/3
Buckley	Village of Buckley, Wexford, Hanover, Greenwood twps.	Public	d	w	A, B, C, D, E, F	3/5	3/5		1/3

Additional programs and the above information for those programs are listed on an attached page.

¹ Identified by where the program will be offered. If throughout the planning area, then listed by planning area, if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

² Identified by 1 = Designated Planning Agency; 2 = County Board of Commissioners; 3 = Department of Public Works; 4 = Environmental Group (Identified on page 24); 5 = Private Owner/Operator; 6 = Other (Identified on page 24).

³ Identified by c = curbside; d = drop-off; o = onsite; and if other, explained.

⁴ Identified by d = daily; w = weekly; b = biweekly; m = monthly; and if seasonal service also indicated by Sp = Spring; Su = Summer; Fa = Fall; Wi = Winter.

⁵ Identified by the materials collected by listing of the letter located by that material type. A = Plastics; B = Newspaper; C = Corrugated Containers; D = Other Paper; E = Glass; F = Metals; P = Pallets; J = Construction/Demolition; K = Tires; L1, L2 etc. = as identified on page 25.

TABLE III-5

PROPOSED COMPOSTING:

<u>Program Name</u> (if known)	<u>Service Area</u> ¹	Public or <u>Private</u>	Collection <u>Point</u> ³	Collection <u>Frequency</u> ⁴	Materials <u>Collected</u> ⁵	<u>Program Management Responsibilities</u> ²		
						<u>Development</u>	<u>Operation</u>	<u>Evaluation</u>
Wexford County Yard Composting	County	Public	d	w	g,l,w	3	3	3
City of Cadillac Composting	City of Cadillac	Public	d/o	Sp,Su, Fa	g,l,w	3	3	3

Additional programs and the above information for those programs are listed on an attached page.

¹ Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

² Identified by 1 = Designated Planning Agency; 2 = County Board of Commissioners; 3 = Department of Public Works; 4 = Environmental Group (Identified on page 24); 5 = Private Owner/Operator; 6 = Other (Identified on page 24).

³ Identified by c = curbside; d = drop-off; o = onsite; and if other, explained.

⁴ Identified by d = daily; w = weekly; b = biweekly; m = monthly; and if seasonal service also indicated by Sp = Spring; Su = Summer; Fa = Fall; Wi = Winter.

⁵ Identified by the materials collected by listing of the letter located by that material type. G = Grass Clippings; L = Leaves; F = Food; W = Wood; P = Paper; S = Municipal Sewage Sludge; A = Animal Waste/Bedding; M = Municipal Solid Waste; L1, L2 etc. = as identified on page 25.

TABLE III-6

PROPOSED SOURCE SEPARATION OF POTENTIALLY HAZARDOUS MATERIALS:

<u>Program Name</u> (if known)	<u>Service Area</u> ¹	<u>Public or Private</u>	<u>Collection Point</u> ³	<u>Collection Frequency</u> ⁴	<u>Materials Collected</u> ⁵	<u>Program Management Responsibilities</u> ²		
						<u>Development</u>	<u>Operation</u>	<u>Evaluation</u>
Household Hazardous	County	Public	d	Sp or Fa	AR, AN, B1, B2, H, OF, P PS, PH, QT	3	3	3

Additional programs and the above information for those programs are listed on an attached page.

¹ Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

² Identified by 1 = Designated Planning Agency; 2 = County Board of Commissioners; 3 = Department of Public Works; 4 = Environmental Group (Identified on page 24); 5 = Private Owner/Operator; 6 = Other (Identified on page 24).

³ Identified by c = curbside; d = drop-off; o = onsite; and if other, explained.

⁴ Identified by d = daily; w = weekly; b = biweekly; m = monthly; and if seasonal service also indicated by Sp = Spring; Su = Summer; Fa = Fall; Wi = Winter.

⁵ Identified by the materials collected by listing of the letter located by that material type. AR = Aerosol Cans; A = Automotive Products except Used Oil, Oil Filters & Antifreeze; AN = Antifreeze; B1 = Lead Acid Batteries; B2 = Household Batteries; C = Cleaners and Polishers; H = Hobby and Art Supplies; OF = Used Oil Filters; P = Paints and Solvents; PS = Pesticides and Herbicides; PH = Personal and Health Care Products; U = Used Oil; OT = Other Materials and identified.

SELECTED SYSTEM

IDENTIFICATION OF RESOURCE RECOVERY MANAGEMENT ENTITIES:

The following identifies those public and private parties, and the resource recovery or recycling programs for which they have management responsibilities.

Environmental Groups:

NONE

Other:

Wexford County Department of Public Works - Responsible for collection of metals, tires, used motor oil, automotive batteries.

Waste Management Inc. - Has drop-off recycling station at its facility on 39 $\frac{1}{4}$ Mile Road (under contract with Department of Public Works)

Padnos Iron and Metal - On-site and drop-off collection of metals.

Northwind Iron & Metal - On-site pickup and drop-off collection of metals.

Northwoods Recycling - Paper products/cardboard - drop-off.

Various Licensed Haulers - For collection and transport of drop-off recyclables (under contract with Department of Public Works)

SELECTED SYSTEM

PROJECTED DIVERSION RATES:

The following estimates the annual amount of solid waste which is expected to be diverted from the landfill and incinerators as a result of the current resource recovery programs and in five and ten years.

Collected Material:	Projected Annual Tons Diverted:			Collected Material:	Projected Annual Tons Diverted:		
	Current	5th Yr	10th Yr		Current	5th Yr	10th Yr
A. TOTAL PLASTICS:	<u>266</u>	<u>305</u>	<u>364</u>	G. GRASS AND LEAVES:	-----	-----	-----
B. NEWSPAPER:	<u>829</u>	<u>986</u>	<u>1,132</u>	H. TOTAL WOOD WASTE:	-----	-----	-----
C. CORRUGATED CONTAINERS:	<u>826</u>	<u>980</u>	<u>1,148</u>	I. CONSTRUCTION AND DEMOLITION:	-----	-----	-----
D. TOTAL OTHER PAPER:	<u>196</u>	<u>224</u>	<u>252</u>	J. FOOD AND FOOD PROCESSING:	-----	-----	-----
E. TOTAL GLASS:	<u>378</u>	<u>448</u>	<u>532</u>	K. TIRES:	-----	-----	-----
F. OTHER MATERIALS:				L. TOTAL METALS:	-----	-----	-----
F1 -----	-----	-----	-----	F3 -----	-----	-----	-----
F2 -----	-----	-----	-----	F4 -----	-----	-----	-----

MARKET AVAILABILITY FOR COLLECTED MATERIALS:

The following identifies how much volume that existing markets are able to utilize of the recovered materials which were diverted from the County's solid waste stream.

Collected Material:	In-State Markets	Out-of-State Markets	Collected Material	In-State Markets	Out-of-State Markets
A. TOTAL PLASTICS:	<u>100%</u>	-----	G. GRASS AND LEAVES:	<u>0</u>	-----
B. NEWSPAPER:	<u>100%</u>	-----	H. TOTAL WOOD WASTE:	<u>0</u>	-----
C. CORRUGATED CONTAINERS:	<u>100%</u>	-----	I. CONSTRUCTION AND DEMOLITION:	<u>0</u>	-----
D. TOTAL OTHER PAPER:	<u>100%</u>	-----	J. FOOD AND FOOD PROCESSING	<u>0</u>	-----
E. TOTAL GLASS:	<u>100%</u>	-----	K. TIRES:	-----	-----
F. OTHER MATERIALS:			L. TOTAL METALS:	-----	-----
F1 -----	-----	-----	F3 -----	-----	-----
F2 -----	-----	-----	F4 -----	-----	-----

SELECTED SYSTEM

EDUCATIONAL AND INFORMATIONAL PROGRAMS:

It is often necessary to provide educational and informational programs regarding the various components of a solid waste management system before and during its implementation. These programs are offered to avoid miscommunication which results in improper handling of solid waste and to provide assistance to the various entities who participate in such programs as waste reduction and waste recovery. Following is a listing of the programs offered or proposed to be offered in this County.

<u>Program Topic</u> ¹	<u>Delivery Medium</u> ²	<u>Targeted Audience</u> ³	<u>Program Provider</u> ⁴
1	n	p	EX/DPA
1	f	p	EX/DPA
1	r	p	EX/DPA
2	n/k	p	EX
3	r/n/f	p	EX/HD
4	r	p	EX
5	r	p/b	EX

¹ Identified by 1 = recycling; 2 = composting; 3 = household hazardous waste; 4 = resource conservation; 5 = volume reduction; 6 = other which is explained.

² Identified by w = workshop; r = radio; t = television; n = newspaper; o = organizational newsletters; f = flyers; e = exhibits and locations listed; and ot = other which is explained

³ Identified by p = general public; b = business; i = industry; s = students with grade levels listed. In addition if the program is limited to a geographic area, then that county, city, village, etc is listed.

⁴ Identified by EX = MSU Extension; EG = Environmental Group (Identify name); OO = Private Owner/Operator (Identify name); HD = Health Department (Identify name); DPA = Designated Planning Agency; CU = College/University (Identify name); LS = Local School (Identify name); ISD = Intermediate School District (Identify name); O = Other which is explained.

Additional efforts and the above information for those efforts are listed in Appendix E

SELECTED SYSTEM

TIMETABLE FOR SELECTED SYSTEM IMPLEMENTATION

This timetable is a guideline to implement components of the Selected System. The Timeline gives a range of time in which the component will be implemented such as "1995-1999" or "On-going ". Timelines may be adjusted later, if necessary

TABLE III-7

Management Components	Timeline
Utilize existing solid waste landfill facilities	1998-2008
Utilize existing transfer station facilities	1998-2008
Continue City of Cadillac Compositng Program	1998-2008
Implement recommended educational programs	1999-2007
Participate in household and agricultural waste collection	1998-2007
Annually evaluate recycling drop-off locations and operating hours	1998-2007
Complete Composting and Source Reduction Plans	1999-2001
Conduct Feasibility Study for Refuse Derived Fuel Cogeneration	2000-2001
Locate new recycling drop-off bins in designated locations within County; contract with private haulers for collection and transport	2000-2002
Establish and implement education programs for resource recovery/recycling composting	1999-2008
Initiate Siting Study and construction feasibility of Type III Landfill for foundry sand; construct landfill, if feasible, in accordance with applicable requirements and regulations	2000-2008
Institute and implement a countywide yard waste composting program	2000-2008
Institute and implement a household hazardous waste collection program	2001-2008
Update Solid Waste Management Plan	2002-2003
Implement Composting and Source Reduction Plans	2002-2007
Expand recycling locations as conditions warrant	2002-2008

SELECTED SYSTEM

SITING REVIEW PROCEDURES

AUTHORIZED DISPOSAL AREA TYPES

SITING CRITERIA AND PROCESS

The following process describes the criteria and procedures to be used to site solid waste disposal facilities and determine consistency with this Plan. (attach additional pages if necessary)

There is adequate capacity within the existing Wexford County Landfill to accommodate the anticipated volumes of wastes that will be disposed of during the ten (10) year plan period.

Wexford County's landfill siting criteria are those that are specified in P.A. 451, Part 115. This includes any and all amended criteria that may be added by the Michigan legislature or Michigan Department of Environmental Quality at any future time. In addition, the site should have adequate capacity to handle Wexford County's waste for the next 20 years. Preliminary estimates indicate that a site of approximately 32 acres in size would be required. This acreage consists of 22 acres of disposal area and 10 acres of isolation area. The disposal site calculations are based on a 10-foot deep cut and a 70-foot high fill cover. While the County's siting criteria must meet, at a minimum, Michigan Department of Environmental Quality standards as defined in P.A. 451, Part 115, a local review procedure should also be established to ensure local concerns are addressed. Existing organizations, consisting of the Wexford County Soil Conservation District, the County Planning Commission and the Department of Public Works, would act as local environmental review bodies in the siting of solid waste management facilities. These organizations would, upon request by the Solid Waste Management Advisory Committee, act as consulting advisors to the committee. They would perform an environmental review of each site based upon the following criteria:

- Separation distance from any cell perimeter to the nearest dwelling unit shall be a minimum of 1,000 lineal feet.
- The site shall be located within one-fourth mile of a Class A road that meets/exceeds all season load requirements.
- A landfill may be located only on property that is not zoned for residential or commercial use within the County. Within Cadillac, no landfills are permitted. The only reference to solid waste disposal is in conjunction with the incineration of garbage or refuse only in an approved incineration plant. Within the Village of Mesick, waste can be disposed of, reduced, or converted only in an area zoned as an industrial park. However, dumps are not allowed. Although the Village ordinance is not clear on this issue, the wording infers the use of transfer stations for disposal only in an industrial park.

- For transfer stations, the facility is to be located on industrial or commercially zoned property. A minimum site separation from the transfer facility to the nearest residential unit shall be no closer than 300 feet. The transfer station shall be located on an appropriately designed and constructed pad or area paved with asphalt or concrete. Appropriate ingress and egress shall be provided to and from a Class A collector street or major road. Adequate perimeter fencing shall be provided.
- For recycling facilities, the following shall apply:
 - a. The facility shall be consistent with the County's Act 451, Part 115 Solid Waste Management Plan and documented as such by the County Solid Waste Management Agency.
 - b. Facility will accept only clean, source-separated, recyclable materials.
 - c. Facility must provide a means of controlling access to the site to prevent entry and/or drop off of materials when facility is closed/unattended.
 - d. No exterior (ie, outside of the secured area of building) display or storage of materials shall be permitted.
- Each proposal will be evaluated only against the criteria specified in this Plan.

SOLID WASTE MANAGEMENT COMPONENTS

The following identifies the management responsibilities and institutional arrangements necessary for the implementation of the Selected Waste Management System. Also included is a description of the technical, administrative, financial and legal capabilities of each identified existing structure of persons, municipalities, counties and state and federal agencies responsible for solid waste management including planning, implementation, and enforcement.

Department of Environmental Quality (DEQ)

Various sections of the DEQ are charged by law with the regulation, enforcement and review of the conduct of the solid waste management systems in Wexford County and all other Michigan counties. The County will be dependent upon the appropriate offices of the DEQ to be informed of changes in the requirements for solid waste management from both federal and state levels. This information from the DEQ will include new solid waste legislation, regulatory rulings, changes in the handling of disposal of all types of solid waste, national or state public information programs, financial aid programs from the national or state level available to the County, and technical assistance from DEQ staff.

Wexford County Board of Commissioners

The County Board is responsible for the adoption of the Solid Waste Management Plan for the County and the commissioning of the Department of Public Works as the Designated Planning Agency for the Solid Waste Management Plan development.

Wexford County Board and Department of Public Works

The Wexford County Department of Public Works has the responsibility for the implementation of the 5 year and 10 year plans. It also includes financing, administration and operations of the County Solid Waste Management System, as well as accountability to the public. The Board of Public Works is the oversight body for the management of solid wastes within the County and is responsible for directing the implementation of the Solid Waste Management Plan. The Board of Public Works may appropriate funding for **additional recycling by setting aside up to 10% of the tipping fees for that purpose and/or a household hazard waste collection program** as well as a portion of the cost for a refuse derived fuel cogeneration feasibility study. The Board of Public Works will also direct the Department of Public Works on policies regarding enforcement of the solid waste management system. Day to day enforcement will be the responsibility of the Department of Public Works.

Solid Waste Management Planning Committee (SWMPC)

The Wexford County SWMPC is responsible for sending a recommended 5 year and 10 year Solid Waste Management Plan to the County Board and others for their approval, as is the purpose of this report. The SWMPC is also responsible to the Board of Public Works and Public Works Department to assist in the approval process of the plan and evaluation of recycling operations. Every five years, the SWMPC could update the 5 and 10 year management plans for the Board of Public Works. The SWMPC may begin work on the 5 year updates two years prior to the deadline for submission of the revised plan.

¹ Components or subcomponents may be added to this table

Township and Village Government

The local units of government in the County will be requested to inform the SWMPC as to the effectiveness of the Solid Waste Management Plan and will, on a continuing basis, inform the Board of Public Works and Public Works Department as to solid waste problems. The Board will in turn keep the local units of government informed as to solid waste management activities so the townships and villages may keep the citizenry informed of solid waste management and practices.

Townships and municipalities will also coordinate with the County and be responsible for the placement, operation and maintenance of recycling drop-off facilities within those jurisdictions. Each municipality with a drop-off site will contract with a private hauler for transport of recyclables.

Private Enterprise(s)

The private sector should manage those activities which it can and is willing to manage. This includes both collection and disposal. The private sector will be retained by the County **and municipalities** to collect and transport recyclable materials and be encouraged to develop alternative solid waste management facilities and services, including the conversion of the wood burning electrical generation plant into a cogeneration facility.

Foundry sand may be transported to a potential new, privately owned and operated Type III Landfill.

Private Individuals

The public of Wexford County will need to support the solid waste management plans in order for them to be successful. This support will include source separation, willingness to accept new information on solid waste, and general support of any specific solid waste projects.

Cooperative Extension Service

The Cooperative Extension Service could develop the public education and promotional programs necessary for implementing various components of the plan, including recycling and composting programs. Cooperative Extension may assist in efforts to encourage local units of government, businesses, schools, etc. to participate in or expand resource recovery methods and programs. Cooperative Extension may also assist in developing and disseminating information and literature designed to inform the public on matters related to recycling, resource recovery, and conservation. Finally, Cooperative Extension, in conjunction with the County Public Health Department, may develop education and promotional programs for the proper disposal of household hazardous wastes.

SELECTED SYSTEM

IDENTIFICATION OF RESPONSIBLE PARTIES

Document which entities within the County will have management responsibilities over the following areas of the Plan

Resource Conservation:

Source or Waste Reduction - Households, Industries, Commerce

Product Reuse - Households, Industries, Commerce

Reduced Material Volume - Households, Industries, Commerce

Increased Product Lifetime - Industries, Commerce

Decreased Consumption - Households, Industries, Commerce

Resource Recovery Programs:

Composting - Wexford County Department of Public Works/City of Cadillac Department of Public Works

Recycling - Department of Public Works
Cities, Villages and Townships

Energy Production - Private Sector, Board of Public Works

Volume Reduction Techniques:

Collection Processes: Waste Management, Inc
Manton Disposal
Richie's Disposal
Other Licensed Waste Haulers

Transportation: Waste Management, Inc.
Manton Disposal
Richie's Disposal
Other Licensed Waste Haulers

Disposal Areas:

Processing Plants - None

Incineration - None

Transfer Stations - Wexford County Department of Public Works
Various private sector haulers (under contract)

Sanitary Landfills - Wexford County Department of Public Works
Privately owned and operated Type III landfill for disposal of foundry sand

Ultimate Disposal Area Uses:

Local Responsibility for Plan Update Monitoring & Enforcement:

Board of Public Works / Public Works Department

Educational and Informational Programs:

MSU Co-op Extension

LOCAL ORDINANCES AND REGULATIONS AFFECTING SOLID WASTE DISPOSAL

This Plan update's relationship to local ordinances and regulations within the County is described in the option(s) marked below:

1. Section 11538 (8) and rule 710 (3) of Part 115 prohibits enforcement of all County and local ordinances and regulations pertaining to solid waste disposal areas unless explicitly included in an approved Solid Waste Management Plan. Local regulations and ordinances intended to be part of this Plan must be specified below and the manner in which they will be applied described.

See following page - Attachment III-30a

2. This Plan recognizes and incorporates as enforceable the following specific provisions based on existing zoning ordinances:
- A. Geographic area/Unit of government: City of Cadillac
- Type of disposal area affected: Incineration in the Heavy Industrial District
- Ordinance or other legal basis: P.A. 207 of 1921 (City and Village Zoning Act)
- Requirement/restriction: **See following page - Attachment III-30a**
- B. Geographic area/Unit of government: Springville Township
- Type of disposal area affected: Waste Disposal Facility (Transfer Station)
Industrial Land Use
- Ordinance or other legal basis: P.A. 184, 1943 (Township Zoning Act)
- Requirement/restriction: **See following page - Attachment III-30a**

Attachment III-30a

1. Wexford County Zoning Ordinance covers entire County except for the City of Cadillac, Haring Township, Cedar Creek Township, Springville Township and the Village of Buckley. The Wexford County Zoning Ordinance requires site plan review for siting of recycling stations. Recycling facility provisions:
 - a. The facility shall be consistent with the County's Act 451, Part 115 Solid Waste Management Plan and documented as such by the County Solid Waste Management Agency.
 - b. Facility will accept only clean, source-separated, recyclable materials.
 - c. Facility must provide a means of controlling access to the site to prevent entry and/or drop off of materials when facility is closed/unattended.
 - d. No exterior (ie, outside of the secured area of building) display or storage of materials shall be permitted.

2. A. Requirement/restriction: (City of Cadillac)

Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant.

2. B. Requirement/restriction: (Springville Township)

Section 5.02 Property Uses

5.02 A. Primary Uses - Industrial Park

1. The production, processing, assembly, manufacture or packaging of any goods or material, including servicing, testing, repair, storage, distribution, and sale of such product at wholesale.
2. Public utility installations and buildings.
3. Lumber, fuel and building supply yards, including storage of sand, gravel, stone and contractor's equipment.
4. Freight terminals.
5. Veterinary hospital, clinic and kennels.
6. Warehouses.
7. Reduction, conversion, and disposal of waste materials, but not as dumps or junk yards.

C Geographic area/Unit of government: _____
Type of disposal area affected: _____
Ordinance or other legal basis: _____
Requirement/restriction: _____

D Geographic area/Unit of government: _____
Type of disposal area affected: _____
Ordinance or other legal basis: _____
Requirement/restriction: _____

E Geographic area/Unit of government: _____
Type of disposal area affected: _____
Ordinance or other legal basis: _____
Requirement/restriction: _____

3. This Plan authorizes adoption and implementation of local regulations governing the following subjects by the indicated units of government without further authorization from or amendment to the Plan.

Additional listings are on attached pages.

This authorization applies to the following jurisdictions: 

- **Wexford County Zoning Ordinance**
 - Siting of: Type II and Type III Landfills, Type A and Type B Transfer Stations, Household Hazardous Waste Collection Facilities
- **Haring Township Zoning Ordinance**
 - Siting of Type A and Type B Transfer Stations
 - Siting of Household Hazardous Waste Collection Facilities
- **Cedar Creek Township Zoning Ordinance**
 - Siting of: Type II and Type III Landfills, Type A and Type B Transfer Stations, Household Hazardous Waste Collection Facilities
- **Springville Township Zoning Ordinance**
 - Siting of Type A and Type B Transfer Stations
- **City of Cadillac Zoning Ordinance**
 - Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant
 - Siting of Type A and Type B Transfer Stations
- **Village of Buckley Zoning Ordinance**
 - Siting of Type A and Type B Transfer Stations

RETURN TO
APPROVAL
LETTER

CAPACITY CERTIFICATIONS

Every County with less than ten years of capacity identified in their Plan is required to annually prepare and submit to the DEQ an analysis and certification of solid waste disposal capacity validly available to the County. This certification is required to be prepared and approved by the County Board of Commissioners.

- This County has more than ten years capacity identified in this Plan and an annual certification process is not included in this Plan.
- Ten years of disposal capacity has not been identified in this Plan. The County will annually submit capacity certifications to the DEQ by June 30 of each year on the form provided by DEQ. The County's process for determination of annual capacity and submission of the County's capacity certification is as follows:

As indicated on page II-3, estimated yearly volumes of solid waste disposal in the Wexford County landfill from its current service area (Wexford County and Missaukee County) is 210,000 cubic yards per year, before compaction. With an estimated 50% compaction rate, the actual annual volume of space taken up by solid waste is approximately 105,000 cubic yards per year. With a current capacity of over 2,932,000 cubic yards (with the permitted vertical and lateral expansion of four cells), the projected life of the current landfill is closer to 20 years

APPENDIX

ADDITIONAL INFORMATION

REGARDING THE

SELECTED

SYSTEM

EVALUATION OF RECYCLING

The following provides additional information regarding implementation and evaluations of various components of the Selected System

DETAILED FEATURES OF RECYCLING AND COMPOSTING PROGRAMS:

List below the types and volumes of material available for recycling or composting.

	<u>Current 1998</u> <u>Annual Volume</u> CY	<u>Projected 2003</u> <u>Annual Volume</u> CY	<u>Projected 2008</u> <u>Annual Volume</u> CY
Plastics	3,396	3,570	3,833
Newsprint	5,147	5,585	5,913
Glass	4,895	5,256	5,585
Corrugated	5,292	5,712	6,048
Other Paper	1,260	1,344	1,428
Tin and Aluminum	3,078	3,390	3,612
Compost	5,400	5,760	6,132

The following briefly describes the processes used or to be used to select the equipment and locations of the recycling and composting programs included in the Selected System. Difficulties encountered during past selection processes are also summarized along with how those problems were addressed:

Equipment Selection

Existing Programs: Recycling

The recycling program is essentially divided into two segments. The Department of Public Works operates a recycling facility at the landfill, five days a week. Metals, used batteries, tires and used oil are separated out from the waste stream, as well as dropped off by household and transported to appropriate markets. The Board of Public Works also contracts with Waste Management Inc. to supply recycling bins at Waste Management's facility in Haring Township. This facility is staffed by paid employees during six hours on Saturday (9-3). Private commercial recyclers (Padnos Iron & Metal and Northwoods Recycling) also collect and process recyclable metals and corrugated cardboard respectively.

Proposed Programs:

The present recycling system's will be expanded, with consideration given to expand operating hours at the Waste Management recycling facility if needed and/or necessary. Additional recycling drop-off containers will be located (at a minimum) at various sites in the County. These containers will be designed and constructed to facilitate separation of identified recyclable materials and to prevent the dumping of unrecyclable refuse within the containers or on the site. The containers will contain multiple separate bins for: paper, cardboard, plastic, tin/aluminum/brass, and glass. The containers can be either stationary (where materials are retrieved and loaded onto a recycling truck) or portable (able to be loaded on to a truck and transported to a central collection site or market). In the latter instance, the full container that is being transported would be replaced by an empty container hauled on the same truck.

Site Availability & Selection

Existing Programs:

The DPW operated recycling facility is located on-site at the landfill. The Waste Management site is located at the Waste Management storage yard at 39-1/4 Mile Road in Haring Township.

The City of Cadillac undertakes its composting operations at the old City landfill. There is no site owned and operated by the County for composting.

Proposed Programs:

The DPW site will be retained for recycling of limited materials. This may be expanded to full recycling as the quantity and types of materials and markets increase. The Waste Management site on 39-1/4 Mile Road will be retained as a recycling drop-off center. Additional sites will be identified initially in the following communities: City of Cadillac, Haring Township, Villages of Buckley, Harrietta and Mesick, and the City of Manton. If, after containers are sited in these locations and demand exists for additional sites, the DPW will expand drop-off recycling facilities to those sites. The DPW will contract with local haulers to collect and transport recyclables to market **providing the local municipality approves**.

An adequately sized site (approximately 5 acres) will be required for a County composting operation.

Technique Description	Est. Air Space Conserved Yds ³ /Yr		
	Current	5th yr	10th yr
Beverage Container Resource Recovery	4,395	4,698	4,913
- Containers returned for deposit at purchase sites such as grocery stores and fueling stations			
- Estimates based on five percent of total waste volume attributed to beverage containers			
Drop-Off Recycling Sites (Existing & Proposed)	1,933	2,155	2,399
- Materials collected at initially seven recycling sites in the County,			
- Estimates based on a continuing 10 percent annual increase per capita multiplied by population estimates for the future			
Composting			
- Yard wastes are not accepted at the Wexford County Landfill (prohibited by law - Act 264 of 1990)			
- City of Cadillac operates a municipal composting program			
- The development of a County composting program will have a marginal impact on volume reduction in the landfill			
- Estimates based on State Solid Waste Policy with five percent reduction in five years and 10 percent reduction in 10 years			

Additional efforts and the above information for those efforts are listed on an attached page.

Existing Composting Program

Composting in Wexford County is currently done by private households for use on-site. No County funded composting program is in place. The City of Cadillac collects street sweepings (leaves) for composting at the old City landfill site. Composted materials are accessible to City residents.

Proposed Composting Program

The County Board of Public Works may pursue acquisition of a site for composting of natural materials (leaves, wood). DPW equipment may be used to periodically turn composted materials. Road Commission trucks or trucks from the City or Villages may also be used to haul compostable material to the site. The composted product will be made available to County residents.

Prior to initiating a composting program, the County may develop a more detailed Composting Plan that will define the program parameters.

COORDINATION EFFORTS:

Solid Waste Management Plans need to be developed and implemented with due regard for both local conditions and the state and federal regulatory framework for protecting public health and the quality of the air, water, and land. The following states the ways in which coordination will be achieved to minimize potential conflicts with other programs and, if possible, to enhance those programs.

It may be necessary to enter into various types of agreements between public sectors to be able to implement the various components of this solid waste management system. The known existing arrangements are described below which are considered necessary to successfully implement this system within the County. In addition, proposed arrangements are recommended which address any discrepancies that the existing arrangements may have created or overlooked. Since arrangements may exist between two or more private parties that are not public knowledge, this section may not be a comprehensive overview of all the arrangements within the County. Additionally, it may be necessary to cancel or enter into new or revised arrangements as conditions change during the planning period. The entities responsible for developing, approving, and enforcing these arrangements are also noted.

The Wexford County Department of Public Works will continue to coordinate with local haulers to ensure that all wastes generated within Wexford County are disposed of in Wexford County. The Board and local units of government will contract with private waste haulers to provide drop-off containers at identified sites for recycling. Should a recycling station be located at the landfill, the Board will contract with a private hauler to transport the collected recyclable materials to market. It may also contract with a private licensed hauler for household hazardous waste collection services.

Wexford County, through the Board of Public Works, will coordinate its solid waste management plans with other ongoing projects within the Region and the County. The County will coordinate with the DEQ to ensure that all solid waste facility siting and operating requirements are met and to obtain any available Federal and/or State grants to implement solid waste programs.

COSTS & FUNDING:

The following estimates the necessary management, capital, and operational and maintenance requirements for each applicable component of the solid waste management system. In addition, potential funding sources have been identified to support those components.

System Component ¹	Estimated Costs	Potential Funding Sources
<u>Resource Conservation Efforts</u>	\$1,500	Private Industry/ Conservation Clubs
<u>Resource Recovery Programs</u>	N/A	N/A
<u>Volume Reduction Techniques</u> Recycling/Composting	\$150,000	Board of Public Works Private Markets
<u>Collection Processes</u>	N/A	N/A
<u>Transportation</u>	N/A	Private Industry
<u>Disposal Areas</u>	\$250,000/Acre	Board of Public Works
<u>Future Disposal Area Uses</u>	± \$280,000/Acre	Board of Public Works
<u>Management Arrangements</u>	\$100,000	Board of Public Works
<u>Educational & Informational Programs</u>	\$10,000	Board of Public Works

¹ These components and their subcomponents may vary with each system.

EVALUATION SUMMARY OF THE SELECTED SYSTEM:

The solid waste management system has been evaluated for anticipated positive and negative impacts on the public health, economics, environmental conditions, siting considerations, existing disposal areas, and energy consumption and production which would occur as a result of implementing this Selected System. In addition, the Selected System was evaluated to determine if it would be technically and economically feasible, whether the public would accept this Selected System, and the effectiveness of the educational and informational programs. Impacts to the resource recovery programs created by the solid waste collection system, local support groups, institutional arrangements, and the population in the County in addition to market availability for the collected materials and the transportation network were also considered. Impediments to implementing the solid waste management system are identified and proposed activities which will help overcome those problems are also addressed to assure successful programs. The selected System was also evaluated as to how it relates to the Michigan Solid Waste Policy's goals. The following summarizes the findings of this evaluation and the basis for selecting this system:

System Components

- Continuation and expansion of the Wexford County Landfill
- Continuation and expansion of drop-off recycling facilities within the County
- Establishment of a composting facility for Countywide use
- Establishment of a household hazardous waste collection program
- **Potential siting and construction of a Type III Landfill for disposal of foundry sand**
- Institution of education programs for resource recovery, recycling, reuse, household hazardous waste disposal and composting

Resource Conservation Effort

Resource conservation consists of the reuse/readaption of materials. These efforts can be promoted within the manufacturing sector, as well as the commercial and private household sectors. The County can work with both businesses and private households to educate and encourage the reuse of common materials. Such efforts can be accomplished through public announcements via radio and T.V. and the use of State and nonprofit brochures describing reuse techniques.

Source Reduction Techniques

Public education programs and public service announcements will be used to educate and inform businesses and households on processes and techniques for reducing the volumes of waste going to the landfill. That can include promoting less packaging materials at the manufacturing/wholesale level, promoting the use of recycled materials at both the production and consumption end of the process. Businesses can also be educated and encouraged to find ways to reuse their production wastes and households, offices, schools and other institutions would be provided educational materials on how to reuse commonly used materials. These educational materials are available through the DEQ and nonprofit organizations as well as the MSU Cooperative Extension Service. The DPW will promote the local acquisition and distribution of the materials. The costs to the DPW should be minimal.

EVALUATION SUMMARY CONTINUED:

Resource Recovery Programs

Resource recovery programs consist of recycling materials that can be diverted from the waste stream. The selected alternative consists of the continuation of the recycling operation at the Waste Management site with additional operating days and/or hours (**possibly**, using volunteer labor) and the siting of additional drop-off recycling stations within the County **to be operated through local jurisdictions in conjunction with private haulers**. The practice of recovering metals, tires, used batteries and used motor oil from the waste stream at the landfill will continue. These materials are brought on-site via packer truck as well as drop-off from individual households. As an alternative, the County could expand its recycling operations at the landfill. This expanded operation will incorporate the materials that were collected at the Waste Management site (newsprint, plastic, cardboard, glass), as well as the materials that were originally pulled out of the waste stream at the landfill. The DPW would contract with private hauler(s) to transport those materials to market.

Composting would be established on property owned or leased by the DPW. A specific composting plan would have to be established identifying the operating parameters. However, it will operate within a framework of acting as a collection point for municipal and County street sweepings and brush removal. Individual households and businesses could also bring their organic materials to the site for composting. The DPW would utilize its equipment for managing the compost operation. The composted materials would be available to County residents. Ultimately the operation could incorporate the City of Cadillac's composting operation, providing a coordinated single site for both City and County composting.

Factors affecting the proposed recycling and composting programs include:

1. Willingness of the public to separate recyclables from the waste stream and take them to a drop-off site.
2. Public awareness as to the need for recycling and composting.
3. Functional hours of operation at the drop-off site.
4. Feasibility of private enterprise to pick up source separated materials and transport them to processing centers and to market.
5. Financial support (set aside of up to 10% of landfill tipping fees and recycling market prices).
6. Availability of markets for recovered materials within a reasonable haul distance.

Impediments to implementing the proposed recycling and composting programs include:

1. Inconvenience to the individual.
2. The "throw-away society" tradition.
3. Present cost to the individual for recycling and composting is higher than that for landfilling.
4. Public lack of knowledge as to how the solid waste system works and the importance of recycling and composting.
5. The tourism industry accelerates waste production. It can be inconvenient for visitors to participate in recycling efforts. Most visitors are unaware of the existing recycling program and therefore tend to dispose of all wastes using the simplest method available.

EVALUATION SUMMARY CONTINUED:

Methods of removing or minimizing the impediments include:

- 1 Public education and training.
2. Locate recycling drop-off stations in convenient, easily accessible locations.
- 3 Implement a composting program for yard waste and street sweepings/brush removal
- 4 Create markets by requiring all governmental units to purchase supplies made from recycled materials
5. Continued and expanded DPW financial support of the recycling program.
- 6 Provide DPW financial support for implementing a yard waste composting program
- 7 Create opportunities for private enterprise to profitably participate in recycling programs
8. Create and expand recycling/resource recovery promotion campaigns

How recycling and composting and other processing or disposal methods can complement each other and the feasibility of excluding site separated material and source separated materials from other processing or disposal methods:

Recycling, composting, and hazardous waste collection can complement other phases of the solid waste management system. By recovering a portion of the waste stream, the remaining waste volume that must be handled and disposed of will be reduced. This will reduce the required capacity and therefore the cost of any future solid waste facilities that are needed. Reducing the waste volume will also extend the life of the existing landfill and delay the need to establish a new one. The removal of household hazardous wastes from the waste stream will assist the landfill and other waste facilities to operate safely with regard to the environment and facility employees. **The siting and construction of a Type III Landfill for foundry sand will substantially increase the life of the County's Type II Landfill.**

ADVANTAGES AND DISADVANTAGES OF THE SELECTED SYSTEM:

Each solid waste management system has pros and cons relating to its implementation within the County. Following is an outline of the major advantages and disadvantages for this Selected System.

ADVANTAGES:

1. Continues the existing system and is therefore easily acceptable to local residents, haulers and businesses.
2. Provides for expansion of recycling in line with market demand for recyclable materials.
3. Is cost-effective in that the County Landfill will **set aside up to 10%** of tipping fees to help offset the cost of recycling.
4. Provides for the option, if determined to be feasible, of a refuse derived fuel facility to increase resource recovery and conserve landfill space.
5. Continued utilization of the County Landfill gives the County control over its solid waste management system, costs and tipping fees.
6. Expanded number of drop-off centers increases volumes of recyclable materials.
7. Provides for opportunity for households to dispose of hazardous wastes.
8. **Construction of a Type III Landfill will reduce the volume of material currently disposed of in the County landfill and substantially increase the operating life of that facility.**

DISADVANTAGES:

1. No full-time staff to oversee coordination of recycling.
2. Dependent upon private sector to make system function (success of recycling is market driven and contracts required with haulers to transport recyclables to market).
3. **Construction of a Type III Landfill will require additional monitoring by the DEQ and substantially reduce the revenue stream contributing to the operation of the County's Type II Landfill.**
- 4.
- 5.
- 6.
- 7.
- 8.

NON-SELECTED

SYSTEMS

Before selecting the solid waste management system contained within this Plan update, the County developed and considered other alternative systems. The details of the non-selected systems are available for review in the County's repository. The following section provides a brief description of these non-selected systems and an explanation why they were not selected. Complete one evaluation summary for each non-selected alternative system.

ALTERNATIVE 2 - STATUS QUO

SYSTEM COMPONENTS:

The following briefly describes the various components of the non-selected system.

RESOURCE CONSERVATION EFFORTS:

Wexford County has not historically engaged in pro-active efforts at resource conservation due to lack of staff capacity. The Status Quo does not call for any change in the County's approach to resource conservation.

VOLUME REDUCTION TECHNIQUES:

Volume reduction at the source calls for working with local industries and households to apply innovative methods of minimizing the volumes of materials ultimately landfilled. The Status Quo alternative calls for individual industries to voluntarily apply volume reduction techniques in production and packaging and for households to reuse rather than dispose of materials, using existing education materials provided through Co-op Extension Service and other similar organizations.

RESOURCE RECOVERY PROGRAMS:

Continuation of volunteer drop-off of recyclables at the Waste Management facility and limited materials at the landfill as well as commercial collection and recycling of metals.

COLLECTION PROCESSES:

Continued operations of private haulers using door-to-door (curbside) collection and on-site pickup of commercial wastes will continue. Waste Management will continue its transfer station operations.

TRANSPORTATION:

Most operators will direct haul to the County Landfill, with some Waste Management packer trucks hauling to the company's transfer station, where the roll-off box is transported to the County Landfill.

DISPOSAL AREAS:

The Wexford County Landfill will continue as the only licensed waste facility in the County

INSTITUTIONAL ARRANGEMENTS:

The Board of Public Works, through the DPW, will continue to oversee the solid waste management program, primarily operation of the landfill and subsidy of the recycling collection operation at the Waste Management facility.

EDUCATIONAL AND INFORMATIONAL PROGRAMS:

Education and promotion will continue to be provided by pamphlets and other printed material published through Co-operative Extension and various environmental organizations.

CAPITAL, OPERATIONAL, AND MAINTENANCE COSTS:

- Capital operating and maintenance costs for the County are associated with the landfill and subsidizing of a limited recycling operation. Private sector (hauler) costs are associated with transportation and collection of waste and limited recycling operations. This is the lowest cost alternative.
- Landfill - Estimated \$1,900,000 annually
- Limited recycling through Waste Management Transfer Station - \$40,000
- Estimated annual transportation cost - \$2,595,600

EVALUATION SUMMARY OF NON-SELECTED SYSTEM:

The non-selected system was evaluated to determine its potential of impacting human health, economics, environmental, transportation, siting and energy resources of the County. In addition, it was reviewed for technical feasibility, and whether it would have public support. Following is a brief summary of that evaluation along with an explanation why this system was not chosen to be implemented.

The Status Quo alternative has minimum impact on human health since it relies primarily on a licensed landfill. The continued operation of the landfill is paid for by user fees, and does not function as a financial burden to the County. It is environmentally sound because the landfill is located within the County, making it easily accessible to residents and businesses, facilitating proper disposal of waste material. Transportation impacts pertain to use of all-season roads by packer and roll-off trucks and their impact on road surfaces. Open competition among haulers also diminishes efficiencies in energy expenditure for transport of wastes.

This system was not selected as it limits opportunities for increased recycling operations.

ADVANTAGES AND DISADVANTAGES OF THE NON-SELECTED SYSTEM:

Each solid waste management system has pros and cons relating to its implementation within the County. Following is a summary of the major advantages and disadvantages for this non-selected system.

Alternative 2 - Status Quo

ADVANTAGES:

This system has been in place for a number of years and all parties appear to be comfortable with its operations and overall results. There is adequate room for expansion of the landfill and private haulers fill the need for household and commercial collections. It is economically viable for the County.

DISADVANTAGES

The Status Quo does not attempt to become more aggressive and formal in its recycling efforts, but rather leaves it up to the private sector and volunteerism. The County would retain limited control over the success or failure of the system.

ALTERNATIVE 3 - RESOURCE RECOVER WITH LANDFILL

SYSTEM COMPONENTS:

The following briefly describes the various components of the non-selected system.

RESOURCE CONSERVATION EFFORTS:

The County would offer resource conservation efforts through endorsing information supplied by Co-operative Extension and other similar organizations and establishing a more formal countywide program of working with local industries on conserving resources used in production and packaging.

VOLUME REDUCTION TECHNIQUES:

Reduction of waste volumes going to the landfill would occur as a result of instituting a waste-to-energy program.

RESOURCE RECOVERY PROGRAMS:

Resource recovery would emphasize the burning of combustible wastes in one or more refuse derived fuel facilities. Recycling efforts would be accelerated, particularly if an areawide (multi-county) cogeneration and recycling facility were established.

COLLECTION PROCESSES:

Collection of household waste would continue with curbside pickup. If a refuse derived fuel plant is located in Wexford County wastes would be hauled directly to the plant. If an RDF facility is located in another County, one or more Type A or Type B transfer stations would be located in Wexford County for use by commercial haulers. If the RDF or cogeneration facility is located in Wexford County, importation of wastes into Wexford County would result in more waste transport vehicles using Wexford County roads.

TRANSPORTATION:

SEE ABOVE

DISPOSAL AREAS:

If waste-to-energy is implemented, initial source separation would be at the waste-to-energy facility. Combustible wastes would be burned for energy production. Recyclables would be removed and the balance of non-hazardous materials would be landfilled. The final disposal of ash from the waste-to-energy plant may require a separate landfill for that material.

INSTITUTIONAL ARRANGEMENTS:

Reciprocal transportation agreements and intergovernmental cooperation agreements would be required if a multi-county waste-to-energy facility or landfill were put into place.

EDUCATIONAL AND INFORMATIONAL PROGRAMS:

If a curbside recycling program were instituted as part of this alternative, a more formal information program would be established, with flyers sent to households describing the materials that could be recycled and how they are to be separated and picked up. At the same time, the County would provide informational materials on household hazardous waste storage and collection, as well as information on household composting.

CAPITAL, OPERATIONAL, AND MAINTENANCE COSTS:

- Waste-to-Energy Facility - Not available
- Collection and Transportation - $92.7 \text{ Tons/day} \times 280 \text{ days} \times \$100/\text{tons} = \$2,595,600$ annually
- Curbside Recycling - Estimated $\$40/\text{households} \times 10,500 \text{ households} = \$420,000$ annually
- Yard Waste Composting - Annual operating costs - \$3,000; Annual equipment amortization - \$20,000 \approx \$23,000
- Landfill - \$1,900,000
- Household hazardous waste collection - \$106,000

EVALUATION SUMMARY OF NON-SELECTED SYSTEM:

The non-selected system was evaluated to determine its potential of impacting human health, economics, environmental, transportation, siting and energy resources of the County. In addition, it was reviewed for technical feasibility, and whether it would have public support. Following is a brief summary of that evaluation along with an explanation why this system was not chosen to be implemented.

The Resource Recovery with Landfill alternatives is more costly in capital expenditures, related to construction of a waste-to-energy facility, than any other alternative. Environmental benefits pertain to less volume being landfilled. Potential environmental concerns are associated with air pollution related to a waste-to-energy plant. Transportation routes would change as a result of a waste-to-energy facility. That facility would be the primary location for deposit of solid waste, with residual non-combustibles going to the landfill, resulting in less traffic to the landfill. Household curbside pickup routes would remain as they currently are. A new site may be required for disposal of ash from the RDF facility. This system would provide for the generation of energy, which would be used to offset capital and operating costs of the facility.

This system was not chosen because of the absence of a commitment from the public and private sectors to pay for a waste-to-energy facility and because it would require a multi-county effort to construct and operate such a facility.

ADVANTAGES AND DISADVANTAGES OF THE NON-SELECTED SYSTEM:

Each solid waste management system has pros and cons relating to its implementation within the County. Following is a summary of the major advantages and disadvantages for this non-selected system.

Alternative 3 - Resource Recovery with Landfill

ADVANTAGES:

This alternative provides increased opportunities for composting, recycling, waste to energy, and cost efficiencies through a multi-county operation. The conversion of the wood burning generation plant to a cogeneration facility would create opportunities for cheaper energy and increase the life of the landfill as well as facilitate a centralized recycling operation.

DISADVANTAGES

This alternative may be relatively expensive in the cost to convert the existing wood burning generation plant into a cogeneration plant. It could be politically unacceptable to local governments, residents and environmental organizations. It would also require a new set of institutional agreements if an out-of-county waste to energy facility were constructed.

ALTERNATIVE 4 - LANDFILL

SYSTEM COMPONENTS:

The following briefly describes the various components of the non-selected system.

RESOURCE CONSERVATION EFFORTS:

The County would offer resource conservation efforts through endorsing information supplied by Co-operative Extension and other similar organizations and establishing a more formal countywide program of working with local industries on conserving resources used in production and packaging.

VOLUME REDUCTION TECHNIQUES:

Reduction of waste volumes going to the landfill will occur as a result of instituting a waste-to-energy program.

RESOURCE RECOVERY PROGRAMS:

Resource recovery/recycling would play more of a minor role in the County's management system. Recycling would be treated "passively" by the County, relying upon voluntary efforts to implement resource recovery. A system for collecting and transporting household hazardous waste on an annual basis could be established by the County.

COLLECTION PROCESSES:

Waste collection would still be based upon curbside pickup by larger waste disposal corporations and individual haulers. Additional transfer stations could be developed to accept waste from individual households and businesses as well as commercial haulers, if an out-of-county landfill were used.

TRANSPORTATION:

Waste will be transported to either the County Landfill or to a multi-county (regional) landfill outside the County. Additional transfer stations may provide intermediate points of collection, if an out-of-county landfill is established.

DISPOSAL AREAS:

Either the County Landfill will continue to operate and expand or the County will enter into a cooperative agreement with surrounding counties to construct and operate a regional landfill.

INSTITUTIONAL ARRANGEMENTS:

Intergovernmental cooperation agreements and/or the institution of a Waste Management Authority would be required if a regional landfill is developed. The County would contract with a licensed household hazardous waste collection hauler.

EDUCATIONAL AND INFORMATIONAL PROGRAMS:

Education and promotion will continue to be provided by pamphlets and other printed material published through Co-operative Extension and various environmental organizations.

CAPITAL, OPERATIONAL, AND MAINTENANCE COSTS:

- Continued use of County Landfill - \$1,900,000
- Optional construction and operation of regional landfill - not available
- Transportation/Collection - \$2,595,600
- Household Hazardous Waste Collection - \$106,000

EVALUATION SUMMARY OF NON-SELECTED SYSTEM:

The non-selected system was evaluated to determine its potential of impacting human health, economics, environmental, transportation, siting and energy resources of the County. In addition, it was reviewed for technical feasibility, and whether it would have public support. Following is a brief summary of that evaluation along with an explanation why this system was not chosen to be implemented.

The Landfill option is similar to the Status Quo alternative and is among the least expensive alternatives if an out-of-county landfill is not constructed. Its impact upon the environment is similar to the Status Quo alternative, although the institution of a household hazardous waste collection system will ameliorate a substantial contribution to environmental hazards. Transportation impacts would not change significantly from the current (status quo) system. Although the County's landfill will expand, there will be no siting of a new landfill in the County. If a regional landfill is developed, outside of Wexford County, siting criteria applicable to the County in which the landfill is located will be used. If an out-of-county landfill is established, additional fuel consumption would be required for transportation. This could be offset by siting additional transfer stations in the County.

The Landfill alternative is among the most technically feasible option, as it does not require new technology to implement. This alternative was not selected, because it does not promote resource recovery, except for household hazardous waste.

ADVANTAGES AND DISADVANTAGES OF THE NON-SELECTED SYSTEM:

Each solid waste management system has pros and cons relating to its implementation within the County. Following is a summary of the major advantages and disadvantages for this non-selected system.

Alternative 4 - Landfill

ADVANTAGES:

This alternative is simple in its composition in that it relies primarily on landfilling with little County involvement in recycling and other resource recovery operations. This also makes it easier to control from a financial perspective

DISADVANTAGES

The construction and operation of an out-of-county landfill would minimize the County's control over its waste management operations, as an authority or set of multi-county agreements would be put in place. This alternative also minimizes active County participation in recycling.

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

March 2000

Dear Public Official:

In April of 1999 you were provided with a copy of the draft Wexford County Solid Waste Management Plan – Five Year Update, prepared by the County Solid Waste Management Planning Committee, for review and comment.

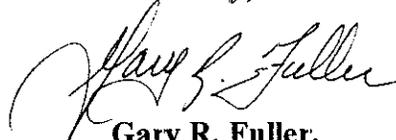
Pursuant to Part 115 of Act 451 P.A. 1994, Solid Waste Management, a ninety (90) day public comment period was conducted from April 01, 1999 thru June 30, 1999. On September 21, 1999 a Public Hearing was conducted to receive comments and the Designated Planning Agency (DPW) has reviewed all comments received and incorporated appropriate amendments in the attached copy of the plan.

On March 01, 2000, the Wexford County Board of Commissioners approved the plan which now allows us to present the document to the twenty-one local governmental entities in the county for review and approval. This is the final step in the administrative procedures of the Act which requires a minimum of 67% approval by the several local units of government to be considered a locally approved plan. Upon fulfilling this criteria we can then submit the plan to the Michigan Department of Environmental Quality for review and approval.

For your convenience we have prepared and are enclosing a resolution for consideration by your Board/Council. Please have your Board/Council take action on the resolution that they deem appropriate and send a copy to the above address for inclusion in the final plan.

If we can be of any further assistance on this matter or answer any questions please do not hesitate to contact us.

Sincerely,



Gary R. Fuller,

Director

Wexford County Department of Public Works

Wexford County Solid Waste Management

Planning Agency

GRF/sls

Encl (1)

RESOLUTION NO. _____

**FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000**

At a regular meeting of the _____
County of Wexford, State of Michigan held at _____, Michigan
on the _____ day of _____, 2000.

PRESENT: _____

ABSENT: _____

_____ offered the following resolution and moved for its adoption.
The motion was supported by _____.

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT _____
approves and adopts the 2000 Wexford County Solid Waste Management Plan as its
guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting _____
Wexford County, State of Michigan, do hereby certify that the foregoing is a true and
complete copy of proceedings taken at a regular meeting of the
_____, held on the _____ day of _____, 2000,
a copy of which is on file in my office. Public notice of said meeting was given pursuant
to and in compliance with Act 267, P.A. 1976, as amended

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

MINUTES OF THE REGULAR MEETING HELD SEPTEMBER 21, 1999, 7:00 P.M.
DPW OFFICE, 3161 S. LAKE MITCHELL DRIVE, CADILLAC, MICHIGAN

MEMBERS PRESENT: BARNES, LINDBERG, LINN, MCCAIN, MCGRATH
OLIVER, MACKKEY

MEMBERS ABSENT: NONE

ALSO PRESENT: GARY R. FULLER, DPW DIRECTOR

Meeting called to order by Chairman Mackey at 7:00 P.M.

FIRST ITEM ON AGENDA: PUBLIC HEARING - SOLID WASTE MANAGEMENT PLAN

Motion made by Lindberg and seconded by Linn to open Public Hearing regarding the Wexford County Solid Waste Management Plan.

Yes: Linn, McCain, Oliver, McGrath, Lindberg, Barnes, Mackey

No: None

Chairman Mackey stated: "Let the record show no public comment."

Motion made by Linn and seconded by Lindberg to close the Public Hearing.

Yes: McCain, Oliver, Linn, Oliver, McGrath, Lindberg, Barnes, Mackey

No: None

NEXT ITEM ON AGENDA: CONSIDER APPROVAL OF MINUTES

A. Regular Meeting of August 17, 1999

Motion made Barnes and seconded by Oliver to approve the Minutes of the Regular Meeting of August 17, 1999.

Yes: Lindberg, Linn, McCain, McGrath, Barnes, Oliver, Mackey

No: None

NEXT ITEM ON AGENDA: CONSIDER APPROVAL OF ACCOUNTS PAYABLE (\$78,230.67)

A. Landfill Enterprise Fund	\$46,326.10
B. WWCS #1 Enterprise Fund (sewer) (Cherry Grove, Clam Lake, Selma)	16,025.38
C. WWCS #3 Enterprise Fund (sewer) (Haring Township)	6,931.72

D. WWCS #4 Enterprise Fund (sewer) (Village of Mesick)	2,228.95
E. Water Distribution System	6,718.52

Motion made by Linn and seconded by Barnes to approve the bills as listed on page 1 and 2.

Yes: Oliver, McGrath, Linn, McCain, Lindberg, Barnes, Mackey

No: None

B. Recycling Center Invoice

No submittal for August Recycling from Waste Management

NEXT ITEM ON AGENDA: REVIEW BUDGET STATUS/FINANCIAL STATEMENTS

A. Landfill - Budget Analysis #8

Used 38.4% of budget for 8 months. Bank balance as of 08/31/99 \$11,584,898.23 and PCF \$594,784.43.

1) Monthly Revenue/Expense Report

Year to date financial statement attached to agenda for Board review. 30 day +\$125,443.80 and Year to Date +\$697,133.63.

2) Saturday, August 28, 1999 Business Summary

66 Residential Customers	-	\$1,101.00
3 Commercial Customers	-	648.00
		<u>\$1,749.00</u>

B. WWCS #1 - Budget Analysis #2
(Cherry Grove Twp et al)

Used 13.1% of budget for 2 months. Bank balance as of 08/31/99 \$101,231.39 DPW Investments \$560,000.00, Clam Lake Investment \$20,000.00, Cherry Grove \$482,807.45 and Selma \$30,184.50 for a grand total of \$1,194,223.34.

C. WWCS #3 - Budget Analysis #8
(Haring Township)

Used 36.1% of budget for 8 months. Bank balance as of 08/31/99 \$26,601.25.

D. WWCS #4 - Budget Analysis #8
(Village of Mesick)

Used 25.4% of budget for 8 months. Bank balance as of 08/31/99 \$67,080.39.

E. Haring Township Water System - Budget Analysis #8

Used 44.9% of budget for 8 months. Bank balance as 08/31/99 \$129,835.55 (savings) and \$300,000.00 (C.D.'s) for a grand total \$429,835.55.

F. Consider Approval of Budget Amendments

LANDFILL - 100 FUND

DESCRIPTION	DEBIT	CREDIT	AMENDED AMOUNT
980 Recycling Tires		3,000	8,000.00
980 Recycling Center		15,000	55,000.00
971 New Construction	18,000		315,000.00
Total	<u>18,000</u>	<u>18,000</u>	<u>NET CHANGE 0</u>

HARING WATER SYSTEM - 500 FUND

DESCRIPTION	DEBIT	CREDIT	AMENDED AMOUNT
748 Chlorination		1,600	3,000.00
971 New Construction	1,600		1,400.00
Total	<u>1,600</u>	<u>1,600</u>	<u>NET CHANGE 0</u>

VILLAGE OF MESICK - 600 FUND

DESCRIPTION	DEBIT	CREDIT	AMENDED AMOUNT
747 Gas and Oil		200	600.00
971 New Construction	200		300.00
Total	<u>200</u>	<u>200</u>	<u>NET CHANGE 0</u>

Motion made by Linn and seconded by Lindberg to approve the budget amendments as listed above.

Yes: McGrath, Oliver, Barnes, McCain, Linn, Lindberg, Mackey

No: None

G. Information - 1999 Financial Statement - Aquatic Nuisance

Aquatic Nuisance 1999 Financial Statement attached to agenda for Board review.

NEXT ITEM ON AGENDA: LANDFILL/SOLID WASTE MANAGEMENT BUSINESS

A. MIOSHA/Phillips Complaint

Complaint attached to agenda for Board information. No citations issued on alleged violations.

B. Collective Bargaining Agreement Ratification Status

Collective Bargaining Agreement ratified by Union, executed by Union attorney and submitted to DPW attorney.

Motion was made by McGrath and seconded by Linn to approve the Collective Bargaining Agreement and to authorize the Chairman and Secretary to sign the Agreement on behalf of the Board.

Yes: Linn, McCain, Oliver, McGrath, Lindberg, Barnes, Mackey

No: None

NEXT ITEM ON AGENDA: TOWNSHIP/VILLAGE UTILITY PROJECTS

A. Clam Lake Township Wastewater Disposal System

- 1) Correspondence - Sundberg, Carlson and Associates
9/9/99

Sundberg, Carlson and Associates correspondence dated 9/9/99 regarding the Clam Lake Township Wastewater Disposal System attached to agenda for Board information.

- 2) Report - Cherry Grove Action re: Participation

Cherry Grove Township declined to participate in the Clam Lake Wastewater Disposal System at this time.

- 3) Review/Consider Approval of Proposed Services Agreement with Wilcox Associates

Mr. Fuller stated that the reason the Board had not signed the Agreement was that Wilcox Associates was using the incorrect form.

September 20, 1999 Wilcox Associates delivered new Agreement to the DPW for approval by the Board at their September 21, 1999 meeting.

Agreement distributed to Board at meeting.

Discussion followed.

Motion made by McGrath and seconded by Linn to approve the Wilcox Professional Services Agreement subject to revisions recommended by Director.

Yes: Linn, McCain, Oliver, McGrath, Lindberg, Barnes, Mackey

No: None

B. Final - Annual Report on Drinking Water

Annual Report Drinking Water Quality prepared by the Wexford County Department of Public Works for the Haring Charter Township Water Supply System dated October, 1999 attached to agenda for Board review. Next report due July, 2000.

NEXT ITEM ON AGENDA: GENERAL DPW BUSINESS

A. Correspondence

- 1) T. Dolehanty 9/10/99
- 2) DPW Response 9/17/99
- 3) Notice of Commission September 22nd and 29th Work Session re: DPW

Above correspondence attached to agenda for Board information. Originals on file DPW office

NEXT ITEM ON AGENDA: DRAIN COMMISSIONER'S REPORT

Written report distributed to Board at meeting.

Special Activities:

- 08/02 Closed small Clam River Dam
- 08/02 Recorded area drain and lake levels
- 8/04 Issued SESC 99-34
- 8/10 Issued SESC 99-35
- 08/12 Issued SESC 99-36 and investigated high water at 546 S. Lake Mitchell
- 08/13 Issued SESC 99-37 and opened small Clam River Dam
- 08/16 Issued SESC 99-38 and closed small Clam River Dam
- 08/17 BPW regular meeting
- 08/23 Issued SESC 99-39 and 40
- 08/26 Issued SESC 99-41
- 08/30 Issued SESC 99-42 and 43

Motion was made by Oliver and seconded by Lindberg for adjournment

Unanimous "Aye"

Meeting adjourned 7:40 P.M.

Gordon Oliver
Secretary

COUNTY OF WEXFORD

*** AGENDA***

BOARD OF COMMISSIONERS - REGULAR MEETING

*** Wednesday, October 20, 1999 - 7:00 p.m.***

Wexford County Courthouse - 3rd Floor Circuit Courtroom

ITEM	AGENDA TOPIC	ORIGINATOR	BACKUP
A	Meeting Called to Order	Board Chair A. Devereaux	---
B	Roll Call	County Clerk E. Richardson	---
C	Pledge of Allegiance	All	---
D	Additions/Deletions/ Approval - Agenda	Board Chair A. Devereaux	---
E	Public Comments - <i>The Board welcomes all public input and appreciates adherence to the time limits established - three minutes per person, fifteen minutes total each period.</i>		
	Information Items:		
	1 Washtenaw County Board of Commissioners Resolution		
	2 Oakland County Board of Commissioners Resolution		
	3 Drake Letter: Cadillac Renewable Energy Permit Proposal		
F	Approval - Minutes 10/06/99	County Clerk E. Richardson	Minutes
G	Approval - Apportionment Report	Equalization J Roundhouse	Provided
H	Approval of FY 2000 Budget	Finance L Barnes	---
I	CWIA Appointment	Chairman A. Devereaux	Provided
J	Approval - Resolution 98-012 RE: P.A. 166 of 1977 Giving Senior Citizens A Break On Delinquent Taxes	Equalization J Roundhouse	Provided

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

RECOMMENDATION

TO: Board of Public Works

FROM: Gary R. Fuller, Director

DATE: January 25, 2000

RE: Hayes-Lammerz Request For Reduced Landfill Disposal Fee
(see Erik Olson letter dated January 4, 2000)

It is recommended that the Board of Public Works and/or the Board of Commissioners reduce the foundry sand disposal fee for Hayes-Lammerz, Inc. from \$8.00 per cubic yard to \$6.00 per cubic yard with the following express conditions.

1. The foundry sand must be segregated from all other municipal/industrial solid waste delivered for disposal and free of any metals, cast iron or large pieces of debris from the manufacturing process.
2. The foundry sand must be approved by the Michigan Department of Environmental Quality for use as an alternate daily cover in conformance with conditions contained in the landfill operating license. In the event and at such time as the foundry sand is not approved for use as an alternate daily cover the discounted rate will be rescinded and the rate then in effect for this material will be applied.
3. All solid waste other than foundry sand that is delivered to the landfill for disposal will be charged at the categorical standard rates then in effect. The current fee schedule is dated April 01, 1993.

GRF/sls



MEMORANDUM

TO: County Board of Commissioners, A. Devereaux, Chairman
FROM: Timothy J. Dolehanty, AICP, County Administrator
DATE: October 15, 1999
SUBJECT: Solid Waste Management Plan

By now you have no doubt reviewed the draft Wexford County Solid Waste Management Plan proposed for adoption on October 20. This Plan follows the format required by the State and would probably be looked upon with favor by the County's local units of government.

Attached for your review and consideration is the monthly investment report for funds attributed to the Wexford County Landfill. Note in particular the funds taken in during the month. These funds are collected in the form of "tipping fees" assessed against landfill users. It should also be noted that the fees collected at the landfill are considerably lower than fees collected by other landfills in northwest Michigan.

Section III of the draft Plan describes the "selected system" for solid waste disposal in the County. Page III-15 describes recycling and composting components of the Plan, and page III-27 identifies management responsibilities associated with Plan implementation.

Recycling is important to the preservation of "air space" at the landfill. Source separation by County residents is the most efficient manner of separating recyclables from non-recyclables. Drop-off stations have proven to be a popular and efficient way to offer recycling in rural areas.

It is logical to utilize the landfill tipping fee as a means to fund a recycling program. The fee is assessed against "users" of landfill air space, thereby presenting a deterrent to landfilling waste while encouraging source separation of recyclables. With landfill tipping fees already among the lowest in Michigan, a reasonable surcharge could be collected to fund an aggressive recycling program. Similar programs are currently in place in Emmet, Grand Traverse and Manistee Counties. Leelanau and Benzie Counties rely on household surcharges collected with property tax assessments.

Though consistent with the format required for approval by the state, the draft Plan does not call for an aggressive recycling program, nor does it propose a viable funding mechanism. Based on the observations of a number of community leaders, Wexford County residents will undoubtedly welcome the opportunity to partake in such an environmentally conscious effort.

With the above observations in mind, it is recommended that the draft plan be returned to the DPW for necessary modifications, e.g. that a fixed percentage of the collected tipping fees fund, at a minimum, establishment of seven recycling drop-off stations at locations in Buckley, Cadillac (2 locations), Haring Township, Harrietta, Manton, and Mesick. The revised Plan should be brought back to the Board for consideration within 30 days.

I will be available for additional discussion of these points at the October 20 meeting.

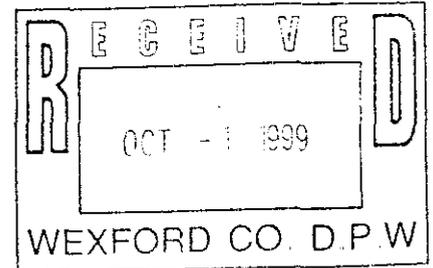
COUNTY OF WEXFORD
COURTHOUSE
437 EAST DIVISION
CADILLAC MICHIGAN 49601



COUNTY ADMINISTRATOR
231-779-9453
231-779-0292 FAX

September 30, 1999

Mr. Gary Fuller, Director
Wexford County Department of Public Works
3161 S. Lake Mitchell Dr.
Cadillac, MI 49601



RE: Solid Waste Management Plan

Dear Gary:

Thank you for your September 24 communication and attached copy of the proposed Wexford County Solid Waste Management Plan.

Per your request, and in accordance with applicable state statutes, please be advised that the Plan will be included on the County Board's **October 20** meeting agenda. This date will allow Board members ample opportunity to review the Plan before they are asked to vote on the resolution. Please plan to attend this meeting in order to provide answers to questions posed by the Board

We look forward to meeting with you on October 20. If you have any questions or concerns prior to that date, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy J. Dolehanty".

Timothy J Dolehanty, AICP
County Administrator

CC: County Board of Commissioners, A Devereaux, Chairman



JOHN ENGLER Governor

DEPARTMENT OF ENVIRONMENTAL QUALITY

Better Service for a Better Environment

HOLLISTER BUILDING PO BOX 30473 LANSING MI 48909 7973

INTERNET: www.deq.state.mi.us

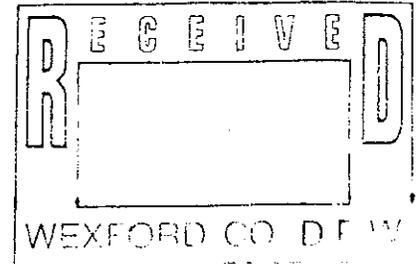
RUSSELL J. HARDING, Director

REPLY TO

WASTE MANAGEMENT DIVISION
PO BOX 30241
LANSING MI 48909-7741

September 29, 1999

Mr Gary Fuller
Wexford County Department of Public Works
3161 South Lake Mitchell Drive
Cadillac, MI 49601



Dear Mr. Fuller:

This letter is to introduce me as your new Department of Environmental Quality (DEQ) Solid Waste Management Planning Coordinator. As a new employee with the DEQ, I will work to provide you with the support you require in writing, completing, and implementing your county's Solid Waste Management Plan, as well as any activities related to solid waste management in Michigan

I can be reached at the above address, by telephone or e-mail, at idziaks@state.mi.us

Sincerely,

Stan Idziak
Solid Waste Management Unit
Waste Management Division
517-373-4740

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

September 24, 1999

Tim Dolehanty
County Administrator
437 East Division Street
Cadillac, Michigan 49601

Re: Solid Waste Management Plan
1999 Update

Dear Tim:

Enclosed for consideration of adoption by the Board of Commissioners you will find a copy of the above captioned document and a Resolution that we have prepared for their use.

Since you are familiar with the procedures for obtaining a locally approved plan I will not discuss the details here. However, if you or the Commissioners need some guidance please do not hesitate to contact me.

Sincerely,



Gary R. Fuller,
Director

GRF/sls

encl: (2)

September 21, 1999

Dear Public Official:

In March 26, 1999 you were provided with a copy of the draft Wexford County Solid Waste Management Plan – Five Year Update, prepared by the County Solid Waste Management Planning Committee for review and comment.

Pursuant to Act 641, P.A. 1978, the Michigan Solid Waste Management Planning Act, a ninety (90) day public comment period was conducted from April 1, 1999 through June 30, 1999 a Public Hearing was held to receive formal comments on the plan. The Solid Waste Management Planning Committee has reviewed all comments received and incorporated appropriate amendments in the attached copy of the plan.

On _____, the Wexford County Board of Commissioners approved and adopted the plan which now allows us to present the document to the twenty-one (21) local governmental entities in the County for review of the Act which requires a minimum of 67% approval by the several local units of government to be considered a locally approved plan. Upon fulfilling this criteria we can then submit the plan to the Michigan Department of Natural Resources for their approval.

For your convenience we are enclosing a prepared resolution for your consideration. Please have your Board/Council take action on the address for inclusion in the plan.

If we can be of any further assistance on this matter or answer any questions please do not hesitate to contact us.

Sincerely,

Gary R. Fuller,
Director
Wexford County Department of Public Works
Wexford County Solid Waste Management
Planning Agency

GRF/sls

Encl: (2)

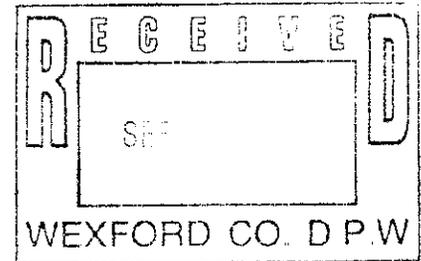
LAW OFFICES
HONIGMAN MILLER SCHWARTZ AND COHN

2290 FIRST NATIONAL BUILDING
660 WOODWARD AVENUE
DETROIT MICHIGAN 48226-3583
FAX (313) 465 8000

JEFFREY L. WOOLSTRUM
TELEPHONE: (313) 465-7612
FAX: (313) 465-7613
E-MAIL: jlw@honigman.com

LANSING MICHIGAN

September 2, 1999



Mr. Gary R. Fuller
Wexford County Solid Waste Planning Committee
3161 South Lake Mitchell Drive
Cadillac, MI 49601

RE: Wexford County Solid Waste Management Plan Update

Dear Mr. Fuller:

We are attorneys representing the Michigan Waste Industries Association ("MWIA"). MWIA is a Michigan nonprofit corporation representing approximately 50 individual Michigan-based solid waste companies, some of which operate within Wexford County. MWIA submits the enclosed document ("Comments") for inclusion in the administrative record of public comments on Wexford County's draft solid waste management plan update (the "Plan"). The Comments address MWIA's concerns with certain provisions that may be contained in the Plan that exceed Wexford County's authority. Wexford County does not have unlimited authority to include provisions in a solid waste management plan. Rather, Wexford County only has such powers that have been granted by the Michigan Legislature. Although the Legislature authorized Wexford County to prepare a solid waste management plan under Part 115 of the Natural Resources and Environmental Protection Act ("Part 115"), Wexford County may only include in the Plan those provisions that are expressly identified in Part 115 or the administrative rules promulgated by the Michigan Department of Environmental Quality ("MDEQ") under Part 115 (the "Part 115 Rules"). The provisions discussed in the Comments are clearly not authorized under Part 115 or the Part 115 Rules.

To the extent the Plan contains any of the provisions discussed in the Comments, or incorporates such provisions into the Plan by reference to other documents, MWIA requests that Wexford County either: (1) revise the Plan to eliminate the offending provisions; or (2) provide a written response to MWIA's concerns in the Plan's appendix, as required by Rule 711(g) of the Part 115 Rules, which sets forth the basis for retaining such provisions in the Plan. Feel free to call me with any questions regarding MWIA's Comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey L. Woolstrum". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jeffrey L. Woolstrum

cc: Mr. Jim Sygo, Chief Waste Management Division, MDEQ
Mr. Terry Guerin, President -- MWIA

DET_BV183799 1

**MICHIGAN WASTE INDUSTRIES ASSOCIATION
GENERAL COMMENTS ON
COUNTY SOLID WASTE MANAGEMENT PLAN UPDATES**

Michigan Waste Industries Association ("MWIA") submits the following general comments on the contents of solid waste management plan updates that are currently being prepared by various counties under the authority of Part 115 of the Natural Resources and Environmental Protection Act ("Part 115") and the administrative rules promulgated thereunder (the "Part 115 Rules"). The discussion contained in this document is divided into two main sections. The first section discusses a county's limited authority to regulate matters in general, and the Legislature's narrow delegation of authority under Part 115 to include provisions in a solid waste management plan. In light of this narrow delegation of authority, the second section reviews eleven provisions that have appeared in one or more of the draft solid waste management plan updates. These eleven provisions generally relate to:

- disposal fees;
- disposal area operating criteria;
- mandated recycling;
- mandated data collection;
- preservation of more than 10 years of disposal capacity;
- disposal area volume caps;
- identification of specific disposal areas that may accept county waste;
- restrictions on special waste importation;
- enforcement activities by uncertified health departments;
- transporter licensing; and
- the severability of unlawful plan provisions without a formal plan amendment.

MWIA contends that these provisions exceed the limited authority that has been delegated to the counties under Part 115. Further, because the Michigan Department of Environmental Quality ("MDEQ") can only approve or disapprove a county solid waste management plan without conditions, MWIA contends that MDEQ cannot approve a plan that contains one or more of these offending provisions.

**I. PERMISSIBLE CONTENTS OF COUNTY
SOLID WASTE MANAGEMENT PLANS**

Although Part 115 authorizes counties, among other government entities, to prepare solid waste management plans, counties do not have carte blanche to include any provision related to solid waste in their plans. To the contrary, counties must work within the narrow confines of the Legislature's delegation of authority under Part 115. Thus, when reviewing a plan submitted by a county for final approval, MDEQ must *not* ask, "does Part 115 *prohibit* this particular provision." Rather, MDEQ must ask whether a specific section of Part 115 or the Part 115 Rules *clearly authorizes* each provision included in a solid waste management plan including each

provision incorporated by reference into the plan. If the answer to that question is not an unqualified "yes," MDEQ must deny approval of the plan.

**A. COUNTIES ONLY POSSESS
DELEGATED POWERS AND CANNOT
REGULATE FOR THE HEALTH AND
SAFETY OF THEIR RESIDENTS**

MWIA's comments on the contents of solid waste management plans are rooted in the fact that Michigan counties have delegated powers only and do not have any inherent power to regulate for purposes of the public's health, safety and general welfare. A "county has only such powers as have been granted to it by the Constitution or the state Legislature." *Alan v. Wayne Co.*, 388 Mich. 210, 245 (1972); *Berrien Co. Probate Judges v. Michigan Am. Fed'n of State, Co. & Mun. Employees Council 25*, 217 Mich. App. 205 (1996). Where counties have been clearly delegated such powers, the Michigan Constitution provides that the powers "shall be liberally construed in [the counties'] favor" and that "[p]owers granted to counties . . . shall include those fairly implied and not prohibited by this constitution." Const. 1963, art. VII, § 34. This constitutionally imposed rule of interpretation, however, is not an independent grant of authority. "As these provisions are not self-executing, the rights which they bestow and the duties which they impose may not be enforced without the aid of legislative enactment." *County Comm'r of Oakland Co. v. Oakland Co. Executive*, 98 Mich. App. 639, 646 (1980). Thus, counties have no inherent authority to include provisions in solid waste management plans without clear authorization by Legislature under Part 115.

The Office of the Attorney General ("AG") has consistently opined that counties are without authority to regulate matters that have not been clearly delegated by the Legislature. For example, the AG most recently opined that a non-charter county does not have authority to regulate the emissions from a municipal waste incinerator. OAG, 1998, No. 6,992 (Aug. 13, 1998). In that opinion, the AG first noted that townships, cities and villages *have* been granted authority by the Michigan Legislature to adopt ordinances for the purpose of protecting the public's health, safety and general welfare. Therefore, the AG opined that a township, city or village *may* adopt an air pollution control ordinance, provided that it is reasonably related to this purpose. For counties, however, the AG noted that, while chartered counties are expressly authorized by statute to adopt ordinances to abate air pollution, *the Legislature "has not seen fit to grant this power to noncharter counties."* *Id.*, slip op. p. 3 (emphasis added). The AG concluded that a "noncharter county is thus not authorized to adopt an air pollution ordinance." *Id.*; *see also*, OAG, 1969-1970, No. 4,696, p. 197 (Nov. 25, 1970) (county could not adopt air pollution control ordinance because no Michigan statute authorized a non-chartered county to abate air pollution and county ordinance would interfere with local affairs of villages and townships). This opinion is particularly significant with respect to solid waste management plans prepared under Part 115 because a municipal waste incinerator is a disposal area that must be consistent with such a plan. *See M.C.L. § 324.11529(4)*

Other AG opinions express a similar narrow view of a county's authority to regulate in the absence of clear enabling legislation. In OAG, 1989-1990, No. 6,665, p. 401 (Nov. 15, 1990), the AG opined that counties lacked the general authority to regulate the location of cigarette vending machines because such a county ordinance would interfere with the authority of the villages and townships to regulate such matters. In OAG, 1979-1980, No. 5,617, p. 526 (Dec. 28, 1979), the AG opined that a county could not adopt the Michigan Vehicle Code as

an ordinance because “[t]he adoption of the motor vehicle code by a county would not be consistent with the legislative intention [to grant certain exclusive powers to the county road commission], would have the effect of contravening the general laws of the state, and of extending or increasing the powers or jurisdiction of a county board of commissioners.” In OAG, 1977-1978, No. 5,341, p. 556 (July 31, 1978), the AG opined that a county had no authority to operate a spay and neuter clinic for dogs and cats because “[n]o provision of the [Michigan Dog Law] specifically or impliedly authorizes a county to establish and maintain a spay and neuter clinic and cats are not mentioned in either the title or body of the act.” In OAG, 1977-1978, No. 5,304, p. 427 (April 27, 1978), the AG opined that a county board of commissioners could not establish a county police or security force because “the delegation of law enforcement responsibilities to any entity other than the sheriff would contravene general state laws [and] would tend to increase the powers, duties and jurisdiction of the county board of commissioners by transferring a measure of the sheriff’s authority to an organization responsible to the board and not to the sheriff.” Finally, in OAG, 1971-1972, No. 4,741, p. 82 (April 13, 1972), the AG opined that a county was without authority to adopt an ordinance banning the discharge of firearms in the county because there was “no express or implied power in the county which would support the adoption of [such] an ordinance.”

B. PART 115 ESTABLISHES THE SPECIFIC CONTENTS OF A SOLID WASTE MANAGEMENT PLAN AND COUNTIES CANNOT INCLUDE EXTRANEOUS PROVISIONS THAT WOULD EXPAND THEIR LIMITED DELEGATION OF AUTHORITY.

The contents of a solid waste management plan are limited to the provisions that are authorized in Part 115 and the Part 115 Rules, which are summarized below. A solid waste management plan must “encompass all municipalities within the county” and “take into consideration solid waste management plans in contiguous counties and existing local approved solid waste management plans as they relate to the county’s needs.” M.C.L. § 324.11533(2). A solid waste management plan must contain an evaluation of the “best available information” regarding recyclable materials within the planning area, including an evaluation of how the planning entity is meeting the state’s waste reduction and recycling goals, and, based on that analysis, either provide for recycling and composting of such materials or establish that recycling and composting are not necessary or feasible or is only necessary or feasible to a limited extent. M.C.L. § 324.11539(1)(a), (b) and (d). If the solid waste management plan proposes a recycling or composting program, the plan must contain details of the major features of that program, including ordinances or other measures that will ensure collection of the material; however, as discussed below, Part 115 does not operate as enabling legislation for such ordinances. M.C.L. § 324.11539(1)(c). A solid waste management plan must “identify specific sites for solid waste disposal areas for a 5-year period after approval of a plan or plan update,” and either identify specific sites for disposal areas for the remaining portion of the ten-year planning period, or include a process to annually certify the remaining solid waste disposal capacity available to the plan area and an interim siting mechanism¹ that becomes operative when the annual certification

¹An interim siting mechanism shall include both a process and a set of minimum siting criteria, both of which are not subject to interpretation or discretionary acts by the planning entity,

indicates that the available capacity is less than 66 months. M.C.L. § 324.11538(2). The solid waste management plan must “explicitly authorize” another county, state, or country to export solid waste into the county. M.C.L. § 324.11538(6).² In addition, “[w]ith regard to intercounty service within Michigan, the service must also be explicitly authorized in the exporting county’s solid waste management plan.” *Id.*

In addition to the plan content requirements expressly contained in Part 115, Section 11538(1) authorizes MDEQ to promulgate rules “for the development, form, and submission of initial solid waste management plans.” M.C.L. § 324.11538(1). Part 115 directs MDEQ to provide for the following in its administrative rules regarding solid waste management plans:

- (a) The establishment of goals and objectives for prevention of adverse effects on the public health and on the environment resulting from improper solid waste collection, processing, or disposal including protection of surface and groundwater quality, air quality, and the land.
- (b) An evaluation of waste problems by type and volume, including residential and commercial solid waste, hazardous waste, industrial sludges, pretreatment residues, municipal sewage sludge, air pollution control residue, and other wastes from industrial or municipal sources.
- (c) An evaluation and selection of technically and economically feasible solid waste management options, which may include sanitary landfill, resource recovery systems, resource conservation, or a combination of options.
- (d) An inventory and description of all existing facilities where solid waste is being treated, processed, or disposed of, including a summary of the deficiencies, if any, of the facilities in meeting current solid waste management needs.
- (e) The encouragement and documentation as part of the plan, of all opportunities for participation and involvement of the public, all affected agencies and parties, and the private sector.

and which if met by an applicant submitting a disposal area proposal, will guarantee a finding of consistency with the plan” M.C.L. § 324.11538(3).

²See also, M.C.L. § 324.11513; Mich. Admin. Code r. 299.4711(e)(iii)(C). In *Fort Gratiot Sanitary Landfill, Inc. v. Department of Natural Resources*, 504 U.S. 353 (1992), the United States Supreme Court invalidated Part 115’s flow control provisions to the extent they regulated the interstate flow of solid waste because such regulation violated the Commerce Clause of the United States Constitution.

(f) That the plan contain enforceable mechanisms for implementing the plan, including identification of the municipalities within the county responsible for the enforcement. This subdivision does not preclude the private sector's participation in providing solid waste management services consistent with the county plan.

(g) Current and projected population densities of each county and identification of population centers and centers of solid waste generation, including industrial wastes.

(h) That the plan area has, and will have during the plan period, access to a sufficient amount of available and suitable land, accessible to transportation media, to accommodate the development and operation of solid waste disposal areas, or resource recovery facilities provided for in the plan.

(i) That the solid waste disposal areas or resource recovery facilities provided for in the plan are capable of being developed and operated in compliance with state law and rules of the department pertaining to protection of the public health and the environment, considering the available land in the plan area, and the technical feasibility of, and economic costs associated with, the facilities

(j) A timetable or schedule for implementing the county solid waste management plan.

M.C.L. § 324.11538(1)(a)-(j) MDEQ has promulgated such rules in Part 7 of the Part 115 Rules. Mich. Admin. Code r. 299.4701 *et seq.*

Rule 711 of the Part 115 Rules sets forth the general structure and the required contents of a county solid waste management plan. "To comply with the requirements of [Part 115,] . . . county solid waste management plans shall be in compliance with the following general format": (i) executive summary;³ (ii) introduction;⁴ (iii) data base;⁵ (iv) solid waste management system

³The executive summary must include an overview of the plan, the conclusions reached in the plan and the selected solid waste disposal alternatives. Mich. Admin. Code r. 299.4711(a).

⁴The introduction must establish the plan's goals and objectives for protecting the public health and the environment by properly collecting, transporting, processing, or disposing of solid waste, and by reducing the volume of the solid waste stream through resource recovery, including source reduction and source separation. Mich. Admin. Code r. 299.4711(b)

⁵The data base must include: (i) an inventory and description of the existing facilities serving the county's solid waste disposal needs; (ii) an evaluation of existing problems related to solid waste collection, management, processing, treatment, transportation, and disposal, by type and volume of solid waste; (iii) the current and projected population densities, centers of population, and centers of waste generation for five- and twenty-year periods; and (iv) the current and projected land

alternatives; (v) plan selection; (vi) management component; and (vii) documentation of public participation in the preparation of the plan.⁶ Mich. Admin. Code r. 299.4711(a)-(d). Under this general format, the operative portions of a solid waste management plan are contained in the solid waste management system alternatives, plan selection, and management component elements of the plan. The required contents of these three elements are discussed below.

First, each solid waste management system alternative developed in the plan must address the existing problems identified in the plan's data base related to solid waste collection, management, processing, treatment, transportation, and disposal and must address the following components: (i) resource conservation and recovery, including source reduction, source separation, energy savings, and markets for reusable materials; (ii) solid waste volume reduction; (iii) solid waste collection and transportation; (iv) sanitary landfills; (v) ultimate uses for disposal areas following final closure; and (vi) institutional arrangements, such as agreements or other organizational arrangements or structures, that will provide for the necessary solid waste collection, transportation, processing and disposal systems. Mich. Admin. Code r. 299.4711(d)(i)(A)-(H). In addition, the plan must evaluate public health, economic,⁷ environmental, siting, and energy impacts associated with each alternative. Mich. Admin. Code r. 299.4711(d)(ii).

Second, the plan must select the preferred solid waste management system alternative developed and evaluated in the plan. The selection must be based on "[a]n evaluation and ranking of proposed alternative systems" using factors that include: (i) technical and economic feasibility; (ii) access to necessary land and transportation networks; (iii) effects on energy usage, including the impacts of energy shortages; (iv) environmental impacts; and (v) public acceptability. Mich. Admin. Code r. 299.4711(e)(i)(A)-(G). The basis for the selection must be set forth in the plan, including a summary of the evaluation and ranking system. Mich. Admin. Code r. 299.4711(e)(ii)(A). The plan must state the advantages and disadvantages of the selected alternative based on the following factors: (i) public health; (ii) economics; (iii) environmental effects; (iv) energy use; and (v) disposal area siting problems. Mich. Admin. Code r. 299.4711(e)(ii)(B)(1)-(5). The selected alternative must "be capable of being developed and operated in compliance with state laws and rules of the Department pertaining to the protection of the public health and environment," include a timetable for implementing the plan, and be "consistent with and utilize population, waste generation, and other [available] planning information." Mich. Admin. Code r. 299.4711(e)(ii)(C)-(E). With respect to disposal areas, the selected alternative must "identify specific sites for solid waste disposal areas" for a five-year

development patterns and environmental conditions as related to solid waste management systems for five and twenty-year periods. Mich. Admin. Code r. 299.4711(c)(i)-(iv).

⁶The public participation in the preparation of the solid waste management plan must be documented by including in an appendix to the plan a record of attendance at the public hearing and the planning agency's responses to citizens' concerns and questions. Mich. Admin. Code r. 299.4711(g).

⁷The evaluation of the economic impacts must include an estimate of the capital, operational, and maintenance costs for each alternative system. Mich. Admin. Code r. 299.4711(d)(ii).

period following MDEQ approval of the plan and, “[i]f specific sites cannot be identified for the remainder of the 20-year period, the selected alternative shall include specific criteria that guarantee the siting of necessary solid waste disposal areas for the 20-year period subsequent to plan approval.” Mich. Admin. Code r. 299.4711(e)(iii)(A), (B). As of June 9, 1994, however, “a county that has a solid waste management plan that provides for siting of disposal areas to fulfill a 20-year capacity need through use of a siting mechanism, is only required to use its siting mechanisms to site capacity to meet a 10-year capacity need.” M.C.L. § 324.11537a.

Third, the “management component” element of a solid waste management plan must “identif[y] management responsibilities and institutional arrangements necessary for the implementation of technical alternatives.” Mich. Admin. Code r. 299.4711(f). The management component must contain the following: (i) “[a]n identification of the existing structure of persons, municipalities, counties, and state and federal agencies responsible for solid waste management, including planning, implementation, and enforcement”; (ii) an assessment of such persons' and governmental entities' technical, administrative, financial and legal capabilities to fulfill their responsibilities under the plan; (iii) “[a]n identification of gaps and problem areas in the existing management system which must be addressed to permit implementation of the plan”; and (iv) a “recommended management system for plan implementation.”⁸ Mich. Admin. Code r. 299.4711(f)(i)-(iii).

Solid waste management plans that contain provisions that have not been clearly authorized under the specific sections of Part 115 and the Part 115 Rules discussed above are unlawful. A plan containing such unlawful provisions cannot be approved by MDEQ.

II. MWIA'S COMMENTS ON COUNTY PLAN PROVISIONS

With the foregoing limitations on the specific contents of a solid waste management plan in mind, MWIA contends that the following provisions that are either contained expressly in a solid waste management plan, or that are contained elsewhere (*e.g.* ordinances, regulations or resolutions) but are incorporated by reference into a solid waste management plan, clearly exceed a county's authority under Part 115:

⁸The recommended management system must: (i) identify specific persons and governmental entities that are responsible for implementing and enforcing the plan, including the legal, technical, and financial capability of such persons and entities to fulfill their responsibilities; (ii) contain a process for "ensuring the ongoing involvement of and consultation with the regional solid waste management planning agency," and for "ensuring coordination with other related plans and programs within the planning area, including, but not limited to, land use plans, water quality plans, and air quality plans"; (iii) identify "necessary training and educational programs, including public education"; (iv) contain a "strategy for plan implementation, including the acceptance of responsibilities from all entities assigned a role within the management system"; and (v) identify "funding sources for entities assigned responsibilities under the plan." Mich. Admin. Code r. 299.4711(f)(iii)(A)-(F)

DISPOSAL FEES

Nothing in the Part 115 or Part 115 Rule provisions discussed above authorizes a county to *require* the payment or collection of fees as part of a solid waste management plan. At most, Rule 711(f)(iii)(F) authorizes the “management component” of a plan to “*recommend*” a “financial program that identifies funding sources” Mich. Admin. Code r. 299.4711(f)(iii)(F). The underlying authority for such a funding program, however, cannot arise from the plan itself and must be found in some other enabling legislation.

Although the Michigan Court of Appeals has recently held that that Section 11520(1) of Part 115 authorized Saginaw County to adopt an *ordinance* that imposes a surcharge on the disposal of solid waste within the county, the court did not hold that such an ordinance may be included in a solid waste management plan or that a solid waste management plan may operate as the underlying authority for such a fee. *County of Saginaw v Peoples Garbage Disposal, Inc.*, 232 Mich. App. 202 (1998). Indeed, the ordinance at issue in *County of Saginaw* was merely mentioned in the plan as a possible source of revenue and was adopted *after* MDEQ had approved the Saginaw County Solid Waste Management Plan. This distinction is significant because a disposal area that operates “contrary” to an approved solid waste management plan may be subject to an enforcement action under Part 115, which may include a cease and desist order M.C.L. § 324.11519(2). Clearly, nothing in Part 115 indicates that a disposal area could be ordered to cease operations merely because it failed to pay a fee imposed by a local ordinance.

Moreover, the holding in *County of Saginaw* is inapplicable to counties that do not have certified health departments under Part 115. Section 11520(1) of Part 115, which the court relied upon for its holding, provides:

Fees collected by a *health officer* under this part shall be deposited with the city or county treasurer, who shall keep the deposits in a special fund designated for use in implementing this part. If there is an ordinance or charter provision that prohibits a health officer from maintaining a special fund, the fees shall be deposited and used in accordance with the ordinance or charter provision. Fees collected by the department under this part shall be credited to the general fund of the state.

M.C.L. § 324.11520(1) (emphasis added). A *health officer* is expressly defined as in Part 115 as “a full-time administrative officer of a *certified* city, county or district department of health.” M.C.L. § 324.11504(1) (emphasis added). A certified department of health must be “specifically delegated authority by [MDEQ] to perform designated activities prescribed by [Part 115].” M.C.L. § 324.11502(5). Part 2 (Certification of Local Health Departments) of the Part 115 Rules sets forth the specific requirements that a county health department must meet in order to become certified Mich. Admin. Code r. 299.4201 *et seq.* Part 115 contains absolutely no authority for the collection of fees by a county that does not have a certified health department.

Further, even if Part 115 did authorize the inclusion of a fee provision in the solid waste management plan of a county with a certified health department (which it does not), MDEQ is prohibited from approving such a plan if the fee is really a disguised tax that violates the Headlee Amendment to the Michigan Constitution, which prohibits local units of government from imposing new taxes without voter approval. Mich. Const. art. 9, § 31; *See Bolt v City of*

Lansing, 459 Mich. 152 (1998) (storm water fee invalidated under Headlee Amendment as disguised tax). MDEQ's act of approving a solid waste management plan is not merely a rubber stamp of a county's independent act. Rather, MDEQ's approval is the final step in establishing a statewide "cohesive scheme of uniform controls" over the disposal of solid waste. *Southeastern Oakland Co Incinerator Auth. v Avon Twp*, 144 Mich. 39, 44 (1986). By approving a solid waste management plan, MDEQ incorporates that plan into the State solid waste management plan, M.C.L. § 324.11544(1), and, thereafter, a person may not "establish a disposal area" or "conduct, manage, maintain, or operate" a disposal area "contrary" to that approved plan. M.C.L. §§ 324.11509(1), 11512(2). Accordingly, MDEQ could not approve a solid waste management plan that imposes a fee on the disposal of solid waste unless MDEQ can demonstrate that the amount of any fee imposed will be reasonable related to the services provided to the persons paying the fee, and that the fee will not otherwise constitute a tax that requires voter approval.

MWIA also believes that, because the decision in *County of Saginaw* has been appealed to the Michigan Supreme Court, MDEQ should use its discretion and refrain from approving county solid waste management plans that contain fee provisions until this issue has been fully resolved. In this regard, MWIA notes that the appeals court's analysis of Section 11520(1) is clearly erroneous because it failed to consider the history and development of Part 115. Section 11520(1) was originally enacted as Section 18 of 1978 PA 641. M.C.L. § 299.418 (repealed, now Section 11520(1) of Part 115). In 1978, the only fees expressly contemplated in Act 641 were nominal disposal area operating license and construction permit application fees, which ranged between \$100 and \$700. Further, the language of Section 18 of Act 641 was nearly identical to Section 3(3) of the Garbage and Rubbish Disposal Act of 1965, which imposed similar nominal application fees and imposed very few obligations on counties with respect to the solid waste disposal. M.C.L. § 325.293(3) (repealed by Act 641). The Legislature's intent with respect to Section 11520(1) was to allow certified county health departments to retain and use these application fees solely for the purpose of processing the applications. The Legislature clearly did not intend for Section 11520(1) to operate as enabling legislation for counties to impose fees on the disposal of solid waste in order to fund an extensive county solid waste or recycling program.⁹ Accordingly, the appeals court's interpretation of Part 115 will likely be overturned.

OPERATING CRITERIA

A solid waste management plan may not contain disposal area operating criteria. Nothing in Part 115 or the Part 115 Rule provisions discussed above authorizes a solid waste management plan to regulate the day-to-day operations of a disposal area. To the contrary, Part 115 provides MDEQ with exclusive authority to regulate disposal area operation. Further, Michigan Appellate Court decisions have unanimously interpreted Part 115 as preempting all local regulation of disposal area operation. *County of Saginaw v. Peoples Garbage Disposal, Inc*, 232 Mich. App. 202 (1998); *Southeastern Oakland County Incineration Authority v Avon Township*, 144 Mich. App. 39 (1985); *Weber v Orion Twp Bldg Inspector*, 149 Mich. App. 660

⁹ It is also noteworthy that, for the last three years, bills that would authorize county-imposed fees have been proposed in the Michigan Legislature.

(1986) ("all local regulations concerning the operation of a landfill are preempted"); *Dafer Township v Reid*, 159 Mich. App. 149 (1987). Thus, disposal area operating criteria are not appropriate for a solid waste management plan.

MANDATED RECYCLING

A solid waste management plan may not mandate a quota on the volume of solid waste that is recycled within the planning area. Nothing in Part 115 or the Part 115 Rule provisions discussed above authorizes a county or any another planning agency to mandate such a quota system. Rather, Part 115 only authorizes a county to "*propose* a recycling or composting program" in a county plan. M.C.L. § 324.11539(1)(b). Such a program may only set recycling *goals*, rather than require absolute volume reductions. M.C.L. § 324.11539(1)(d). Further, a program that prohibits a disposal area from accepting a particular type of solid waste, such as waste that could be recycled, would directly conflict with Section 11516(5) of Part 115, which states that "[i]ssuance of an operating license by [MDEQ] *authorizes the licensee to accept waste for disposal*." M.C.L. §§ 324.11533(1), 11516(5) (emphasis added). Thus, any recycling program may, at most, be referenced as a goal.

MANDATED DATA COLLECTION

A solid waste management plan may not require the owner or operator of a disposal area to collect and report data concerning the volume of solid waste that is recycled or disposed of. Nothing in Part 115 or the Part 115 Rule provisions discussed above authorizes a county to impose such an on-going duty on disposal area owners and operators. Rather, Part 115 only requires that, at the time a plan is prepared, a county evaluate "how the planning entity is meeting the state's waste reduction goals" M.C.L. § 324.11539(1)(d).¹⁰ Further, Part 115 expressly delegates the authority to impose such data-collection duties solely to MDEQ and not to the counties. M.C.L. § 324.11507a. Thus, data collection requirements imposed in a solid waste management plan exceed the authority delegated under Part 115.

PRESERVATION OF MORE THAN 10 YEARS OF CAPACITY

A solid waste management plan should provide for the free flow of solid waste to the extent the plan otherwise demonstrates 10 years of disposal capacity. A county has no duty or obligation under Part 115 to demonstrate more than 10 years of disposal capacity. M.C.L. § 324.11538(2). Therefore, a county has no legitimate interest in preserving additional disposal capacity by restricting or prohibiting the importation of out-of-county waste. While the preservation of disposal capacity beyond the legitimate needs of a county may ultimately benefit county residents, the cost of providing that benefit is imposed solely on the disposal area owners and operators doing business within the county. Such a restriction on the use of a disposal area's air space constitutes a taking without compensation that violates the federal and Michigan constitutions.

¹⁰ A bill that would authorize such mandated data collection regarding recycled material was proposed in the Michigan Legislature last year.

VOLUME RESTRICTIONS

A solid waste management plan cannot restrict the volume of solid waste that may be accepted for disposal at a disposal area during any given time period. Such a restriction is not authorized by that Part 115 Part 115 Rule provisions discussed above and directly conflicts with Section 11516(5) of Part 115, which states that "[i]ssuance of an operating license by [MDEQ] *authorizes the licensee to accept waste for disposal,*" without limitation. M.C.L. §§ 324.11533(1), .11516(5) (emphasis added). Such a volume cap would also constitute local regulation of disposal area operating criteria, which, as discussed above, is preempted by Part 115. *Southeastern Oakland County Incineration Authority v. Avon Township*, 144 Mich. App. 39 (1985); *Weber v. Orion Twp. Bldg. Inspector*, 149 Mich. App. 660 (1986) ("all local regulations concerning the operation of a landfill are preempted"); *Dafter Township v. Reid*, 159 Mich. App. 149 (1987). Moreover, such a restriction is an unconstitutional taking of property because it temporarily prevents the use of air space at the disposal area without compensating the owner or operator.

IDENTIFICATION OF SPECIFIC DISPOSAL AREAS

While a solid waste management plan may identify specific disposal areas that are available and willing to accept a county's waste in order to demonstrate that a county has 10 years of disposal capacity and that the plan does not require an interim siting mechanism under Section 11538(2) of Part 115, nothing in Part 115 authorizes a county to restrict the disposal of its solid waste to those specifically identified facilities. Rather, Sections 11513 and 11538(6) of Part 115 require that a plan authorize the "acceptance" of out-of-county waste and the disposal "service" provided either by or for another Michigan county; however, these sections do not require that such acceptance or service be limited to specifically identified disposal areas. M.C.L. §§ 324.11513, .11538(6). At most, a solid waste management plan may limit the disposal of a county's solid waste to specific *counties* that are explicitly authorized in the plan to accept the waste and to serve the county's disposal needs. Furthermore, to the extent that Rule 711(e)(iii)(C) of the Part 115 Rules can be interpreted as requiring the identification of specific disposal areas in solid waste management plans, MWIA contends that such a requirement exceeds MDEQ's authority under Part 115 and is unenforceable.

RESTRICTIONS ON SPECIAL WASTE

A solid waste management plan may not restrict the importation of specific types of solid waste. With the possible exception of municipal solid waste incinerator ash, nothing in Part 115 authorizes a solid waste management plan to distinguish between different types of solid waste. See M.C.L. §§ 324.11513, 11538(6). Therefore, to the extent a solid waste management plan authorizes solid waste to be imported from or exported to other counties, such authorization must extend to all forms of solid waste, as that term is defined in Part 115

ENFORCEMENT BY UNCERTIFIED HEALTH DEPARTMENT

Part 115 and the Part 115 Rules only grant enforcement powers to county health departments that have been certified by MDEQ. For example, Part 115 expressly provides that a health officer of a certified health department may inspect a licensed disposal area at any reasonable time and may issue a cease and desist order, establish a schedule of closure or remedial action, or enter into a consent agreement with an owner or operator of a disposal area that violates the provisions of Part 115 or the Part 115 Rules. M.C.L. § 324.11516(3); Mich. Admin. Code r. 299.4203. In addition, a health officer of a certified health department may inspect a solid waste transporting unit that is being used to transport solid waste along a public road or is being used for the overnight storage of solid waste and may order the unit out of service if it does not comply with the requirements of Part 115 or the Part 115 Rules. M.C.L. §§ 324.11525, 11528(3); Mich. Admin. Code r. 299.4205. None of these enforcement and inspection powers, however, has been delegated to a county that does *not* have a certified health department. Therefore, to the extent a county does not have a certified health department, any enforcement and inspection provisions contained in a solid waste management plan are unlawful.

It should also be noted that several counties without certified health departments are attempting incorporating ordinances into their solid waste management plans under the guise of “enforceable mechanisms,” which regulate matters that have been delegated solely to a counties that have certified health departments. For example, at least one such ordinance includes a provision that would authorize a county without a certified health department to issue a “stop order” that prohibits the operation of a disposal area in violation of any provision of the ordinance. As discussed above, this authority has been delegated solely to counties with certified health departments. M.C.L. § 324.11516(3). Further, such a “stop order” would operate as a suspension of a license issued under Part 115 without any of the procedural protections provided under the Michigan Administrative Procedures Act. M.C.L. § 24.101 *et seq.*

It should also be noted that, although a solid waste management plan must include a “program and process” to assure that solid waste is properly collected and disposed of, Part 115’s planning provisions are not enabling legislation for county ordinances. M.C.L. § 324.11533(1). The “program and process” included in a solid waste management plan is only “enforceable” to the extent the plan incorporates “enforceable mechanisms” that are specifically authorized under enabling statutes other than Part 115. M.C.L. § 324.11538(1)(f). Although the Legislature contemplated that “enforceable mechanisms” may include ordinances,¹¹ Part 115 expressly states that it does not “validate or invalidate an ordinance adopted by a county” for purposes of assuring solid waste collection and disposal. M.C.L. § 324.11531(2). Thus, it is clear that the Legislature intended that Part 115 would not operate as enabling legislation for the adoption of such enforceable mechanisms. Such authority, if any, must be specifically delegated to counties in some other enabling legislation. Accordingly, to the extent a solid waste management plan incorporates a county ordinance that provides enforcement powers to a county, MDEQ may not approve such a

¹¹Part 115 defines the term “enforceable mechanism” as “a legal method whereby the state, a county, a municipality, or a person is authorized to take legal action to guarantee compliance with an approved county solid waste management plan. Enforceable mechanisms include contracts, intergovernmental agreements, laws, ordinances, rules and regulations” M.C.L. § 324.11503(5)

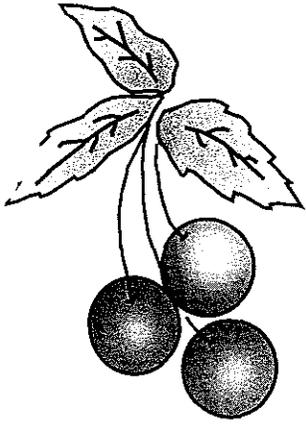
plan until MDEQ has reviewed each provision of that ordinance and determined that it has been authorized by some enabling legislation and does not exceed a county's delegated authority under that legislation.

TRANSPORTER LICENSING

A solid waste management plan may not impose a licensing requirement on solid waste transporting units. Nothing in the Part 115 or Part 115 Rule provisions discussed above authorizes a county to implement such a licensing program. Rather, Part 115 imposes certain minimum requirements on solid waste transporting units. See M.C.L. § 324.11528(1); Mich. Admin. Code r. 299.4601(1). While MDEQ, a health officer of a certified health department, or a law enforcement officer may order a solid waste transporting unit out of service if it does not comply with these minimum requirements, Part 115 is expressly "intended to encourage the continuation of the private sector in the solid waste . . . transportation business *when in compliance with the minimum requirements of this part.*" M.C.L. §§ 324.11528(3), 11548(2) (emphasis added). Moreover, as discussed in the previous section, Part 115's planning provisions do not operate as enabling legislation for counties to adopt ordinances regulating the transportation of solid waste. It should be noted that the Legislature repealed Part 115's licensing requirement for solid waste transporting units in 1979. See 1979 Public Act 10. Therefore, licensing requirements applicable to solid waste transporting units exceed a county's authority and a solid waste management plan containing such requirements (or incorporating an ordinance containing such requirements) may not be approved by MDEQ.

SEVERABILITY CLAUSE

The provisions of a solid waste management plan are not severable. Part 115 does not authorize such piecemeal revisions to a solid waste management plan without following the specific plan amendment procedures set forth in Part 115 and the Part 115 Rules. *Michigan Waste Systems, Inc v. Department of Natural Resources*, 157 Mich. App. 746 (1987). Rather, an amendment to a solid waste management plan to remove an unlawful provision must proceed through a specific five-step approval process. M.C.L. § 324.11535; Mich. Admin. Code r. 299.4708, 4709. To the extent any portion of a plan is declared unlawful or invalid and the county does not properly amend its plan to remove the offending provision, MDEQ must withdraw its approval of the entire plan and establish a schedule for the county to amend the plan in order to comply with Part 115. M.C.L. § 324.11537(2). Therefore, counties and MDEQ should make every effort at this time to ensure that each plan fully complies with Part 115.



CHERRY GROVE TOWNSHIP

4830 E M-55

CADILLAC, MICHIGAN 49601

Township Fax # (616) 775-0037

Supervisor/Assessor (616) 775-1138
Clerk (616) 775-0958

Treasurer (616) 775-6669
Fire Chief (616) 775-6012

June 16, 1999

Mr. Gary Fuller, Director
Wexford County Department of Public Works
and Solid Waste Management Planning Agency
3161 S. Lake Mitchell Dr.
Cadillac, MI 49601

RE: Township Approval of the Proposed Wexford County Solid
Waste Management Plan Update, March 1999

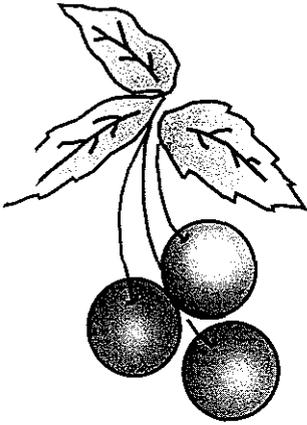
Dear Mr. Fuller:

The Cherry Grove Township Board approves the above referenced
"Waste Plan" as noted in the minutes of our June 16, 1999
meeting.

Sincerely,

A handwritten signature in cursive script that reads "Jerry Richards".

Jerry Richards,
Township Clerk



CHERRY GROVE TOWNSHIP

4830 E M-55
CADILLAC, MICHIGAN 49601
Township Fax # (616) 775-0037

Supervisor/Assessor (616) 775-1138
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Treasurer (616) 775-6669
Fire Chief (616) 775-6012

June 16, 1999

Mr. Gary Fuller, Director
Wexford County Department of Public Works
and Solid Waste Management Planning Agency
3161 S. Lake Mitchell Dr.
Cadillac, MI 49601

RE: Public Comment on the Proposed Wexford County Solid Waste
Management Plan Update, March 1999

Dear Mr. Fuller:

The Cherry Grove Township Board approves the above referenced
"Waste Plan" as noted in the minutes of our June 16, 1999
meeting.

We favorably view efforts to promote recycling, including the
mentioned additional drop-off site, researching markets for
the recycled materials and educating local individuals and
industries of the benefits of recycling.

Our township currently recycles office paper, which is the bulk
of our township waste. We will also commit to a purchasing
policy to use recycled goods if they are comparable quality
and cost.

I am also in process of reviving the previous research into
a compost area across from the DPW office. I am also willing
to insert educational flyers with paid tax receipts or other
mailings to township residents.

These are examples of our township's commitment to waste
reduction. We are willing to discuss other ways we can be of
service.

Sincerely,

Margo Stratton

Margo Stratton
Township Treasurer

STATE OF MICHIGAN



JOHN ENGLER Governor

DEPARTMENT OF ENVIRONMENTAL QUALITY

"Better Service for a Better Environment"

HOLLISTER BUILDING PO BOX 30473 LANSING MI 48909-7973

INTERNET: www.deq.state.mi.us

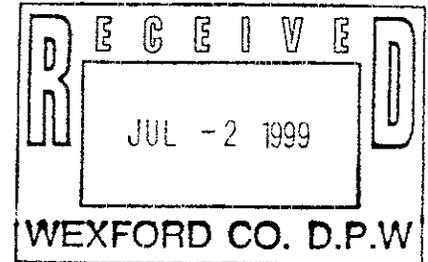
RUSSELL J. HARDING, Director

REPLY TO:

WASTE MANAGEMENT DIVISION
PO BOX 30241
LANSING MI 48909-7741

June 30, 1999

Mr. Gary Fuller, Director
Wexford County Department of Public Works
3161 South Lake Mitchell Drive
Cadillac, Michigan 49601



Dear Mr Fuller:

I have received and reviewed a copy of the draft Wexford County (County) Solid Waste Management Plan Update (Plan) released for the 90-day public comment period March 22, 1999. I will address our comments in the same order as the topics appear in the Plan. In my opinion, the following areas of the County's Plan may be cause for concern and may require revision or additional information:

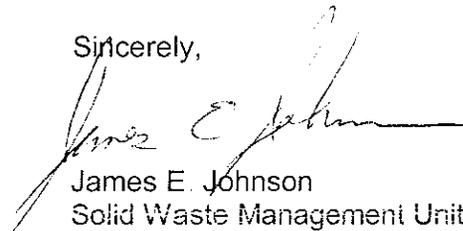
- Page II-1 There is no discussion or accounting for the difference between the waste volume being generated and the volume needing disposal.
- Page II-3 The permitted area, 187.34 acres, is larger than the 81.4 acre area sited for use. I do not understand how this can occur. The area under a construction permit should be smaller or equal to the area sited for use.
- Page III-4 Although the Plan Format uses the terms "primary" and "contingency" as examples of authorized conditions, neither Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA) or the promulgated rules, define these terms. If the County intends to use these terms, definitions of the terms should be included in the Plan.
- You do not need to authorize waste from Wexford County, as this table is for imports. Waste disposed within the county of generation is not an import.
- Page III-4(a) Wexford County should not be listed. The County cannot export waste to itself.
- Page III-5 This table is intended to authorize imports if a new disposal facility is constructed in the County in the future. The Wexford County landfill is an existing facility. If no imports are to be authorized into a new facility, this page should be left blank or state "none".

- Page III-9 No location information has been provided. The final disposal site for transferred waste is not provided.
- Page III-12 The techniques described on this page are not volume reduction techniques, but instead are recycling or source reduction programs. Volume reduction involves the use of a process to reduce the physical size of the waste. Compaction is a commonly used technique, as is incineration. Other methods, such as shredding, could also be used to reduce the waste volume. It is that type of process that should be listed on this page. The information placed on this table should be included in the discussion of recycling in Appendix A.
- Page III-26 First Paragraph. The Plan has no authority over hazardous waste landfills. This paragraph should be deleted.
- Part 115 does not have siting criteria the same way that a county Plan would. Part 115 has requirements on where and how solid waste disposal facilities may be constructed. If the County wants to use specific criteria to determine siting of disposal areas, they must be clearly specified in the Plan.
- This section only calls for establishment of a local review procedure. For a siting process to be approvable, the process to be used by the County to evaluate information and render a determination of consistency must be specified in the Plan. We recommend that the Plan include a statement that each proposal will be evaluated **only** against the criteria specified in the Plan.
- The criteria seem to apply only to landfills. What criteria will be used to judge applications for other solid waste facilities such as processing plants and transfer stations?
- A map showing areas of the County that are zoned Forest/Open Space, should be included as an attachment to the Plan.
- The last criterion regarding compliance with local zoning provides too broad authority and is not approvable as written. If local zoning requirements are to be included as siting criteria, the Plan must specify exactly which provisions of zoning will apply. For example, a prohibition on siting on land zoned residential within a given municipality could be allowable. The specific requirement and the municipality to which it applies must be stated. Broader, more general zoning applications are not approvable.
- Page III-27 There must be some local authority identified in the Plan that has the power to enforce the Plan, including the power to identify and bring suit for violations of the Plan. Page III-29 indicates enforcement will be done by the Board of Public Works, but the enforcement role should be discussed on this page as well.

- Page III-30 Box number one is checked, but no information was provided. The junk yard ordinance is not relevant. These are not regulated by the Plan. The application of the incinerator ordinance is not clear. What does this mean? Likewise, what does the Mesick ordinance do?
- Page III-32 Number 3 provides overly broad authority for adoption of local regulations on additions or expansions of solid waste disposal areas and is not approvable as written. It is exactly this type of local control that the law intended not to allow. If the County wants to allow these municipalities to regulate solid waste disposal facilities, the areas of regulation allowed must be specifically listed and described.
- A recycling facility is not a solid waste disposal area and is subject to local zoning. It should not be listed in this part of the Plan, however, as the Plan only regulates solid waste disposal.
- Page III-33 The Plan states that more than ten years of capacity has been identified and identifies a Type II landfill with capacity, but, I could not find any specific demonstration of disposal capacity in the Plan. Please provide an analysis of the County's waste generation volumes and allowable imports against the available landfill space.
- Page A-7 The discussion titled Volume Reduction would be more appropriately titled Source Reduction, as that is primarily what is discussed.

I appreciate the efforts that you have shown in the development of the Plan and the degree to which the Plan Format has been utilized. This makes the document much easier to review. I hope that these comments are useful to Wexford County as you attempt to develop an approvable Plan. If you have any further questions or comments, please feel free to contact me at the telephone number below, or by email at johnsoj1@state.mi.us.

Sincerely,



James E. Johnson
Solid Waste Management Unit
Waste Management Division
517-373-4738

cc: Mr. Seth Phillips, DEQ
Wexford County File



JOHN ENGLER Governor

DEPARTMENT OF ENVIRONMENTAL QUALITY

Better Service for a Better Environment

HOLLISTER BUILDING PO BOX 30473 LANSING MI 48909-7973

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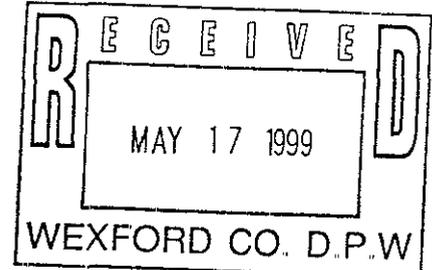
RUSSELL J. HARDING, Director

REPLY TO:

WASTE MANAGEMENT DIVISION
PO BOX 30241
LANSING MI 48909-7741

May 13, 1999

Mr. Gary R. Fuller
Wexford County Department of Public Works
3161 South Lake Mitchell Drive
Cadillac, Michigan 49601



Dear Mr. Fuller:

I am writing concerning management of the solid waste Plan Update process for your county. Ms. Jan Sealock, your previous planning coordinator, has left the Department of Environmental Quality (DEQ) and I have been assigned as the new planning coordinator for your county.

Plans, portions of Plans submitted for review, and any correspondence should be sent to me at the following address:

James E Johnson
Michigan Department of Environmental Quality
Waste Management Division
Solid Waste Management Unit
P O Box 30241
Lansing, Michigan 48909

I can be reached by telephone at 517-373-4738 My e-mail address is johnsoj1@state.mi.us.

Please contact me if you have any questions I look forward to hearing from you and working with you on your Plan Update

Sincerely,

James E Johnson
Solid Waste Management Unit
Solid Waste Program Section
Waste Management Division
517-373-4738

cc: Wexford County File

County board approves revised solid- waste plan

CADILLAC — The Wexford County Board of Commissioners unanimously approved a revised solid waste management plan.

An initial plan failed to pass the board in a 4-4 vote because it did not include enough emphasis on recycling.

"I hope it includes the teeth you wanted to see as far as recycling," Gary Fuller, director of the county's public works department, told commissioners Wednesday before they approved the plan.

Changes made to the original plan include provisions that may allow private or volunteer-operated drop-off programs and local unit drop-off sites.

It also will allow as much as 10 percent of tipping fees at the county landfill, as well as the sale of recyclable material, to be set aside for financing possible recycling programs between county, local government and private haulers.

A \$12 million reserve created through tipping fees may be used for long-term maintenance of the landfill and development of recycling programs.

Following the county board's approval, the plan will be sent to all local municipalities for approval by their governing bodies, then will be considered by state officials. ■

Wexford County produces its share of recycled materials

Cardboard, newspaper the most recycled materials

CADILLAC — When weight is used as a measurement, cardboard and newspaper are the runaway winners among materials recycled in Wexford County.

Dawn George, recycling director at the Isabella County Material Recovery Facility, said Wexford County and 12 other counties bring materials to her in Mount Pleasant so they can be re-sold. A breakdown of the 1,463 tons of recycled material produced in Wexford County during 1999:

- Cardboard: 1,117 tons;
- Newsprint: 243.4 tons;
- Mixed glass: 35.3 tons;
- Tin cans: 26.2 tons;
- Co-mingled (plastic, glass and tin combined): 11.9 tons;
- Clear glass: 4.5 tons;
- Mixed office paper: 3.8 tons;
- No. 2 plastics: 0.5 tons. ■

clung center and the recycling options offered at the U.S. 131 landfill site indicate that recycling already is a popular waste-reduction tool for both businesses and residents.

Gary Fuller, director of the county's department of public works, said the facility was established in the early 1990s after a volunteer group became overwhelmed with their attempt to oversee a recycling program.

See Recycling on A2

County businesses, recycling center produced 1,463 tons of recycled items in 1999

By Joel Donofrio
Staff Writer

CADILLAC. Anyone wondering about the popularity of recycling in Wexford County should pay a visit on any given Saturday to the Waste Management recycling center.

Visitors to the center, located just north of 13th Street on 39 Road, will find a steady stream of residents from Cadillac and other parts of Wexford County depositing carloads of newspaper, cardboard, glass and tin cans from 9 a.m. to 3 p.m.

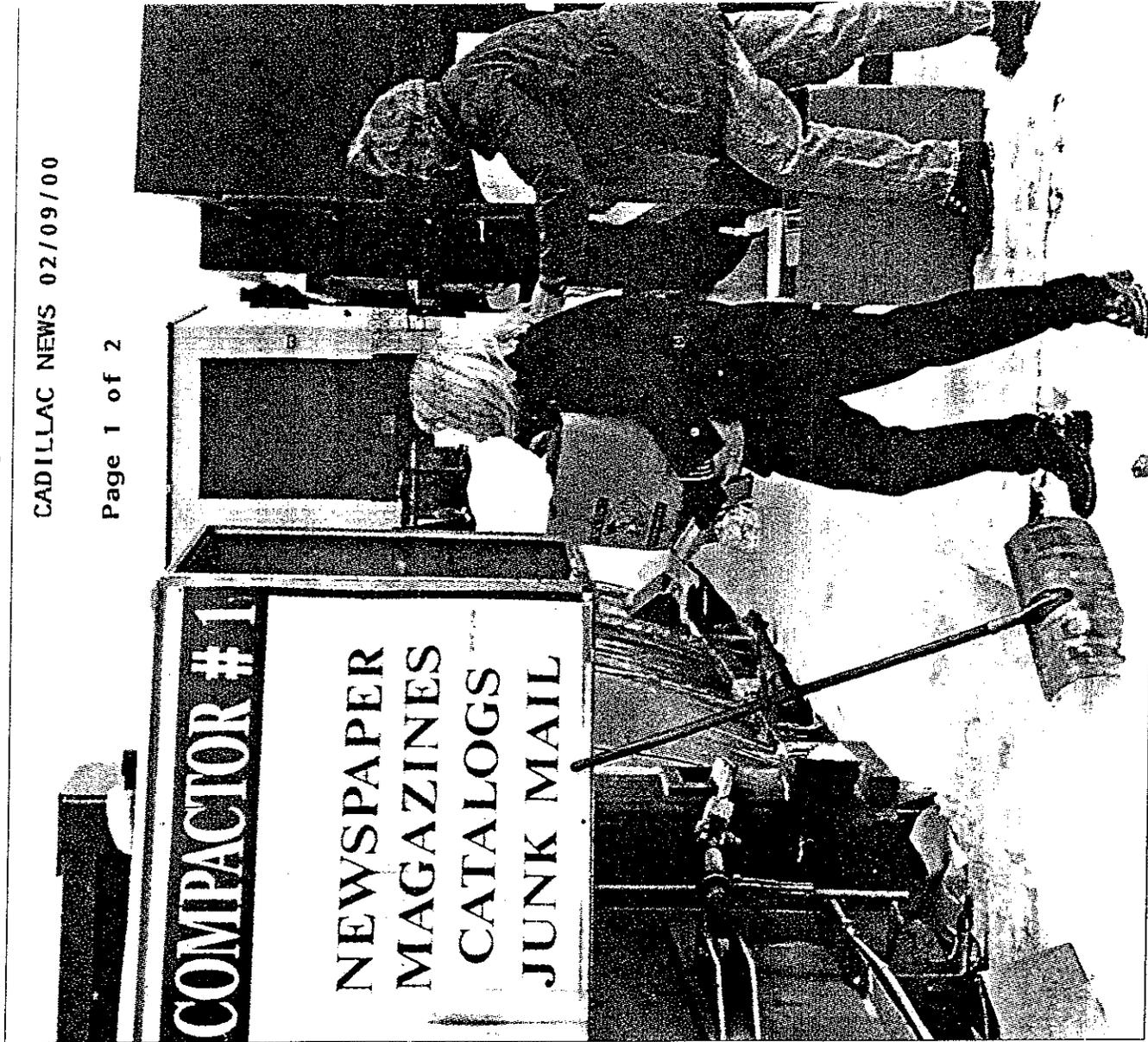
The popularity of the center was driven home on Jan. 8, when cars lined up outside the facility's gate to deposit three weeks worth of recycling materials (the center was closed Christmas and New Year's Day).

Another measure of the center's popularity is the fact that it contributed a large amount of the 1,463 tons of recycled material collected in the county during 1999, according to officials with the Isabella County Material Recovery Facility in Mount Pleasant.

Wexford County officials are trying to encourage more recycling as they review a preliminary draft of a new countywide solid waste management plan.

The document is being revised after county commissioners requested more opportunities for recycling — a method which should extend the life of the Wexford County landfill.

Current use of the county's recy-



Visitors to the Wexford County Recycling Center deposit their newsprint and cardboard into a compactor at the Haring Township facility, which is operated by Waste Management.

Joel Donofrio/Cadillac News

Recycling center has plenty of materials

Continued from A1

The board of public works contracted with what was then West Michigan Disposal to operate a drop-off facility for us, financed totally from landfill tipping fee reserves," Fuller said.

Years ago, the board of public works committed to using a surcharge on tipping fees that would pay for recycling," he added.

Recycling of newspaper, cardboard and other items extend the life of a landfill by reducing the amount of garbage which is dumped into it, Fuller noted.

For that reason, the recycling center accepts newsprint, office paper, cardboard, certain types of plastic (No. 2), tin cans and glass.

The landfill facility on U.S. 131 between Manton and Cadillac accepts all metals free of charge, including white goods such as refrigerators and water heaters. The landfill also accepts used motor oil and car batteries at no charge.

Items collected at the recycling center are shipped to the Mount Pleasant facility, which accepts recycled goods from Wexford and 12 other Michigan counties, Waste Management operations manager Rich Wazzecha said.

Much of the county's recycled material is cardboard, collected both at the Saturday recycling center and in Waste Management receptacles placed behind businesses and factories.

About 117 of the county's 1,463

tons of 1999 recycled products were cardboard, said Dawn George, recycling director at the Isabella County Material Recovery Center.

"A lot of businesses produce cardboard and they separate it out," George said. "And that doesn't include the (cardboard) bales, which most places have hauled out privately to some other facility."

One of the frequent questions asked by users of the Wexford County recycling center is why only No. 2 plastics, such as milk bottles, liquid laundry detergent containers and kitty litter jugs.

The answer, George said, is that it is difficult to find buyers consistently for other types of recycled plastic.

"We have a really difficult time marketing the other stuff," George said. "If we were going to add something, it would be No. 1 plastics. That's the clear stuff that is used for water bottles, bottled juices and so on."

"Michigan does not collect a deposit on it, so there's a ton of it out there," she added. "Those plastics would be great to collect in the future."

The volatility of prices for all recycled goods, including newsprint and cardboard, make the revenues produced by the Isabella County facility vary wildly.

For that reason, Wexford County's DPW pays \$3,500 to \$4,000 per month in service fees to keep the center operating, Fuller said.

"The markets go up and down and

change the revenues earned by our operation," George noted. "For that reason, about one-half to two-third of our operation's expenses are supported by the sale of materials. The rest comes from subsidies, such as landfill tipping fees."

"There are times when the market just bottoms out," she added. "One example is cardboard; in mid-1998 the price for (recycled) cardboard was \$68 per ton, then by mid-1999 the price was \$35 to \$40. But by the end of 1999 cardboard shot up to \$85 per ton. It can be a real roller coaster."

While the market's value for recycled goods may vary, one area which remains constant is recycling's value to the environment, George said.

Besides helping to extend the life of landfills, products produced from recycled materials are made using far less energy than products made with virgin material.

"If you add up all the different paper materials and you multiply that amount by 2.5 tons, that would be the amount of carbon that's saved from being put into the atmosphere through recycling," George added.

"Compared to virgin paper materials, recycled paper takes a fraction of the amount of energy to produce," she said. "For every ton of paper recycled, there are 2.5 less tons of carbon put into the atmosphere... so that's a lot less CO₂ (carbon dioxide) or greenhouse gasses."

Commissioner discusses improvements to proposed solid waste disposal plan

By Amy Soper
Staff Writer

CADILLAC — The Wexford County Solid Waste Management Committee will submit proposed changes to a preliminary plan for solid waste management to the board of commissioners for approval by early March.

The commissioners voted against an earlier plan in a 4-4 vote because it didn't include enough emphasis on recycling. The Solid Waste Management Committee will send their amended preliminary plan to the

Board of Public Works for review and then to the county commissioners for approval.

"Those who voted in favor of it thought the plan had adequate and ample opportunity for recycling," said commissioner Bob Lee, who attended the waste management committee meeting. "Those who voted 'no' wanted additional recycling."

Lee suggested ways to gain the five votes needed for approval of the plan. The original draft of the plan called for an increase in landfill tipping

fees and for recycling drop-off sites to be created in area communities.

Lee said a percentage — up to 10 percent — of tipping fees could be set aside for recycling. He also suggested placing more emphasis on recycling in the language of the plan.

"My interest is to get this approved by the county board. It only needs one more vote from the board to pass," Lee said. "I'm confident if you accept what I've mentioned you will have the necessary vote."

The committee approved Lee's sug-

gestions and also changed the plan to allow individual municipalities to vote on whether they will participate in recycling programs.

"We can't mandate to municipalities," said Gary Fuller, director of the Department of Public Works. "We can only suggest."

Fuller said a \$12 million reserve created through tipping fees was designed to be used for long-term maintenance of the landfill and development of recycling programs.

If the revised draft of the plan is

approved by the county commissioners, it will go to all municipalities for approval by their governing bodies. If the plan is denied, the county commissioners must adopt its own version in accordance with Michigan Department of Environmental Quality policy.

A plan approved by 67 percent of municipalities would be submitted to the DEQ for final approval. If voted down by the municipalities, the DEQ would prepare its own plan for the county. ■

1-19-2000

Increased recycling may extend life of Wexford County landfill

County board, committee to review revised solid waste management plan

By Amy Soper
Staff Writer

CADILLAC — An aggressive recycling plan may gain a couple more years of life for the Wexford County Landfill.

The solid waste management planning committee is in the process of reviewing a preliminary plan for solid waste management in the county — a plan in which the Wexford County Board of Commissioners want to see more provisions for recycling.

“The board asked for a revised plan,” said county administrator Tim Dolehanty. “We wanted it to be opened up more to Wexford County residents.”

The board will be given preliminary information at its 7 p.m. meeting today at the Wexford County Courthouse. The solid waste management planning committee will meet at 6 p.m. Thursday at the Department of Public Works to discuss the plan.

Dolehanty said there are two recycling options the board would like to see implemented. Drop-off sites with specific days and hours for operation could be created in each township or a more permanent site open 24 hours a day, could be used.

Recycled items such as newsprint, which may be used for bedding or paper towels, will keep that material

‘The board asked for a revised plan. We wanted it to be opened up more to Wexford County residents.’

Tim Dolehanty,
Wexford County administrator

from going into the landfill.

“There are about 15 years left until we fill the landfill,” Dolehanty said. “Recycling may gain us a couple more years of use out of the landfill.”

According to the 1989 Wexford County solid waste management plan, 41 percent of waste generated could be recycled including newsprint, cardboard, office paper, brown paper, glass, aluminum, tin and plastics.

Some barriers to implementing an expanded recycling plan may include fluctuating market prices for materials, lack of door-to-door pickup, willingness to separate waste, placement of drop-off sites, financial support and hauling.

Currently, Wexford County residents may recycle used oil, batteries and metals at the Wexford County Landfill. Materials such as paper, cardboard and plastics may be dropped off for recycling at the Waste Management Recycling Facility just north of 13th Street. ■

Wexford County officials study recycling options

Commissioners rejected plan in October, saying it didn't address problem thoroughly

By Jenny Gray
Staff Writer

CADILLAC — There are several options officials may look to in setting up a recycling program in Wexford County.

One could involve a partitioned truck that could be driven to certain locations and parked.

"People could drop things off when the truck is parked there," said Wexford County Administrator Tim Dolehanty.

"It's been done in Manistee County, and it works. It does do the job," said Wexford County's MSU Extension Director Kurt Schindler, previously a planner in that county who helped set up its recycling program.

A survey was conducted in Manistee County, and officials learned that residents believed the truck wasn't a sufficient service.

The drawback: "No matter how well you publicized it, people couldn't remember where it was on what day and at what time," Schindler said. "That became problematic with the system."

Stationary sites are also an option,

such as the one presently located on South 39 1/4 Road, north of West Thirteenth Street.

Although the site is maintained by Waste Management, the county pays about \$4,000 a month to provide the service, and owns two of the bins in which residents place items to be recycled.

The two bins were previously owned by Walmart, who gave them to the county.

"It's a simplistic operation," said Gary Fuller, director of the county's Department of Public Works. "There are two ladies here on Saturdays that help direct people. I worked here two Saturdays when it got going."

Residents may take paper products such as newsprint or corrugated items, plastic such as milk jugs, tin and aluminum foil, and glass to this location on Saturday mornings for recycling.

Old tires, engine oil, batteries and metal may be taken to the county landfill on U.S. 131 between Cadillac and Manton for recycling.

Schindler said he prefers the system Emmet County developed.

"It's recognized pretty widely as an excellent model for a county with a smaller population," he said.

Emmet County has permanent, unmanned recycling stations.

"The biggest concern that you always

Wexford County landfill

Hours: Monday through Friday from 8 a.m. - 4:30 p.m., and the fourth Saturday of every month from April to October.

Recycling center: 39 1/4 Road is open 9 a.m. - 3 p.m. Saturdays.

hear about unmanned collection trailers is mixing (recyclables) and dumping at drop-offs, but when you go to Emmet County and ask them, they say it just doesn't happen," Schindler said.

He said Manistee County tested permanent containers, and there was little mixing and no dumping.

"We repeated the experiment in various communities (Wellston, Portage Lake and Manistee)," he said. The problems still never occurred.

"On that basis, I guess that's my bias," Schindler said. "(The stations are) there all the time; people can recycle at any time."

Permanent stations are best used when they are located at shopping centers and parking lots of grocery stores.

See Commissioners on A2



Jenny Gray/Cadillac News

Seagulls over the landfill look for edibles as a compactor truck molds garbage into a new landscape.

Commissioners study recycling options

Continued from A1

Schindler said he'd like to see permanent recycling stations located in every Wexford County community. In communities that have established recycling centers, customers are not charged.

"From a recycling standpoint, trying to reduce the amount of what you throw away is the object," Schindler said. "Garbage costs money. You pay more as you throw away more."

Currently, commissioners are gathering ideas for the countywide recycling program to submit to Dolehanty. Commissioner Fran Okoran suggested that recycling be tied into spring cleanup days held annually in Wexford County communities, he said.

Dolehanty will give the suggestions to a DPW committee to design a plan, and that will be presented to county commissioners for approval soon.

A solid waste plan was presented to Wexford County commissioners and rejected in October because some commissioners believed it didn't address thoroughly enough the issue of a county recycling program.

"I believe my vote rejecting the Solid Waste Management Plan as presented was a message to the community that we will no longer accept the status quo when it comes to recycling," said commissioner Gary Gilmore of Manton. "We will no longer accept minimal efforts in this area. I believe that now is

the time, not sometime in the future, to take an aggressive and proactive posture with regard to recycling."

Gilmore said his family, including his children, already recycle.

"The county and the DPW specifically owe it to our citizens to provide easier access to recycling sites," Gilmore said. "I want to see recycling sites county-wide. Waste prevention is earth-friendly."

Recycling will go a long way toward extending the life of the county landfill, about 10 to 12 years, officials said.

"We, as a county government, must encourage and make as user-friendly as possible the ability to recycle," Gilmore said. ■

Solid waste plan returned for retooling by DPW

By Chris Copley
Staff Writer

CADILLAC — At the most recent meeting of the Wexford County Board of Commissioners, the proposed county solid waste plan was sent back for revisions. Commissioners objected to the proposed recycling plan in the plan.

State law requires each county to revise its solid waste disposal plan every five years. According to statute, a 14-member committee must be appointed by the county commissioners to put together a proposed plan. The county commissioners must approve the proposal, which must also be approved by at least 60 percent of a county's

townships. In Wexford County, that means 10 of 16 townships.

Wexford County Administrator Tim Dolehanty said he would meet with Gary Fuller, director of the Wexford Department of Public Works, and Wexford County MSU Extension director Kurt Schindler to work out a revised plan.

Schindler, a specialist in civic planning, was at the Oct. 20 meeting at which the commissioners rejected the proposed recycling plan. He said the commissioners felt the DPW's proposed plan was not "aggressive" enough.

"At least two commissioners spoke passionately about this," Schindler said. "They feel there really

should be more opportunities for recycling than currently exist."

Schindler agreed. He referred to the recycling program in Emmet County, which includes the towns of Petoskey, Harbor Spring and Mackinaw City. He said the two counties were similar in their tax base and population and theoretically should be able to support similar recycling programs.

"(Emmet officials') philosophy is that throwing garbage away should pay for recycling," Schindler said. "Recycling is free. So there's an economic incentive: If you don't want to pay for garbage disposal, you have another alternative."

One thing he saw in Emmet County was the use of eight custom-designed recycling materials-collecting containers. Designed to be stand-alone unmanned units, the containers are constructed to prevent people from dumping garbage in the recycling bins.

Schindler said he would suggest Wexford County officials look to Emmet County as an example of what can be done to encourage residents to recycling.

The revised solid waste plan will be resubmitted to the county commissioners at either their Nov. 17 meeting or their Dec. 1 meeting, according to Dolehanty. ■

Commission rejects proposed recycling plan

By Jenny Gray
Staff Writer

CADILLAC —The county board of commissioners sent a proposal for a recycling program back to the drawing board of the Wexford County Department of Public Works.

Commissioners discussed the issue Wednesday night as they considered approving the Wexford County Solid Waste Management Plan.

Currently, items for recycling may be dropped off at West Michigan Disposal's facility at 4785 South 39 Road from 9 a.m. to 3 p.m. Saturday. Townships wishing to get their own drop-boxes may contact the DPW.

The cost of maintaining the current station is about \$4,000 a month for equipment, manpower and transportation to market, usually in Grand Rapids. A county-wide program will probably involve similar stations because private sector businesses are not interested in offering curbside recycling services, DPW Director Gary Fuller said.

"It's a costly venture," Fuller said. "We applied three times for grants from the state. They were not

successful. The money mostly went to southeast Michigan."

Materials that commissioners would like to see recycled include aluminum, tin, glass, plastic, newsprint and corrugated papers such as cardboard.

Recycling of these materials will extend the life of the county landfill by reducing the amount of refuse deposited there.

"The issue of recycling has not been discussed by the board," said commissioner Bob Lee. "This board needs to get serious about recycling."

The board rejected the initial plan by a 4-4 vote. Commissioner Dick Hill said he did not think the proposed solid waste plan was aggressive enough toward recycling.

Commissioners will give suggestions for improving the solid waste management plan to county administrator Tim Doléhanty, who will then present them to Fuller.

Once a plan is approved, Fuller will present it to all Wexford County townships. Approval is needed from 60 percent of the townships, he said. ■

SEPTEMBER 18-19, 1999--CADILLAC NEWS--A3

Few changes to county plan

By Michele Johnson
News Editor

CADILLAC — Most likely, Gary Fuller will be in a meeting by himself on Tuesday.

As Wexford County Public Works director, Fuller is required to hold a public hearing on the county's solid waste management plan. It's just one of many steps in the process before Fuller submits the plan to the Michigan Department of Environmental Quality.

Yet the "plan" is to keep on keeping on, Fuller said.

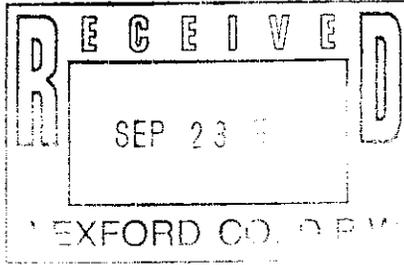
"It's pretty much to keep the status quo," he said.

The landfill on U.S. 131 between Cadillac and Manton has 10 to 13 years of life left before immediate changes are necessary, Fuller said. Even after that period, there is additional space available.

But the public is welcome to comment Tuesday, beginning at 7 p.m. at the DPW office, 3161 S. Lake Mitchell Dr.

Following the hearing, Fuller is required to take the plan to 16 townships and various other municipalities for approval. Once a majority of governing bodies approve the plan, he can send it to the DEQ for that body's approval.

Copies of the plan are available for public review at various locations: Cadillac-Wexford County Public Library, county clerk's office, road commission building, building and zoning department, District No. 10 Health Department, Cadillac City Hall, Manton City Hall, and in village offices in Mesick, Harrietta and Buckley. ☼



**NOTICE OF
PUBLIC HEARING
WEXFORD COUNTY
DEPARTMENT OF
PUBLIC WORKS**

Pursuant to Part 115 of PA 451 of 1994, as amended, the Wexford County Department of Public Works, acting as the Designated Planning Agency, will conduct a Public Hearing to receive comments on the draft update of the County Solid Waste Management Plan. The hearing will be held on Tuesday, September 21, 1999, 7:00 p.m., at the Department of Public Works offices, 3161 South Lake Mitchell Drive, Cadillac, MI 49601.

Any written comments regarding the draft plan should be submitted to the DPW at the above address prior to the hearing date.

Copies of the plan are available for review at the following locations: the County Library; Clerks Office; Road Commission; Building and Zoning Department; Health Department; the City Hall in Cadillac and Manton; the Villages of Messick, Harrietta and Buckley; all Township Supervisors and the Department of Public Works.

For additional information please call (231) 775-0155.

Wexford County Department of Public Works
September 14

PROOF of PUBLICATION

STATE OF MICHIGAN)
County of Wexford) SS

Tonia Hartline of Cadillac News a paper published in the County of Wexford and circulated in the Counties of Wexford, Missaukee, Osceola and Lake; being duly sworn, deposed and says she is the accounting clerk of said newspaper and that the annexed notice has been duly published in said paper once and that publication thereof was on the 14th day of September A D 1999

Tonia Hartline
Subscribed and sworn to before me this 15th day of September A D 1999

Christal Gaster

Notary Public Osceola County Michigan.
My Commission Expires: January 7 2004

WEXFORD COUNTY
DEPARTMENT OF
PUBLIC WORKS

Notice Of Public Comment
On The Proposed Wexford
County Solid Waste
Management Plan Update

The Wexford County Solid Waste Management Planning Committee has adopted a proposed update of the County Solid Waste Management Plan at its regular meeting conducted on December 3, 1998

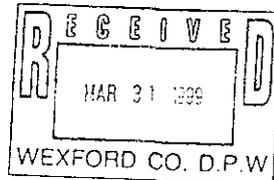
Section 324 11535 of Part 115 of Act 451 P.A. 1994 provides for a three (3) month public review and comment period prior to a public hearing and adoption of the plan by the Board of Commissioners and at least 67% of the municipalities in the County. The date, time and location of the Public Hearing will be published on a later date The public comment period shall be from April 1, 1999 through June 30, 1999 During this time copies of the proposed plan may be reviewed at the following locations during regular business hours:

County Library, County Clerks Office, County Road Commission, County Building And Zoning Department, County District Health Department #1, City Hall - Cadillac, City Hall - Manton, Villages of Mesick, Harrietta and Buckley (Contact Village Presidents), Each Township Supervisor, County Department Of Public Works

Copies of the proposed plan can be purchased at cost from the Wexford County Department of Public Works, 3161 S Lake Mitchell Drive, Cadillac, Michigan 49601, Telephone 775-0155

Written comments on the plan should be submitted to the Department of Public Works at the above address and will be accepted through June 30, 1999.

Gary R. Fuller, Director,
Wexford County Department
of Public Works and Solid
Waste Management Planning
Agency
March 29



PROOF of PUBLICATION

STATE OF MICHIGAN |
County of Wexford | SS

Sally Miles of the Cadillac News a paper

published and circulated in the County of Wexford being duly sworn deposes and says she

is the accounting clerk of said newspaper and that the

annexed notice has been duly published in said paper once and that publication thereof

was on the 29 day of March A D 1999

Sally Miles

Subscribed and sworn to before me this 29 day of

March A D 1999

John M. Simon

Notary Public Wexford County Michigan

My Commission Expires

June 6, 1999

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

**NOTICE OF PUBLIC COMMENT ON THE PROPOSED
WEXFORD COUNTY SOLID WASTE MANAGEMENT PLAN UPDATE**

The Wexford County Solid Waste Management Planning Committee has adopted a proposed update of the County Solid Waste Management Plan at its regular meeting conducted on December 03, 1998.

Section 324.11535 of Part 115 of Act 451 P.A. 1994 provides for a three (3) month public review and comment period prior to a public hearing and adoption of the plan by the Board of Commissioners and at least 67% of the municipalities in the County. The date, time and location of the Public Hearing will be published on a later date. The public comment period shall be from April 01, 1999 through June 30, 1999. During this time copies of the proposed plan may be reviewed at the following locations during regular business hours:

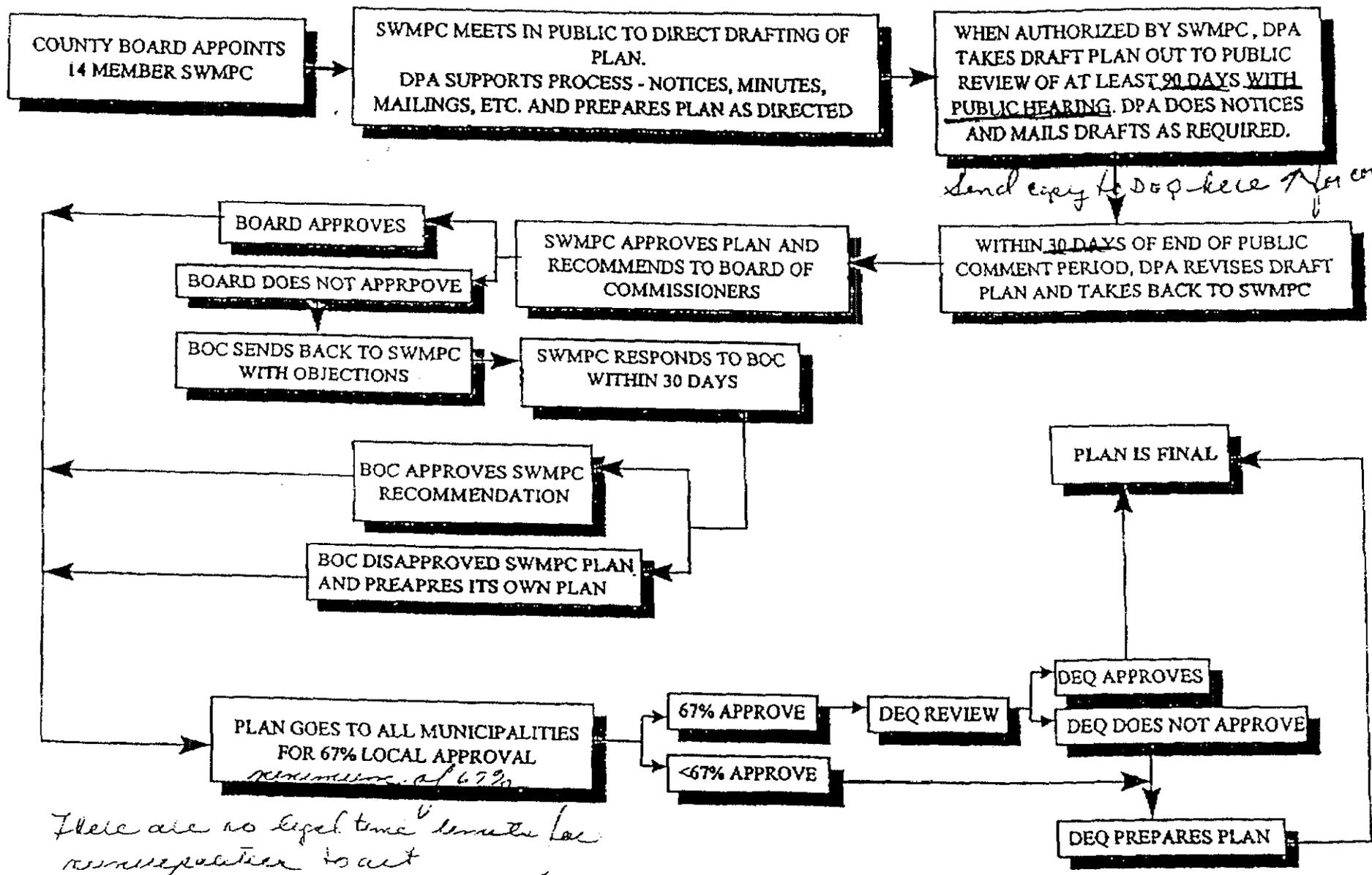
COUNTY LIBRARY
COUNTY CLERKS OFFICE
COUNTY ROAD COMMISSION
COUNTY BUILDING AND ZONING DEPARTMENT
COUNTY DISTRICT HEALTH DEPARTMENT #1
CITY HALL - CADILLAC
CITY HALL - MANTON
VILLAGES OF MESICK, HARRIETTA AND BUCKLEY
(CONTACT VILLAGE PRESIDENTS)
EACH TOWNSHIP SUPERVISOR
COUNTY DEPARTMENT OF PUBLIC WORKS

Copies of the proposed plan can be purchased at cost from the Wexford County Department of Public Works, 3161 S. Lake Mitchell Drive, Cadillac, Michigan, 49601 Telephone 775-0155.

Written comments on the plan should be submitted to the Department of Public Works at the above address and will be accepted through June 30, 1999.

Gary R. Fuller, Director
Wexford County Department of Public Works
and Solid Waste Management Planning Agency

May be used as a general reference (8)



There are no legal time limits for municipalities to act

PLAN APPROVAL PROCESS

PUBLIC PARTICIPATION

PUBLIC INVOLVEMENT PROCESS: A description of the process used, including dates of public meetings, copies of public notices, documentation of approval from solid waste planning committee, County board of commissioners, and municipalities.

PLAN PREPARATION AND APPROVAL PROCESS

The following is an outline of the procedures taken for preparation of the Wexford County Solid Waste Management Plan Update:

1. The Board of Commissioners appointed the fourteen (14) member Solid Waste Management Planning Committee (SWMPC) and named the Department of Public works (DPW) as the Designated Planning Agency (DPA).
2. The SWMPC with support from the DPA held meetings subject to Open Meetings Act, 1976 pa 267, as amended and prepared a draft plan.
3. The SWMPC approved release of the draft plan for public review and comment.
 - a. DPA submitted draft plan to Board of Public Works for review/comment.
4. The SWMPC/DPA issued a public notice and held a 90-day comment period and public hearing on the draft plan.
 - a. DPA submitted a copy of draft plan to reviewing agencies.
5. After considering public comment, the SWMPC and DPA revised the plan and recommended plan for approval by the Board of Commissioners within 30 days of end of 90-day public comment period.
6. The Board of Commissioners approved the plan on _____, 1999
7. The plan was submitted to all municipalities for approval by their respective governing bodies.

SOLID WASTE MANAGEMENT PLAN

ADDITIONAL MAILINGS FOR 3 MONTH REVIEW PERIOD

1. Jim Lively, NWMCOG
2. Ms. Jan Sealock, Michigan Department of Environmental Quality, Solid Waste Planning Coordinator
3. Trudy J.C. Galla, AICP
Leelanau Planning Director
4. Christy Lee Maitland, Assistant Planner, Manistee Planning Department
5. Douglas A. Bell AICP, Committee Planning Consultant
Clare
6. Ms. Dawn M. Mills, Missaukee County Planner
7. Mr. Phil Roycraft, P.E., District Supervisor
Michigan Department of Environmental Quality
8. Nick Evers, AICP, Director of Planning
Gove Associated, Inc. (Notice only)

March 26, 1999

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

NOTICE

**WEXFORD COUNTY SOLID
WASTE MANAGEMENT PLANNING COMMITTEE**

The next meeting of the Wexford County Solid Waste Management Planning Committee will be held on Thursday, January 20, 2000 at 6:00 P.M. at the Department of Public Works Office, 3161 South Lake Mitchell Drive, Cadillac, Michigan (231) 775-0155.

William McNitt, Chairman

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

NOTICE

WEXFORD COUNTY SOLID WASTE
MANAGEMENT PLANNING COMMITTEE

THE NEXT MEETING OF THE WEXFORD COUNTY SOLID WASTE MANAGEMENT PLANNING COMMITTEE WILL BE HELD THURSDAY, DECEMBER 3, 1998, 6:00 P.M. AT THE DEPARTMENT OF PUBLIC WORKS OFFICE, 3161 SOUTH LAKE MITCHELL DRIVE, CADILLAC, MICHIGAN (616) 775-0155.

WILLIAM McNITT, CHAIRMAN

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

NOTICE

WEXFORD COUNTY SOLID WASTE
MANAGEMENT PLANNING COMMITTEE

THE NEXT MEETING OF THE WEXFORD COUNTY SOLID WASTE MANAGEMENT PLANNING COMMITTEE WILL BE HELD THURSDAY, SEPTEMBER 17, 1998 6:00 P.M. AT THE DEPARTMENT OF PUBLIC WORKS OFFICE, 3161 S. LAKE MITCHELL DRIVE, CADILLAC, MICHIGAN (616) 775-0155.

WILLIAM McNITT, CHAIRMAN

Wexford County Department of Public Works

3161 South Lake Mitchell Drive

Cadillac Michigan 49601

Telephone Area 616 775-0155



NOTICE

WEXFORD COUNTY SOLID WASTE MANAGEMENT PLANNING COMMITTEE

THE NEXT MEETING OF THE WEXFORD COUNTY SOLID WASTE MANAGEMENT PLANNING COMMITTEE WILL BE HELD TUESDAY, JULY 28, 1998, 7:00 P.M. AT THE DEPARTMENT OF PUBLIC WORKS OFFICE, 3161 S. LAKE MITCHELL DRIVE, CADILLAC, MICHIGAN (616) 775-0155.

WILLIAM McNITT, CHAIRMAN

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

NOTICE

WEXFORD COUNTY SOLID WASTE
MANAGEMENT PLANNING COMMITTEE

THE NEXT MEETING OF THE WEXFORD COUNTY SOLID WASTE MANAGEMENT PLANNING COMMITTEE WILL BE HELD TUESDAY, JUNE 09, 1998, 7:00 P.M. AT THE DEPARTMENT OF PUBLIC WORKS OFFICE, 3161 SOUTH LAKE MITCHELL DRIVE, CADILLAC, MICHIGAN (616) 775-0155.

WILLIAM McNITT, CHAIRMAN

Notices **029**

NOTICE

**WEXFORD COUNTY SOLID
WASTE MANAGEMENT
PLANNING COMMITTEE**

The next meeting of the Wexford County Solid Waste Management Planning Committee will be held on Thursday, January 20, 2000 at 6:00 P.M. at the Department of Public Works Office, 3161 South Lake Mitchell Drive, Cadillac, - Michigan (231) 775-0155.

The next meeting of the
Solid Waster Manage-
ment Planning Committee
is scheduled for Thurs-
day, December 3, 1998,
6pm at the Wexford
County Department of
Public Works Office,
3161 South Lake Mitchell
Drive, Cadillac.

The next meeting for the Wexford County Solid Waste Management Planning Committee will be held ~~Monday~~ Tuesday, September 17, 1998, 6:00 P.M. at the Department of Public Works Office, 3161 S. Mitchell Drive, Cadillac,

C-4-CADILLAC EVENING NEWS-JULY 1, 1998-WED.

BUSINESS BRIEFS 251

The next meeting for the Wexford County Solid Waste Management Planning Committee will be held Tuesday, July 28, 1998, 7:00 P.M. at the Department of Public Works Office, 3161 S. Mitchell Drive, Cadillac, Michigan (616) 775-0155

WEXFORD COUNTY BOARD OF COMMISSIONERS

Regular Meeting * Wednesday, March 01, 2000

Meeting called to order at 7:00 p m. by Chair Kelley.

Roll call: Present-Commissioners Barnes, Gilmore, Harvey, Lee, Devereaux, Okoren and Kelley;
Absent-Commissioner Hill.

Pledge of Allegiance

Additions/Deletions to the Agenda - None.

MOTION by Comm Barnes with the support of Comm Gilmore to approve the agenda as presented.

All in favor.

Approval of Minutes

1. February 16, 2000

MOTION by Comm Lee with the support of Comm Barnes to approve the minutes of February 16, 2000 regular meeting, as presented.

All in favor.

Public Comments - None

Agenda Items

1. Human Resources and Operations Committee
 - a. Draft Policy C-9.0: Collective Bargaining

Board members were provided with a draft of policy C-9.0 for their review. They agreed to strike the first sentence on the second page and to amend the second sentence as follows: "The County intends to maintain pay ranges which are consistent with the economic and financial position of the County, yet competitive with those paid by other public/private labor market employers for comparable work.

MOTION by Comm Gilmore with the support of Comm Lee to move to adopt Policy C-9.0, as amended, as the official collective bargaining policy for Wexford County.

Roll call: Motion approved unanimously.

2 Finance Committee

a. Civic Center Entertainment Contract

As General Manager, Mari Jo Ashbay was able to secure a concert performance at the Civic Center after her recent trip to Detroit. If approved at tonight's meeting, the concert will be held June 1st at 8:00 p.m. with the Kinley's as the warm up group and Brad Paisley as the main group. The contracted price would be \$30,000 with an expected net of \$37,800 along with 20% of promotional sales and the revenue from the concessions. A deposit of \$15,000 must be paid by May 1st. The Civic Center will be working with WTCM to promote the concert. Ticket sales will begin within the next couple of weeks.

MOTION by Comm Barnes with the support of Comm Devereaux to approve the Civic Center entertainment contract, as negotiated by the Civic Center General Manager and the County Administrator, for a country music concert to be held on June 1, 2000, for a cost not to exceed \$30,000.

Roll call: Motion approved unanimously.

b. Zamboni Fund Raiser

Board members were provided for a format in their packet tonight detailing the fund raising efforts for the Zamboni. The kick off will be March 18th with all funds generated going toward this project.

MOTION by Comm Barnes with the support of Comm Devereaux to move the approval of the Zamboni fund raiser project, as presented.

Other fund raiser events are being placed.

Roll call: Motion approved unanimously.

3. Department of Public Works RE: Solid Waste Management Plan

Board members were provided with a copy of the "Solid Waste Management Plan - 2000 Update" for their review. Gary Fuller, Director of the Department of Public Works, was present and stated the document speaks for itself. This document does have some teeth in it which is what the board wanted to see.

MOTION by Comm Lee with the support of Comm Barnes to approve the Solid Waste Management Plan 2000 Update, as presented.

Roll call: Motion approved unanimously.

4. Planning Commission

a. Zoning Ordinance Amendment to Address Adult and Sexually Oriented Businesses

A commissioner felt the sign regulation and spacing requirement was fine; however, other sections of this proposed ordinance may open the door to possible lawsuits. One area he questions is the statement that the property values will go down when, after a check of the records, it shows they have increased in value. If we must go to court over this issue, it may end up costing the taxpayers a lot of money. Another area of concern is the statement that the business cannot sell alcohol and yet the state licenses some of these businesses to sell alcohol. There is another section that states the business shall be closed at 10:00 p.m., yet the state licenses some of the businesses to be open until 2:00 a.m. In Lansing now there is a package of bills making their way through the legislature dealing with this issue. He questioned how one state department licensing and authorizing a business to operate until 2:00 a.m. while another part of government is trying to tell them they must be closed by 10:00 p.m. It is an area open for a lawsuit. They are trying to deal with it in Lansing. Let them iron out the bugs and pay the legal fee before we get involved with it.

Tim Evans, Director of Planning, felt Wexford County was in an advantageous position because other counties and municipalities have been run through the ringer on these sexually oriented businesses. Wexford County does not have an ordinance to regulate Sexually Oriented Businesses. Other townships in northwestern Michigan have been run through the mill on these types of issues. As a result of all these court cases, rulings have been made by the courts. The Supreme Court has ruled that these types of businesses are protected under the first amendment right. It is accepted that you can't totally band their business.

This ordinance was recently reviewed by our county counsel, Cohl and Stoker, and they would defend it. After their review, it was felt that the proposed text is not a violation of the first amendment rights and otherwise does comport with due process protection requirements. Mr. Evans feels that based on our county's legal opinion, he feels this is a good ordinance and it can be defended if we do end up in court. Mr. Evans also feels that many of the communities are trying to react to these types of businesses without an ordinance in place and then they end up in court. We have borrowed from ordinances tested in court and amended it to address issues such as signs. Our county counsel has reviewed it and has given it a thumbs up. The Planning Commission is recommending that this board approve it and that it be sent to the state and become part of our ordinance.

A commissioner felt that within two/three months the State would come along with many new laws and legislation. Mr. Evans felt the State would be more restrictive than what we have. Board members were reminded that the county has the ability to amend the ordinance once it is adopted to comply with the ruling from the state that may come from the lawsuits.

Board members were informed that this ordinance would effect new businesses only. It is the Planning Director's understanding that old businesses are grand fathered in under the

ordinance and if the business is sold, the new ordinance has no effect on the old business. Currently, there are two sexually oriented businesses: one in Haring and one in the City. This new ordinance would have no effect on these because the City and Haring have their own zoning.

MOTION by Comm Devereaux with the support of Comm Barnes to approve Resolution No. 00-04 amending the Wexford County Zoning Ordinance to Include new regulations on adult and sexually oriented business.

Roll call: Motion passed 6-1 with Commissioner Lee voting against the motion.

- b. Zoning Ordinance Amendment to Re-zone 1.71 Acres from Agricultural-Residential to Commercial-1

The 1.71 acre parcel is located in Wexford Township between two commercial zones. With the other properties located within the area, this is a sort of in fill type of request. They are asking for the same type of zoning as the property located immediately adjacent to the north of them. The master plan shows this area for commercial use. One private land owner in the area expressed some concern about the re-zoning and the Planning Commission addressing those concerns.

MOTION by Comm Barnes with the support of Comm Lee to approve Resolution No. 00-05 amending the Wexford County Zoning Ordinance to re-zone 1.71 acres from Agricultural-Residential to Commercial-1.

Roll call: Motion approved unanimously.

- c. Zoning Ordinance Amendment to Re-zone 80 Acres from Agricultural-Residential to Forest-Recreational

The Planning Commission is asking for the approval of this re-zoning request for property located in Cherry Grove Township based on the existing use of the property and the historical use of the property along with the suitability use of the property to accommodate the special uses that would be allowed in this Forest - Recreational. This zoning change would bring the property in compliance with what the property is being used for.

MOTION by Comm Devereaux with the support of Comm Gilmore to approve Resolution No. 00-06 amending the Wexford County Zoning Ordinance to re-zone 80 acres from Agricultural-Residential to Forest Recreational.

Roll call: Motion approved unanimously.

5. Appointments

a. Planning Commission

No action was taken at this time

b. Board of Public Works

Chairman Kelley nominated Mike Flint to a one year term.

MOTION by Comm Lee with the support of Comm Barnes move the appointment of Mike Flint to the Board of Public Works for a one year term.

Roll call: Motion approved unanimously.

c. Friend of the Court Citizens Advisory Committee Terms of Office

Board members were provided with a handout outlining the term limits for each of the positions within the FOC Citizens Advisory Committee. Chair Kelley pointed out that the Board was very close to having someone from the mental health field appointed. Two commissioners have very good leads on interested persons.

MOTION by Comm Devereaux with the support of Comm Gilmore to approve the term limits for the Friend of the Court Citizens Advisory Committee, as presented.

Roll call: Motion approved unanimously.

Correspondence

1. Board Committee Goals and Time Lines
2. Cadillac-Wexford Transit Authority RE: Act 196 Work Session
3. Cadillac-Wexford County Public Library RE: Termination of Efforts to Form a District Library
4. Meeting Schedule for Standing and Special Committees, Board and Commissions

Reports from Committees - None

Reports from Liaisons - None

Public Comments - None

Board Comments

Comm Okoren stated Mari Jo Ashbay is doing a fine job at the Civic Center. She felt

Ms. Ashbay was a good choice.

Comm Barnes informed the Board that North Flight did appear before Finance to try and come up with some solutions to their problems. They are looking at a deficit and are looking at the county for some relief.

Comm Harvey would like to congratulate Jim Ray, the Emergency Management Director, for all his hard work. He felt Mr. Ray had brought the Emergency Management program a long way. He further stated that he agreed with most of Resolution 00-04, but has some questions on things like the discussion on hours.

Comm Lee concurred with Comm Okoren on Mari Jo Ashbay's work at the Civic Center. He questioned whether or not the Board had received her last report. Adm. Dolehanty said it had been shared.

Chairman's Comments

With Comm Hill's absence, Chair Kelley would like to appoint Comm Lee as Chairman of the Building and Recreation Committee. He, too, mirrors Comm Harvey's comments on Mr. Ray. He felt he was doing a good job as the Emergency Management Director.

Chairman Kelley liked what he was seeing in goal setting throughout the committees and felt all were working hard.

Adjournment

MOTION by Comm Lee with the support of Comm Barnes to adjourn at
7:47 p.m.

All in favor.

Darrell Kelley, Chairman


Elaine Richardson, County Clerk

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

February 17, 2000

Mr. Timothy J. Dolehanty, AICP
County Administrator
Wexford County
437 East Division Street
Cadillac, Michigan 49601

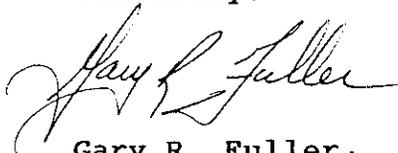
RE: Solid Waste Management Plan Amendments

Dear Mr. Dolehanty:

Enclosed for consideration by the Board of Commissioners please find one (1) copy of the pages that were amended by the Solid Waste Management Planning Committee in conformance with the October 20, 1999 directive from the Board.

If you have any questions please do not hesitate to contact me or the chairman of the committee.

Sincerely,



Gary R. Fuller,
Director

GRF/pal

encl: (1)

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

Minutes of the Regular Meeting of the Wexford County
Solid Waste Planning Committee Held January 20, 2000
6:00 P.M. at the Department of Public Works Office
3161 S. Lake Mitchell Drive, Cadillac, Michigan

MEMBERS PRESENT: Robert Johnson, William McNitt, Robert Mackey
Erik Olson, Jerry Richards, Molly Whetstone
and John Robbins

MEMBERS ABSENT: Roy Britton, Rich Cronkhite, Merle Harmon
Diane Roycraft, Robert Chomic, Jim Lively

ALSO PRESENT: Gary Fuller, DPW Director, Patricia Laskey
and Sally Straight, DPW; Nick Evers, Gove
Associates; Amy Soper, Cadillac Evening
News; Bob Lee, Wexford County Board of
Commissioners and Steve Esling, Resident

Meeting delayed until 7:10 P.M. when member John Robbins arrived for a quorum.

Changes:

Mr. Bob Lee:

First page - Move last paragraph to 1st point under Major Conclusions
(more emphasis on recycling)

Page II-10

1st Paragraph - Leave lined out words in paragraph.

3rd Paragraph - Word left out

5th Paragraph - Third sentence (increased tipping fees) replace that with
set up to 10% aside to help support additional recycling. Balance of paragraph
where lines are crossed out - fine.

6th Paragraph - Ok as presented. Tail end of paragraph crossed out lines that
start (as well) leave crossed out.

Page II - 13

Change Alternate #2 to Alternate #1

Page III - 3

Changes ok.

Page III - 15

Changes ok.

Page III - 25

Changes ok.

Page III - 27 4th paragraph - Reference to increased fees replace with set up to 10% aside for additional recycling

Page A - 2 Paragraph under Proposed Programs - changes ok

Page A - 3

Changes ok

Page A - 3a

Changes ok

Page A - 8 Paragraph #3 - Item #5 reference to tipping fee replace with set up to 10% aside for additional recycling

Page A - 9

Changes ok

Page A - 10

Advantages #3 Reference to tipping fees replace with set up to 10% aside for additional recycling.

Mr. Robert Johnson:

Page 2 - 10 2nd paragraph Cities of Cadillac - Manton could change to Cities of Cadillac - Manton may initiate.

Ms. Molly Whetstone:

Page III - 6 delete named entities and include in sentence with local municipalities approval (bottom of page right hand side under other) Show that we are not superceding local authority.

Page III - 15 3rd paragraph delete specific named entities and add with local municipalities approval.

A - 3 last paragraph. Delete sentence beginning with This site to end of sentence. (Under Proposed Program) after City of Manton add with local Municipalities approval.

Mr. Erik Olson:

Hayes-Lemmerz would like to have a Type III landfill if foundry sand could be labeled inert. Meyer Construction has gravel pit in Wexford County and wants license that as Type III landfill.

Amount of foundry sand going into the Wexford County Landfill will triple by June, 2000.

General consensus of committee to allow development of Type III landfill in the SWMP if the DEQ would allow it to be in the plan.

Mr. Nick Evers to make all incorporate all changes made by the committee and will have a draft with changes back to DPW by 1st of February.

Motion made by Jerry Richards and seconded by Molly Whetstone to approve all the revisions as stated.

Unanimous "Aye".

Amendment pages to be approved by BPW and then final document to be presented to the Wexford County Board of Commissioners for their approval.

Motion made by Jerry Richards and seconded by Robert Johnson for ajournment.

Unanimous "Aye".

Meeting adjourned 7:51 P.M.

William McNitt,
Chairman

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

MINUTES OF THE REGULAR MEETING HELD SEPTEMBER 21, 1999, 7:00 P.M.
DPW OFFICE, 3161 S. LAKE MITCHELL DRIVE, CADILLAC, MICHIGAN

MEMBERS PRESENT: BARNES, LINDBERG, LINN, MCCAIN, MCGRATH
OLIVER, MACKEY

MEMBERS ABSENT: NONE

ALSO PRESENT: GARY R. FULLER, DPW DIRECTOR

Meeting called to order by Chairman Mackey at 7:00 P.M.

FIRST ITEM ON AGENDA: PUBLIC HEARING - SOLID WASTE MANAGEMENT PLAN

Motion made by Lindberg and seconded by Linn to open Public Hearing regarding
the Wexford County Solid Waste Management Plan.

Yes: Linn, McCain, Oliver, McGrath, Lindberg, Barnes, Mackey

: None

Chairman Mackey stated: "Let the record show no public comment."

Motion made by Linn and seconded by Lindberg to close the Public Hearing.

Yes: McCain, Oliver, Linn, Oliver, McGrath, Lindberg, Barnes, Mackey

No: None

NEXT ITEM ON AGENDA: CONSIDER APPROVAL OF MINUTES

A. Regular Meeting of August 17, 1999

Motion made Barnes and seconded by Oliver to approve the Minutes of the
Regular Meeting of August 17, 1999.

Yes: Lindberg, Linn, McCain, McGrath, Barnes, Oliver, Mackey

No: None

NEXT ITEM ON AGENDA: CONSIDER APPROVAL OF ACCOUNTS PAYABLE (\$78,230.67)

A. Landfill Enterprise Fund	\$46,326.10
B. WWCS #1 Enterprise Fund (sewer) (Cherry Grove, Clam Lake, Selma)	16,025.38
C. WWCS #3 Enterprise Fund (sewer) (Haring Township)	6,931.72

D. WWCS #4 Enterprise Fund (sewer) (Village of Mesick)	2,228.95
E. Water Distribution System	6,718.52

Motion made by Linn and seconded by Barnes to approve the bills as listed on page 1 and 2.

Yes: Oliver, McGrath, Linn, McCain, Lindberg, Barnes, Mackey

No: None

B. Recycling Center Invoice

No submittal for August Recycling from Waste Management

NEXT ITEM ON AGENDA: REVIEW BUDGET STATUS/FINANCIAL STATEMENTS

A. Landfill - Budget Analysis #8

Used 38.4% of budget for 8 months. Bank balance as of 08/31/99 \$11,584,898.23 and PCF \$594,784.43.

1) Monthly Revenue/Expense Report

Year to date financial statement attached to agenda for Board review. 30 day +\$125,443.80 and Year to Date +\$697,133.63.

2) Saturday, August 28, 1999 Business Summary

66 Residential Customers -	\$1,101.00
3 Commercial Customers -	648.00
	<u>\$1,749.00</u>

B. WWCS #1 - Budget Analysis #2
(Cherry Grove Twp et al)

Used 13.1% of budget for 2 months. Bank balance as of 08/31/99 \$101,231.39 DPW Investments \$560,000.00, Clam Lake Investment \$20,000.00, Cherry Grove \$482,807.45 and Selma \$30,184.50 for a grand total of \$1,194,223.34.

C. WWCS #3 - Budget Analysis #8
(Haring Township)

Used 36.1% of budget for 8 months. Bank balance as of 08/31/99 \$26,601.25.

D. WWCS #4 - Budget Analysis #8
(Village of Mesick)

Used 25.4% of budget for 8 months. Bank balance as of 08/31/99 \$67,080.39.

E. Haring Township Water System - Budget Analysis #8

Used 44.9% of budget for 8 months. Bank balance as 08/31/99 \$129,835.55 (savings) and \$300,000.00 (C.D.'s) for a grand total \$429,835.55.

F. Consider Approval of Budget Amendments

LANDFILL - 100 FUND

DESCRIPTION	DEBIT	CREDIT	AMENDED AMOUNT
980 Recycling Tires		3,000	8,000.00
980 Recycling Center		15,000	55,000.00
971 New Construction	18,000		315,000.00
Total	<u>18,000</u>	<u>18,000</u>	<u>NET CHANGE 0</u>

HARING WATER SYSTEM - 500 FUND

DESCRIPTION	DEBIT	CREDIT	AMENDED AMOUNT
748 Chlorination		1,600	3,000.00
971 New Construction	1,600		1,400.00
Total	<u>1,600</u>	<u>1,600</u>	<u>NET CHANGE 0</u>

VILLAGE OF MESICK - 600 FUND

DESCRIPTION	DEBIT	CREDIT	AMENDED AMOUNT
747 Gas and Oil		200	600.00
971 New Construction	200		300.00
Total	<u>200</u>	<u>200</u>	<u>NET CHANGE 0</u>

Motion made by Linn and seconded by Lindberg to approve the budget amendments as listed above.

Yes: McGrath, Oliver, Barnes, McCain, Linn, Lindberg, Mackey

No: None

G. Information - 1999 Financial Statement - Aquatic Nuisance

Aquatic Nuisance 1999 Financial Statement attached to agenda for Board review.

NEXT ITEM ON AGENDA: LANDFILL/SOLID WASTE MANAGEMENT BUSINESS

A. MIOSHA/Phillips Complaint

Complaint attached to agenda for Board information. No citations issued on alleged violations.

B. Collective Bargaining Agreement Ratification Status

Collective Bargaining Agreement ratified by Union, executed by Union attorney and submitted to DPW attorney.

Motion was made by McGrath and seconded by Linn to approve the Collective Bargaining Agreement and to authorize the Chairman and Secretary to sign the Agreement on behalf of the Board.

Yes: Linn, McCain, Oliver, McGrath, Lindberg, Barnes, Mackey

No: None

NEXT ITEM ON AGENDA: TOWNSHIP/VILLAGE UTILITY PROJECTS

A. Clam Lake Township Wastewater Disposal System

- 1) Correspondence - Sundber, Carlson and Associates
9/9/99

Sundberg, Carlson and Associates correspondence dated 9/9/99 regarding the Clam Lake Township Wastewater Disposal System attached to agenda for Board information.

- 2) Report - Cherry Grove Action re: Participation

Cherry Grove Township declined to participate in the Clam Lake Wastewater Disposal System at this time.

- 3) Review/Consider Approval of Proposed Services Agreement with Wilcox Associates

Mr. Fuller stated that the reason the Board had not signed the Agreement was that Wilcox Associates was using the incorrect form.

September 20, 1999 Wilcox Associates delivered new Agreement to the DPW for approval by the Board at their September 21, 1999 meeting.

Agreement distributed to Board at meeting.

Discussion followed.

Motion made by McGrath and seconded by Linn to approve the Wilcox Professional Services Agreement subject to revisions recommended by Director.

Yes: Linn, McCain, Oliver, McGrath, Lindberg, Barnes, Mackey

No: None

B. Final - Annual Report on Drinking Water

Annual Report Drinking Water Quality prepared by the Wexford County Department of Public Works for the Haring Charter Township Water Supply System dated October, 1999 attached to agenda for Board review. Next report due July, 2000.

EXT ITEM ON AGENDA: GENERAL DPW BUSINESS

A. Correspondence

- 1) T. Dolehanty 9/10/99
- 2) DPW Response 9/17/99
- 3) Notice of Commission September 22nd and 29th Work
Session re: DPW

Above correspondence attached to agenda for Board information. Originals on file DPW office

NEXT ITEM ON AGENDA: DRAIN COMMISSIONER'S REPORT

Written report distributed to Board at meeting.

Special Activities:

- 08/02 Closed small Clam River Dam
- 08/02 Recorded area drain and lake levels
- 08/04 Issued SESC 99-34
- /10 Issued SESC 99-35
- 08/12 Issued SESC 99-36 and investigated high water at 546 S. Lake Mitchell
- 08/13 Issued SESC 99-37 and opened small Clam River Dam
- 08/16 Issued SESC 99-38 and closed small Clam River Dam
- 08/17 BPW regular meeting
- 08/23 Issued SESC 99-39 and 40
- 08/26 Issued SESC 99-41
- 08/30 Issued SESC 99-42 and 43

Motion was made by Oliver and seconded by Lindberg for adjournment

Unanimous "Aye"

Meeting adjourned 7:40 P.M.

Gordon Oliver
Secretary

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

MINUTES OF THE REGULAR MEETING OF THE WEXFORD COUNTY
SOLID WASTE PLANNING COMMITTEE HELD DECEMBER 03, 1998
6:00 P.M. AT THE DEPARTMENT OF PUBLIC WORKS OFFICE
3161 S. LAKE MITCHELL DRIVE, CADILLAC, MICHIGAN

MEMBERS PRESENT: ROY BRITTON, ROBERT JOHNSON, WILLIAM McNITT
ROBERT MACKEY, ERIK OLSON, MERLE HARMON,
JERRY RICHARDS, RICHARD CRONKHITE, JR.,
ROBERT CHOMIC, DIANE ROYCRAFT, MOLLY
WHETSTONE (JOHNSON ARRIVED 6:03 P.M.)

MEMBERS ABSENT: JOHN ROBBINS AND JIM LIVELY

ALSO PRESENT: GARY R. FULLER, DPW DIRECTOR, PATRICIA LASKEY
DPW AND NICK EVERS, GOVE ASSOCIATES

MEETING CALLED TO ORDER BY CHAIRMAN McNITT AT 6:00 P.M.

MOTION WAS MADE BY RICHARDS AND SECONDED BY MACKEY TO APPROVE THE MINUTES OF
THE SEPTEMBER 29, 1998 MEETING.

ROLL CALL:

YES: BRITTON, McNITT, MACKEY, OLSON, HARMON, RICHARDS, CRONKHITE, JR., CHOMIC,
ROYCRAFT, WHETSTONE

NO: NONE

CHANGES TO BE MADE TO DRAFT:

SELECTED SYSTEM - TABLE 1-A PAGE 111-4

NEED TO INCLUDE CLARE Co. (CONTINGENCY).

MISSAUKEE (PRIMARY) * (ADDED)

* Y PRIMARY, CONTINGENCY OR PERIODIC USE OF THE WEXFORD COUNTY LANDFILL MUST
BE PRECEDED BY A NEGOTIATED AGREEMENT EXECUTED BY AND BETWEEN THE WEXFORD COUNTY
BOARD OF PUBLIC WORKS AND THE APPROPRIATE AUTHORITY OF THE EXPORTING COUNTY.

CHANGES CONTINUED:

DATA BASE SECTION:

11-5 SPELLING AGREEMENT WITH (SECOND PARAGRAPH LAST LINE)

11-9 SPELLING ALTERNATIVE (SECOND PARAGRAPH)

11-12 CHANGE INSTITUTED TO IMPLEMENTED (LAST PARAGRAPH SECOND TO LAST LINE)

EVALUATION SUMMARY CONTINUED SECTION:

A-9 CHANGE INSTITUTE TO IMPLEMENT (SECOND PARAGRAPH FIRST LINE)

MOTION WAS MADE BY JOHNSON AND SECONDED BY RICHARDS TO ADOPT THE 1998 DRAFT WEXFORD COUNTY SOLID WASTE MANAGEMENT PLAN WITH THE CHANGES LISTED ABOVE.

ROLL CALL:

PRESENT: BRITTON, McNITT, MACKEY, OLSON, HARMON, RICHARDS, CRONKHITE, JR., CHOMIC ROYCRAFT, WHETSTONE

MR. FULLER STATED AFTER CHANGES MADE THE NEXT STEP WOULD BE APPROVAL OF THE DOCUMENT BY THE WEXFORD COUNTY BOARD OF PUBLIC WORKS.

MOTION WAS MADE BY RICHARDS AND SECONDED BY WHETSTONE FOR ADJOURNMENT.

UNANIMOUS "AYE".

MEETING ADJOURNED 6:30 P.M.

WILLIAM McNITT
CHAIRMAN

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

MINUTES OF THE REGULAR MEETING OF THE WEXFORD COUNTY
SOLID WASTE PLANNING COMMITTEE HELD SEPTEMBER 29, 1998
6:00 P.M. AT THE DEPARTMENT OF PUBLIC WORKS OFFICE
3161 S. LAKE MITCHELL DRIVE, CADILLAC, MICHIGAN

MEMBERS PRESENT: ROY BRITTON, ROBERT JOHNSON, WILIAM McNITT
ROBERT MACKEY, ERIK OLSON, MERLE HARMON,
JERRY RICHARDS, RICHARD CRONKHITE, JR.,
ROBERT CHOMIC AND JOHN ROBBINS

MEMBERS ABSENT: DIANE ROYCRAFT, MOLLY WHETSTONE AND JIM LIVELY

ALSO PRESENT: GARY R. FULLER, DPW DIRECTOR, PATRICIA LASKEY,
DPW AND NICK EVERS, GOVE ASSOCIATES

MEETING CALLED TO ORDER BY CHAIRMAN McNITT AT 6:00 P.M.

MOTION WAS MADE BY RICHARDS AND SECONDED BY JOHNSON TO APPROVE THE MINUTES
OF THE JUNE 09, 1998 MEETING.

ROLL CALL:

YES: BRITTON, JOHNSON, McNITT, MACKEY, OLSON, HARMON, RICHARDS, CRONKHITE
CHOMIC, ROBBINS

NO: NONE

MOTION WAS MADE BY RICHARDS AND SECONDED BY JOHNSON TO APPROVE THE MINUTES
OF THE JULY 28, 1998 MEETING.

ROLL CALL:

YES: BRITTON, JOHNSON, McNITT, MACKEY, OLSON, HARMON, RICHARDS, CRONKHITE
CHOMIC, ROBBINS

NO: NONE

CORRESPONDENCE:

- A. OSCEOLA COUNTY, AUGUST 05, 1998
RE: RECIPROCAL AGREEMENT
- B. CHARLEVOIX COUNTY, AUGUST 06, 1998
RE: CONTINGENCY DISPOSAL
- C. WASHTENAW COUNTY, AUGUST 07, 1998
RE: IMPORT/EXPORT AUTHORIZATIONS
- D. MONTCALM COUNTY, AUGUST 10, 1998
RE: RECIPROCAL IMPORT/EXPORT AGREEMENT
- E. NW MICHIGAN COUNCIL OF GOVERNMENTS, AUGUST 11, 1998
RE: REGIONAL COLLABORATION LANGUAGE
- F. KALKASKA COUNTY, AUGUST 20, 1998
RE: SOLID WASTE EXPORTATION
- G. MDEQ, AUGUST 27, 1998
RE: SOLID WASTE EXPORTATION
 - 1) DPW SEPTEMBER 02, 1998
RE: MECOSTA COUNTY
- H. GRAND TRAVERSE COUNTY, AUGUST 27, 1998
RE: SOLID WASTE IMPORT/EXPORT RECIPROCITY
- I. PITSCH COMPANIES, SEPTEMBER 11, 1998
RE: PITSCH SANITARY LANDFILL/IONIA COUNTY
- J. MANISTEE COUNTY SOLID WASTE MANAGEMENT PLAN - 1998
SEPTEMBER 15, 1998 PRINTING (COPY ON FILE FOR COMMITTEE REVIEW)

ABOVE CORRESPONDENCE ATTACHED TO AGENDA FOR COMMITTEE'S REVIEW.

EVERS DISTRIBUTED "LOCAL ORDINANCES AND REGULATIONS AFFECTING SOLID WASTE DISPOSAL" DOCUMENT TO THE COMMITTEE. THIS DOCUMENT TO BE INCLUDED IN THE SOLID WASTE PLAN.

AFTER A LENGTHY DISCUSSION REGARDING THE DRAFT OF THE WEXFORD COUNTY SOLID WASTE MANAGEMENT PLAN, IT WAS DECIDED THAT DUE TO THE EXCESSIVE NUMBER OF CORRECTIONS TO BE MADE, A MEETING WOULD BE HELD BETWEEN MR. EVERS AND MR. FULLER AND THAT A SUBSTANTIALLY DIFFERENT DOCUMENT WOULD BE DEVELOPED FOR CONSIDERATION BY THE COMMITTEE AT THE NEXT MEETING.

IT WAS ALSO DECIDED BY THE COMMITTEE TO HAVE CLARE COUNTY, MANISTEE COUNTY AND LEELANAU COUNTY INCLUDED IN THE WEXFORD COUNTY SOLID WASTE PLAN AS CONTINGENCY DISPOSAL SITES.

MOTION WAS MADE BY RICHARDS AND SECONDED BY JOHNSON THAT THE NEXT MEETING OF SWMPC WOULD BE HELD ON THURSDAY, DECEMBER 03, 1998, 6:00 P.M. AT THE DPW OFFICE.

ROLL CALL:

YES: BRITTON, JOHNSON, McNITT, MACKEY, OLSON, HARMON, RICHARDS, CRONKHITE
CHOMIC, ROBBINS

NO: NONE

THE NEXT DRAFT OF THE SOLID WASTE MANAGEMENT PLAN WILL BE MAILED TO THE COMMITTEE MID-NOVEMBER.

MOTION WAS MADE BY RICHARDS AND SECONDED BY CHOMIC FOR ADJOURNMENT.

UNANIMOUS "AYE".

MEETING ADJOURNED 7:50 P.M.

WILLIAM McNITT
CHAIRMAN

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

MINUTES OF THE REGULAR MEETING OF THE WEXFORD COUNTY
SOLID WASTE PLANNING COMMITTEE HELD JULY 28, 1998,
7:00 P.M., AT THE DEPARTMENT OF PUBLIC WORKS OFFICE
3161 S. LAKE MITCHELL DRIVE, CADILLAC, MICHIGAN

MEMBER PRESENT: ROY BRITTON, NORMAN EMERY, ROBERT JOHNSON
WILLIAM McNITT, ROBERT MACKEY, ERIC OLSON
MERLE HARMON, JERRY RICHARDS ARRIVED 9:03 P.M.

MEMBERS ABSENT: RICHARD CRONKHITE, JR., ROBERT CHOMIC,
DIANE ROYCRAFT, MOLLY WHETSTONE, JIM LIVELY,
JOHN ROBBINS

ALSO PRESENT: GARY R. FULLER, DPW DIRECTOR, PATRICIA LASKEY,
DPW; AND NICK EVERS, GOVE ASSOCIATES

DUE TO LACK OF QUORUM GENERAL DISCUSSION WAS HELD REGARDING THE WEXFORD
COUNTY SOLID WASTE MANAGEMENT PLAN - PLAN DOCUMENT - DATA BASE- JULY 98,
PREPARED BY GOVE ASSOCIATES.

JERRY RICHARDS ARRIVED 9:03 P.M.

MEETING CALLED TO ORDER BY CHAIRMAN McNITT AT 9:03 P.M.

MR. NICK EVERS, GOVE ASSOCIATES, WOULD LIKE ALL COMMITTEE MEMBERS TO REVIEW
THE WEXFORD COUNTY SOLID WASTE MANAGEMENT PLAN - PLAN DOCUMENT - DATE BASE
AND ANY COMMENTS OR SUGGESTIONS THAT SHOULD BE ADDED OR DELETED FROM THAT
DOCUMENT BE SENT TO GARY FULLER BY TUESDAY, SEPTEMBER 08, 1998 WHICH WILL
THEN BE TRANSMITTED TO MR. EVERS.

MOTION WAS MADE BY MR. EMERY AND SECONDED BY MR. HARMON THAT THE NEXT
MEETING OF THE SOLID WASTE PLANNING COMMITTEE BE HELD ON THURSDAY, SEPTEMBER
17, 1998 AT 6:00 P.M. DPW OFFICE.

ROLL CALL:

YES: BRITTON, EMERY, JOHNSON, McNITT, MACKEY, OLSON, HARMON, RICHARDS

NO: NONE

A MOTION WAS MADE BY MR. EMERY AND SECONDED BY MR. RICHARDS FOR ADJOURNMENT.

UNANIMOUS "AYE".

MEETING ADJOURNED 9:10 P.M.

WILLIAM McNITT
CHAIRMAN

Wexford County Department of Public Works

3101 South Lake Mitchell Drive

Cadillac Michigan 49601

Telephone Area 616 775-0139



MINUTES OF THE REGULAR MEETING OF THE WEXFORD COUNTY
SOLID WASTE PLANNING COMMITTEE HELD JUNE 09, 1998,
7:00 P.M., AT THE DEPARTMENT OF PUBLIC WORKS OFFICE
3161 S. LAKE MITCHELL DRIVE, CADILLAC, MICHIGAN

MEMBERS PRESENT: RICHARD CRONKHITE, JR., ROY BRITTON, NORMAN
EMERY, ROBERT CHOMIC, ROBERT JOHNSON, JERRY RICHARDS
WILLIAM McNITT, ROBERT MACKEY

MEMBERS ABSENT: MERLE HARMON, DIANE ROYCRAFT, JIM LIVELY,
ERIK OLSON, MOLLY WHETSTONE, JOHN ROBBINS

ALSO PRESENT: GARY R. FULLER, DPW DIRECTOR, PATRICIA LASKEY,
DPW; AND NICK EVERS, GOVE ASSOCIATES

MEETING CALLED TO ORDER AT 7:25 P.M.

MR. FULLER INTRODUCED NICK EVERS, GOVE ASSOCIATES AND PATRICIA LASKEY, DPW,
TO THE COMMITTEE MEMBERS.

PER DIEM (\$25.00) AND MILEAGE (.255¢) FOR EACH MEETING APPROVED BY THE BOARD
OF PUBLIC WORKS FOR COMMITTEE MEMBERS.

FIRST ITEM ON AGENDA: NOMINATIONS/ELECTION OF OFFICERS

A. CHAIRMAN

A MOTION WAS MADE BY MR. EMERY AND SECONDED BY MR. RICHARDS THAT WILLIAM McNITT
BE ELECTED CHAIRMAN OF THE SOLID WASTE MANAGEMENT PLANNING COMMITTEE.

UNANIMOUS "AYE".

B. VICE-CHAIRMAN

A MOTION WAS MADE BY MR. RICHARDS AND SECONDED BY MR. EMERY THAT ROBERT MACKEY
BE ELECTED VICE-CHAIRMAN OF THE SOLID WASTE MANAGEMENT PLANNING COMMITTEE.

UNANIMOUS "AYE".

C. RECORDING SECRETARY

MR. FULLER STATED THAT PATRICIA LASKEY HAD VOLUNTEERED TO RECORD THE MINUTES OF THE MEETINGS.

NEXT ITEM ON AGENDA: CONSIDER FUTURE MEETING DATES

NEXT MEETING OF THE SOLID WASTE MANAGEMENT COMMITTEE WILL BE JULY 28, 1998, 7:00 P.M., DPW OFFICE.

NEXT ITEM ON AGENDA: DISCUSSION RE: PLANNING PROCESS

A. NICK EVERS, GOVE ASSOCIATES

WEXFORD COUNTY SOLID WASTE MANAGEMENT PLAN UPDATE OUTLINE DISTRIBUTED TO COMMITTEE MEMBERS AT MEETING BY MR. EVERS.

MR. EVERS GAVE A BRIEF SUMMARY FROM PLAN DEVELOPMENT TO PLAN APPROVAL THAT THE COMMITTEE MEMBERS WILL FOLLOW FOR COMPLETION OF THE WEXFORD COUNTY SOLID WASTE MANAGEMENT PLAN.

MR. EVERS WOULD LIKE ALL COMMITTEE MEMBERS TO REVIEW THE GOALS AND OBJECTIVES SECTION OF THE 1989 SOLID WASTE MANAGEMENT PLAN AND ANY COMMENTS OR SUGGESTIONS BE SENT TO GARY FULLER BY JULY 17, 1998, WHICH WILL BE THEN TRANSMITTED TO MR. EVERS, GOVE ASSOCIATES, FOR REVIEW.

NEXT ITEM ON AGENDA: CORRESPONDENCE

- A. MISSAUKEE COUNTY - FEBRUARY 6, 1998
- B. IONIA COUNTY - MARCH 13, 1998
- C. OSCEOLA COUNTY - MARCH 24, 1998
- D. ST. JOSEPH COUNTY - APRIL 20, 1998
- E. WASTE MANAGEMENT - MAY 01, 1998
- F. CITY ENVIRONMENTAL - APRIL 30, 1998
- G. BFI - MAY 22, 1998

ADDITIONAL CORRESPONDENCE ATTACHED TO AGENDA FOR COMMITTEE INFORMATION.

- H. COUNTY OF EMMET - MAY 27, 1998
- I. LEELANAU COUNTY PLANNING DEPARTMENT - MAY 27, 1998
- J. CUPPAD REGIONAL COMMISSION - JUNE 01, 1998

CORRESPONDENCE H THRU J DISTRIBUTED AT THE MEETING.

A MOTION WAS MADE BY MR. RICHARDS AND SECONDED BY MR. EMERY FOR ADJOURNMENT.

UNANIMOUS "AYE".

MEETING ADJOURNED 8:41 P.M.

WILLIAM McNITT
CHAIRMAN

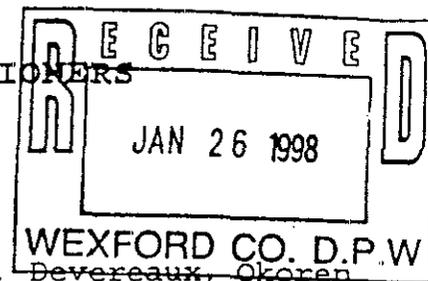
PUBLIC PARTICIPATION

PLANNING COMMITTEE APPOINTMENT PROCEDURE:

★ WEXFORD COUNTY - Formation of a 14-member *County Solid Waste Management Planning* ★
★ *Committee*. The Wexford County Board of Commissioners has filed a "Notice of Intent" with the ★
★ Michigan Dept. of Environmental Quality to prepare a *County Solid Waste Management Plan update*. ★
★ The Plan will be prepared by the County Dept. of Public Works (Designated Planning Agency) under the ★
★ review of the 14-member Planning Committee. Appointed membership on the Committee shall consist ★
★ of: Four representing the Solid Waste Management Industry; two representing Environmental Interest ★
★ Groups; one from each representing County/City/Township Government; One representing the Regional ★
★ Solid Waste Planning Agency; One representing Industrial Waste Generators; and three representing the ★
★ General Public. Letters of Interest should be sent to the County Administrator's Office, 437 E. Division, ★
★ Cadillac, by 4 p.m., Monday, October 13, 1997. For further information call the DPW 775-0155. ★

WEXFORD COUNTY BOARD OF COMMISSIONERS

Wednesday, January 21, 1998



Meeting called to order at 7:00 p.m.

Roll call: Present-Bengelink, Barnes, Harvey, Lee, Devereaux, Okoren and Johnson; Absent-Reddy.

Pledge of Allegiance.

ADDITIONS/DELETIONS TO THE AGENDA

Added to the agenda tonight was a request from the North American Snowmobile Festival.

MOTION by Comm Bengelink with the support of Comm Barnes to approve the agenda as amended.

All in favor.

PUBLIC COMMENTS - None.

MINUTES

1. 1/07/98 Regular Meeting

MOTION by Comm Barnes with the support of Comm Bengelink to approve the minutes of 1/07/98 regular meeting as presented.

All in favor.

STANDING COMMITTEE & LIAISON APPOINTMENTS BY CHAIR W/O RATIFICATION

Board members were asked to review the Standing Committee and Liaison Appointments which were set up by the Chairman. The Finance Chair requested the time of his meetings to be changed from 4:00 to 4:30 p.m.

Comm Barnes asked to be taken off Family Independent Agency, Multi - Purpose Collaborative Body and N.C. Comm. Mental Health. Comm Okoren will now sit on Family Independent Agency; Comm. Harvey will sit on the Multi-Purpose Collaborative; and Comm. Devereaux will sit on N.C. Comm Mental Health. The Administrator will make the adjustments and distribute a new list.

There was some discussion as to the Safety Committee meeting being at 4:00 or 4:30 p.m. If there is a change, the Administrator's office will be advised.

X SOLID WASTE MANAGEMENT PLANNING COMMITTEE APPOINTMENTS -

1. List

MOTION by Comm Bengelink with the support of Comm Lee to approve the list entitled "Solid Waste Management Planning Committee" as provided to the Board under C.1 as written.

Roll call: Motion approved unanimously.

Wexford County Board of Commissioners

Wednesday, January 21, 1998

Page two (2)

2. Two At-Large General Appointments

- a. Bill McNitt
- b. John Robbins
- c. Ralph Ziel

Bill McNitt did not complete an application due to some confusion. He now has an application and will complete and return it immediately. Back ground information was given to Board members by one of the commissioners.

Comm Bengelink nominated John Robbins; Comm Lee nominated Bill McNitt; and Comm Harvey nominated Ralph Ziel. The Chairman called for the vote.

With a roll call vote, Bill McNitt received seven (7) votes in favor of his appointment; John Robbins received six (6) votes in favor and one (1) vote against his appointment by Comm Harvey; Ralph Ziel received two (2) votes for his appointments and five (5) votes against his appointment by Comm Devereaux, Bengelink, Barnes, Lee and Johnson.

Bill McNitt and John Robbins were elected as At Large General Appointments to the Solid Waste Management Committee.

APPROVAL-BUDGET AMENDMENTS

	Current Budget	Amendment +/-	Amended Budget
1. County Road Fund #201			
201 000 539.00 State Revenue	4,200,000	439,000	4,639,000
201 000 580.00 Local Revenue	475,000	262,162	737,162
201 000 664.00 Interest Income	25,000	22,000	47,000
201 000 800.00 Service and Charges	4,700,000	723,162	5,423,162
2. Council on Aging #296			
296 000 600.00 Project Income	87,576	10,836	98,412
296 000 539 State Revenue	20,900	3,603	24,503
296 000 601.00 DSS Project Income	75,218	6,520	81,738

PUBLIC PARTICIPATION

PLANNING COMMITTEE

Committee member names and the company, group, or governmental entity represented from throughout the County are listed below.

Four representatives of the solid waste management industry:

1. Merle Harmon, Waste Management, Inc.
2. Roy Britton, Waste Management, Inc.
3. Richard Cronkhite, Jr., Cronkhite's Waste Service
4. Norman Emery, Waste Management

One representative from an industrial waste generator:

1. Erik A. Olson, Environmental Manager, C.M.I.

Two representatives from environmental-interest groups from organizations that are active within the County:

1. Dianne Roycraft, Michigan Department of Environmental Quality
2. Robert Chomic, Alpha-Omega Chemical Company, Laboratory Director

One representative from County government. All government representatives shall be elected officials or a designee of an elected official.

1. Robert Mackey, Chairman, Board of Public Works

One representative from township government:

1. Jerry Richards, Clerk, Cherry Grove Township

One representative from city government:

1. Robert Johnson, City of Cadillac, Dept. of Public Works

One representative from the regional solid waste planning agency:

1. Jim Lively, Water Resource Specialist, Northwest Mich. Council
of Governments

Three representatives from the general public who reside within the County:

1. Molly Whetstone
2. Bill McNitt
3. John Robbins

COUNTY OF WEXFORD

AGENDA

BOARD OF COMMISSIONERS - REGULAR MEETING
 *** Wednesday, January 21, 1998 - 7 PM ***
 3rd Floor, Circuit Courtroom

<u>ITEM</u>	<u>AGENDA TOPIC</u>	<u>ORIGINATOR</u>	<u>BACKUP</u>
-	Meeting Called to Order -	Bd. Chair/ R. Johnson	-----
-	Roll Call	Co. Clerk/ E. Richardson	-----
-	Pledge of Allegiance	All	-----
-	Additions/Deletions/ Approval - Agenda	Bd. Chair/ R. Johnson	-----
-	Public Comments - The Board welcomes all public input and appreciates adherence to the time limits established - three minutes per person, fifteen minutes total each period.		
A.	Approval - Minutes	Co. Clerk/ E. Richardson	Minutes
	1. 01/07/98 Reg. Mtg		
B.	Standing Committee & Liaison Appointments by Chair w/o Ratification	Bd. Chair/ R. Johnson	Provided
C.	County Solid Waste Mgmt. Plan Committee Appointments List Two At Large General Appointments McNitt, Bill yes Robbins, John yes Ziel, Ralph NO		Provided
D.	Approval - Budget Amendments	FC/ B. Lee	Provided
	1. Co. Rd. Fund #201		
	2. Council on Aging #296		
-	Reports-		
	1. Committees		
	2. Liaisons		
-	Public Comment	See note above	-----
-	Board Comments	Board Members	-----

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

2/10/99

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

WEXFORD COUNTY BOARD OF PUBLIC WORKS
MEMBERSHIP AND TERM EXPIRATION

NAME	PHONE	APPOINTMENT	TERM EXPIRES
ROBERT MACKEY - CHAIRMAN 10701 E. 46 ROAD CADILLAC, MICHIGAN 49601	775-3016 (H)	11/20/96 EFF: 01/01/97	12/31/99
RON MCGRATH 1902 MICHIGAN CADILLAC, MICHIGAN 49601	775-2301 (H)	EFF: 10/15/97 01/01/98	12/31/2000
ANDON OLIVER - SECRETARY 30 W. 13TH STREET CADILLAC, MICHIGAN 49601 (DEPUTY SECRETARY - PATRICIA LASKEY)	775-3466 (O) 775-7464 (H)	11/20/96 EFF: 01/01/97	12/31/99
RALPH LINDBERG 10903 S. FORTY-FIVE ROAD CADILLAC, MICHIGAN 49601	DRAIN COMMISSIONER 779-9465 (O) 775-7063 (H)	TERM APPOINTMENT	
BETH MCCAIN 620 MAJERLE STREET CADILLAC, MICHIGAN 49601	775-6173 (H)	11/20/96 EFF: 01/01/97	12/31/99
LESTER BARNES P.O. Box 709 5577 W. M-42 MESICK, MICHIGAN 49668	885-1981 (H)	01/06/99	12/31/99
DONALD J. LINN - VICE CHAIRMAN 114 SHORE LANE CADILLAC, MICHIGAN 49601	775-2560 (H)	EFF: 12/17/97 01/01/98	12/31/2000

WEXFORD COUNTY BOARD OF COMMISSIONERS
1999/2000

Commissioner Darrell Kelley (R)
8178 Colleen Drive
Cadillac, MI 49601
Ph: 616 779-0084 (H)
616 775-1293 (W)
Fax: 775-1334

District 1
Part of Clam Lake
Cherry Grove

Commissioner Lester Barnes (R)
P O Box 709
Mesick, MI 49688
Ph: 616 885-1981
Fax: 616 885-2650

District 2
Antioch
Hanover
Springville
Wexford

Commissioner Gary Gilmore (R)
3740 N 41 Road
Manton, MI 49663
Ph: 616 824-9419

District 3
Cedar Creek
Liberty
Greenwood
Manton

Commissioner Terry Harvey (R)
11781 East Division
Cadillac, MI 49601
Ph: 616 775-5258 (H)
616 779-1233 (W)

District 4
Haring
Part of Clam Lake
Colfax

Commissioner Bob Lee (R)
1946 Chestnut
Cadillac, MI 49601
Ph: 616 775-5258 (H)
616 779-0056 (W)
Fax: 616 779-0075

District 5
Cadillac Precinct #1
(Middle School)

Commissioner Alan Devereaux (R)
415 E. Nelson
Cadillac, MI 49601
Ph: 616 779-2552 (H)
616 779-9221 (W)
Fax: 616 779-9235

District 6
Cadillac Precinct #2
(City Municipal Bldg)

Commissioner Richard Hill (R)
322 Stimson Street
Cadillac, MI 49601
Ph: 616 775-3597

District 7
Cadillac Precinct #3
(CAPS)

Commissioner Fran Okoren (D)
206 Harrison Street
Boon, MI 49618
Ph: 616 775-5600

District 8
Boon, Henderson
Selma, Slagle
South Branch

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

February 17, 2000

Mr. Timothy J. Dolehanty, AICP
County Administrator
Wexford County
437 East Division Street
Cadillac, Michigan 49601

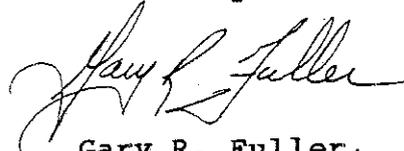
RE: Solid Waste Management Plan Amendments

Dear Mr. Dolehanty:

Enclosed for consideration by the Board of Commissioners please find one (1) copy of the pages that were amended by the Solid Waste Management Planning Committee in conformance with the October 20, 1999 directive from the Board.

If you have any questions please do not hesitate to contact me or the chairman of the committee.

Sincerely,



Gary R. Fuller,
Director

GRF/pal

encl: (1)

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

Minutes of the Regular Meeting of the Wexford County
Solid Waste Planning Committee Held January 20, 2000
6:00 P.M. at the Department of Public Works Office
3161 S. Lake Mitchell Drive, Cadillac, Michigan

MEMBERS PRESENT: Robert Johnson, William McNitt, Robert Mackey
Erik Olson, Jerry Richards, Molly Whetstone
and John Robbins

MEMBERS ABSENT: Roy Britton, Rich Cronkhite, Merle Harmon
Diane Roycraft, Robert Chomic, Jim Lively

ALSO PRESENT: Gary Fuller, DPW Director, Patricia Laskey
and Sally Straight, DPW; Nick Evers, Gove
Associates; Amy Soper, Cadillac Evening
News; Bob Lee, Wexford County Board of
Commissioners and Steve Esling, Resident

Meeting delayed until 7:10 P.M. when member John Robbins arrived for a quorum.

Changes:

Mr. Bob Lee:

First page - Move last paragraph to 1st point under Major Conclusions
(more emphasis on recycling)

Page II-10

1st Paragraph - Leave lined out words in paragraph.

3rd Paragraph - Word left out

5th Paragraph - Third sentence (increased tipping fees) replace that with
set up to 10% aside to help support additional recycling. Balance of paragraph
where lines are crossed out - fine.

6th Paragraph - Ok as presented. Tail end of paragraph crossed out lines that
start (as well) leave crossed out.

Page II - 13

Change Alternate #2 to Alternate #1

Page III - 3

Changes ok.

Page III - 15

Changes ok.

Page III - 25

Changes ok.

Page III - 27 4th paragraph - Reference to increased fees replace with set up to 10% aside for additional recycling

Page A - 2 Paragraph under Proposed Programs - changes ok

Page A - 3

Changes ok

Page A - 3a

Changes ok

Page A - 8 Paragraph #3 - Item #5 reference to tipping fee replace with set up to 10% aside for additional recycling

Page A - 9

Changes ok

Page A - 10

Advantages #3 Reference to tipping fees replace with set up to 10% aside for additional recycling.

Mr. Robert Johnson:

Page 2 - 10 2nd paragraph Cities of Cadillac - Manton could change to Cities of Cadillac - Manton may initiate.

Ms. Molly Whetstone:

Page III - 6 delete named entities and include in sentence with local municipalities approval (bottom of page right hand side under other) Show that we are not superceding local authority.

Page III - 15 3rd paragraph delete specific named entities and add with local municipalities approval.

A - 3 last paragraph. Delete sentence beginning with This site to end of sentence. (Under Proposed Program) after City of Manton add with local Municipalities approval.

Mr. Erik Olson:

Hayes-Lemmerz would like to have a Type III landfill if foundry sand could be beled inert. Meyer Construction has gravel pit in Wexford County and wants license that as Type III landfill.

Amount of foundry sand going into the Wexford County Landfill will triple by June, 2000.

General consensus of committee to allow development of Type III landfill in the SWMP if the DEQ would allow it to be in the plan.

Mr. Nick Evers to make all incorporate all changes made by the committee and will have a draft with changes back to DPW by 1st of February.

~~Motion made by Jerry Richards and seconded by Molly Whetstone to approve all the revisions as stated.~~

~~Unanimous "Aye".~~

Amendment pages to be approved by BPW and then final document to be presented to the Wexford County Board of Commissioners for their approval.

Motion made by Jerry Richards and seconded by Robert Johnson for adjournment.

Unanimous "Aye".

Meeting adjourned 7:51 P.M.

William McNitt,
Chairman

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

MINUTES OF THE REGULAR MEETING HELD MARCH 16, 1999, 7:00 P.M.
DPW OFFICE, 3161 S. LAKE MITCHELL DRIVE, CADILLAC, MICHIGAN

MEMBERS PRESENT: BARNES, LINN, LINDBERG, MCCAIN, OLIVER, MACKEY

MEMBERS ABSENT: MCGRATH

ALSO PRESENT: GARY R. FULLER, DPW DIRECTOR; JORDAN MCCORMACK,
WILCOX ASSOCIATES; JAMES HOUSTON, TREASURER
CLAM LAKE TOWNSHIP AND DARRELL KELLY, WEXFORD
COUNTY COMMISSIONER

Meeting called to order by Chairman Mackey at 7:00 P.M.

FIRST ITEM ON AGENDA: CONSIDER APPROVAL OF MINUTES

A. Regular Meeting of February 16, 1999

Motion made by Linn and seconded by Lindberg to approve the Minutes of the
Regular Meeting of February 16, 1999.

Roll Call:

Yes: Barnes, Linn, Lindberg, McCain, Oliver, Mackey

No: Non

NEXT ITEM ON AGENDA: CONSIDER APPROVAL OF ACCOUNTS PAYABLE (\$82,260.30)

A. Landfill Enterprise Fund	\$44,275.88
B. WWCS #1 Enterprise Fund (Sewer) (Clam Lake, Cherry Grove, Selma)	19,593.52
C. WWCS #3 Enterprise Fund (Sewer) (Haring Township)	10,400.37
D. WWCS#4 Enterprise Fund (Sewer) (Village of Mesick)	1,465.02
E. Water Distribution System	6,525.51

Motion was made by Linn and seconded by Lindberg to approve the bills as
listed above.

Roll Call:

Yes: Barnes, Linn, Lindberg, McCain, Oliver, Mackey

No: None

B. Recycling Center Invoices

- 1) December 98 - \$4,025.32
- 2) January 99 - \$3,695.43

Motion made by Lindberg and seconded by Oliver to approve the Waste Management Recycling bills for December 98 (\$4,025.32), January 99 (\$3,695.43) and to finance the bills from the Wexford County Landfill Enterprise Fund.

Roll Call:

Yes: Barnes, Linn, Lindberg, McCain, Oliver, Mackey

No: None

NEXT ITEM ON AGENDA: REVIEW BUDGET STATUS/FINANCIAL STATEMENTS

A. Landfill - Budget Analysis #2

Used 4.51% of budget for 2 months. Bank balance as of 2/28/99 \$10,853,804.16 and PCF \$542,948.18

- 1) Monthly Revenue/Expenditure Report February 99

Year to date financial statement attached to agenda for Board review. 30 day \$81,582.22 and Year to Date \$171,082.48.

B. WWCS #1 - Budget Analysis #8
(Cherry Grove Twp et al)

Used 55.52% of budget for 8 months. Bank balance as of 02/28/99 \$98,328.42 and DPW investments of \$560,000.00 for a grand total of \$658,328.42.

C. WWCS #3 - Budget Analysis #2
(Haring Township)

Used 8.55% of budget for 2 months. Bank balance as of 02/28/99 \$31,427.69.

D. WWCS #4 - Budget Analysis #2
(Village of Mesick)

Used 4.91% of budget for 2 months. Bank balance as of 02/28/99 \$56,021.44.

E. Water Distribution System

Used 7.05% of budget for 2 months. Bank balance as of 02/28/99 \$96,095.47 (savings) and \$300,000.00 (C.D.'s) for a grand total of \$396,095.47.

F. Audit Reports - Fiscal Year 1998

- 1) WWCS #4 - Village of Mesick
- 2) Haring Township Water System
- 3) Aquatic Nuisance Program

Audits attached to agenda for Board review.

Motion made by Barnes and seconded by Linn to approve the audits listed above as prepared by the accounting firm of Baird, Cotter and Bishop.

Roll Call:

Yes: Barnes, Linn, Lindberg, McCain, Oliver, Mackey

No: None

NEXT ITEM ON AGENDA: LANDFILL/SOLID WASTE MANAGEMENT BUSINESS

A. Board Review/Comment on Proposed Wexford County Solid Waste Management Plan

Motion made by Linn and seconded by Barnes to accept the proposed Wexford County Solid Waste Management Plan.

Next step in process is to advertise for public comment on the plan.

B. Consider Closed Session with BPW Attorneys Wood/Wendt
Re: Settlement of Pending Labor Litigation

Closed session not held

- 1) Correspondence: Mazur, Amlin, Morgan
dated 3/8/99

Correspondence dated March 08, 1999 from Courtney Morgan regarding pending litigation attached to agenda for Board review.

NEXT ITEM ON AGENDA: TOWNSHIP/VILLAGE UTILITY PROJECTS

A. Report - Four Township Sanitary Sewer Feasibility
Study dated March 1999 - Final by J. McCormack

All changes have been incorporated into final report. Copies submitted to Board.

Next step - Director will meet with Clam Lake Township Board and recommend that they select one of the phases (probably phase 1) of the study.

Director will prepare Resolution for Township consideration requesting BPW to take over that project based on feasibility study. Contract between Clam Lake Township and BPW will also be drafted.

1) Reconsider Approval for Payment of Wilcox Invoice
#15945

Invoice #15945 (\$12,999.25) to be divided equally among Cherry Grove, Clam Lake Selma and Haring Townships and the Department of Public Works.

Motion was made by Barnes and seconded by Linn to approve Wilcox Associates Invoice #15945 in the amount of \$12,999.25.

Roll Call:

Yes: Barnes, Linn, Lindberg, McCain, Oliver, Mackey

No: None

NEXT ITEM ON AGENDA: GENERAL DPW BUSINESS

A. Health Insurance Coverage Change

Memorandum dated February 18, 1999 from Timothy J. Dolehanty, AICP, Assistant Administrator, regarding changes in insurance plan attached to agenda for Board information.

NEXT ITEM ON AGENDA: DRAIN COMMISSIONER'S REPORT

Written report distributed to Board at meeting.

Special Activities

02/16/ BPW regular meeting (did not attend)

motion was made by Lindberg and seconded by McCain for adjournment.

Unanimous "aye".

Meeting adjourned 7:44 P.M.

Gordon Oliver
Secretary

Minutes of a regular meeting of the Wexford County Board of Commissioners, held at the Wexford County Courthouse, 437 E. Division St., Cadillac, Michigan on the 21st day of March, 2001 at 7:00 p.m.

PRESENT: Guffey, Gilmore, Harvey, Lee, Okoren and Kelley;

ABSENT: Devereaux and Barnett

The following preamble and resolution was offered by Commissioner Lee and supported by Commissioner Gilmore

RESOLUTION NO. 01-27

**RESOLUTION TO ADOPT
THE WEXFORD COUNTY SOLID WASTE MANAGEMENT PLAN**

WHEREAS, Wexford County, as well as all counties in the State of Michigan, is required by Part 115 of Act 451, P.A.1994, as amended, and the rules promulgated thereunder, to update its current Solid Waste Management Plan; and

WHEREAS, the Board of Commissioners appointed a 14-member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities of Wexford County, held a public hearing on the proposed Plan, and has revised the proposed plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the County adopt the Plan; and

WHEREAS, Part 115 of Act 451, P.A.1994, as amended, requires approval of the Plan by the Board of Commissioners and at least 67% of the municipalities in Wexford County; and

WHEREAS, on March 1, 2000 the County Board of Commissioners approved the draft Plan.

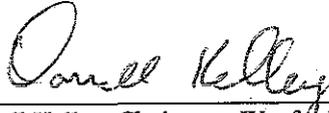
NOW, THEREFORE, BE IT RESOLVED that the Wexford County Board of Commissioners approves and adopts the 2000 Wexford County Solid Waste Management Plan as its guide for addressing solid waste management in Wexford County.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS

AYES: Guffey, Gilmore, Harvey, Lee, Okoren and Kelley;

NAYS: None

RESOLUTION DECLARED ADOPTED.



Darrell Kelley, Chairman, Wexford County Board of Commissioners



Elaine Richardson, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF WEXFORD)

I hereby certify that the foregoing is a true and complete copy of the resolution adopted by the County Board of Commissioners of Wexford County at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



Elaine Richardson, County Clerk

RESOLUTION NO. 1387

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the Cadillac City Council
County of Wexford, State of Michigan held at Cadillac, Michigan
on the 15th day of May, 2000.

PRESENT: Council members Baas, Thiébaud, Stevens, Deane, Mayor Blanchard

ABSENT: None

~~Council member Thiébaud~~ offered the following resolution and moved for its adoption.
The motion was supported by Council member Stevens.

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

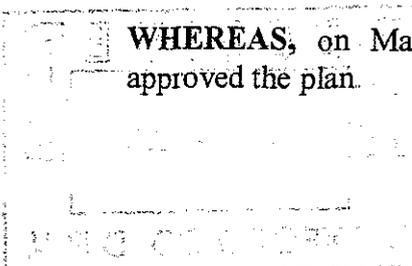
WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.



NOW, THEREFORE, BE IT RESOLVED THAT Cadillac City Council
approves and adopts the 2000 Wexford County Solid Waste Management Plan as its
guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: Baas, Thiebaut, Stevens, Dean, Mayor Blanchard

NAYS: None

ABSENT: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

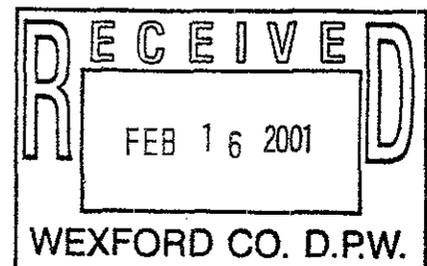
STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting City Clerk
Wexford County, State of Michigan, do hereby certify that the foregoing is a true and
complete copy of proceedings taken at a regular meeting of the
Cadillac City Council, held on the 15th day of May, 2000,
a copy of which is on file in my office. Public notice of said meeting was given pursuant
to and in compliance with Act 267, P.A. 1976, as amended



Janice E. Nelson, City Clerk
200 W. Lake Street
Cadillac, MI 49601
(231) 775-0181



RESOLUTION NO. 003

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the Cedar Creek Township Board
County of Wexford, State of Michigan held at 2530 N. 41/2 Rd., Michigan
on the 3rd day of October, 2000. Manton

PRESENT: Swanson, Haney, Gremel, Anderson, Norman

ABSENT: None

Jill Haney offered the following resolution and moved for its adoption.
The motion was supported by Monica Gremel

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT Cedar Creek Township
approves and adopts the 2000 Wexford County Solid Waste Management Plan as its
guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: Swanson, Haney, Gremel, Anderson, Norman

NAYS: none

ABSENT: none

ABSTAIN: none

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting Clerk of Cedar Creek Township,
Wexford County, State of Michigan, do hereby certify that the foregoing is a true and
complete copy of proceedings taken at a regular meeting of the
Cedar Creek Township Board, held on the 3rd day of October, 2000,
a copy of which is on file in my office. Public notice of said meeting was given pursuant
to and in compliance with Act 267, P A. 1976, as amended

Jui E. Haney

RESOLUTION NO. 00-3

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the Cherry Grove Township Board
County of Wexford, State of Michigan held at 7:00 P.M., Michigan
on the 19th day of April, 2000.

PRESENT: Ron Vaughan, Supervisor; Jerry Richards, Clerk; Margo
Stratton, Treasurer; Robert J. Meyer, Trustee and
Cecil D. Fauble, Trustee.

ABSENT: None

Ron Vaughan offered the following resolution and moved for its adoption.
The motion was supported by Margo Stratton

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT ~~the Cherry Grove Township~~ Board approves and adopts the 2000 Wexford County Solid Waste Management Plan as its guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: Ron Vaughan, Supervisor; Jerry Richards, Clerk; Margo Stratton, Treasurer; Robert J. Meyer, Trustee and Cecil D. Fauble Trustee

NAYS: None

ABSENT: None

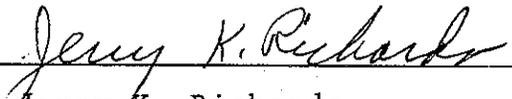
ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting Clerk, Cherry Grove Township Wexford County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the Cherry Grove Township Board, held on the 19th day of April, 2000, a copy of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267, P.A. 1976, as amended



Jerry K. Richards

See Attached: Wexford County Department of Public Works
Letter Dated March 2000, Signed by
Gary R. Fuller.

RESOLUTION NO. _____

**FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000**

At a regular meeting of the CLAM LAKE Township
County of Wexford, State of Michigan held at 10748 S. 43 Rd, Michigan
on the 11th day of October, 2000

PRESENT: D. Anderson, J. Houston, Gerald Stilson,
H. Schut, D. Peterson

ABSENT: None

Jim Houston offered the following resolution and moved for its adoption.
The motion was supported by Henry Schut.

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT CLAM LAKE Twp approves and adopts the 2000 Wexford County Solid Waste Management Plan as its guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: Houston, Anderson, Schut, Stilson
Peterson

NAYS: none

ABSENT: none

ABSTAIN: none

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting Township Clerk Wexford County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the CLAM LAKE TOWNSHIP, held on the 11th day of October, 2000, a copy of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267, P A. 1976, as amended

Melrose Peterson

RESOLUTION NO. 002

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the Colfax Township Board
County of Wexford, State of Michigan held at Colfax Township, Michigan
on the 14th day of November, 2000.

PRESENT: Supervisor Arvid Dussel, Clerk Cheryl Masten
Treasurer Janet Tidey, Trustee Lester Fales

ABSENT: Trustee Karen Dinsmore

Arvid Dussel offered the following resolution and moved for its adoption.
The motion was supported by Lester Fales.

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT Colfax Township approves and adopts the 2000 Wexford County Solid Waste Management Plan as its guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: 4 Arvid Dussel yes
Cheryl Masten yes
Janet Tidey yes
Lester Fates yes

NAYS: 0

ABSENT: 1 Karen Dinsmore

ABSTAIN: 0

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting Clerk of Colfax Township Wexford County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the Colfax Township Board, held on the 14th day of November, 2000, a copy of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267, P.A. 1976, as amended

Cheryl Masten

RESOLUTION NO. A

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the Hanover Township
County of Wexford, State of Michigan held at Buckley , Michigan
on the 8th day of May , 2000.

PRESENT: Hansen, Cade, Trowbridge, Schichtel, Cade

ABSENT: None

 Schichtel offered the following resolution and moved for its adoption.
The motion was supported by Trowbridge .

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT HANOVER TWP
approves and adopts the 2000 Wexford County Solid Waste Management Plan as its
guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: 5

NAYS: 0

ABSENT: 0

ABSTAIN: 0

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting HANOVER TWP CLERK
Wexford County, State of Michigan, do hereby certify that the foregoing is a true and
complete copy of proceedings taken at a regular meeting of the
TWP BOARD, held on the 8TH day of MAY, 2000,
a copy of which is on file in my office. Public notice of said meeting was given pursuant
to and in compliance with Act 267, P.A. 1976, as amended

Terri Schichtel

RESOLUTION NO. 04-00

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the Charter Township of Haring Board of Trustees
County of Wexford, State of Michigan held at Haring Township, Michigan
on the 10th day of April, 2000.

PRESENT: Clerk Robert Raden, Treasurer Shirley Jackson, Trustees
Marlene Whetstone, John Gregg, Susan Baldwin and Edward June

ABSENT: Supervisor John Long

Whetstone offered the following resolution and moved for its adoption.
The motion was supported by Baldwin

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT Charter Township of Haring
approves and adopts the 2000 Wexford County Solid Waste Management Plan as its
guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: Whetstone, Baldwin, Raden, Jackson, June and Gregg

NAYS: None.

ABSENT: Long

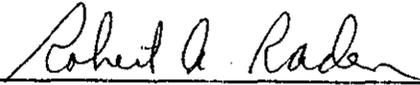
ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting clerk
Wexford County, State of Michigan, do hereby certify that the foregoing is a true and
complete copy of proceedings taken at a regular meeting of the
Charter Township of Haring, held on the 10th day of April, 2000,
a copy of which is on file in my office. Public notice of said meeting was given pursuant
to and in compliance with Act 267, P.A. 1976, as amended



Robert A. Raden

RESOLUTION NO. 101900-A

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the HENDERSON TOWNSHIP
County of Wexford, State of Michigan held at CADILLAC, Michigan
on the 18th day of OCTOBER, 2000.

PRESENT: LEON BIGELOW II, JANICE SERFASS,
JULIE HOAG, LINDA SOURS, MARIA TOUPIN

ABSENT: _____

MARIA TOUPIN offered the following resolution and moved for its adoption.
The motion was supported by LINDA SOURS

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

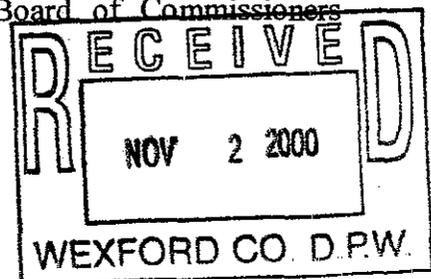
WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.



NOW, THEREFORE, BE IT RESOLVED THAT HENDERSON TOWNSHIP BOARD approves and adopts the 2000 Wexford County Solid Waste Management Plan as its guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: 5

NAYS: 0

ABSENT: _____

ABSTAIN: _____

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting Township Supervisor Wexford County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings, taken at a regular meeting of the Henderson Township Board, held on the 19 day of October, 2000, a copy of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267, P.A. 1976, as amended



RESOLUTION NO. 2000-1

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the Liberty Township Board
County of Wexford, State of Michigan held at Manton, Michigan
on the 2 day of May, 2000.

PRESENT: Supervisor Butcher, Clerk Bogart, Treas. Harger
Trustee Swanson and Trustee Truesdale

ABSENT: _____

Supervisor Butcher offered the following resolution and moved for its adoption.
The motion was supported by Trustee Truesdale.

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT The Liberty Township Board approves and adopts the 2000 Wexford County Solid Waste Management Plan as its guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: Harger, Butcher, Bogart, Truesdale and Swanson

NAYS: X

ABSENT: _____

ARSTAIN: _____

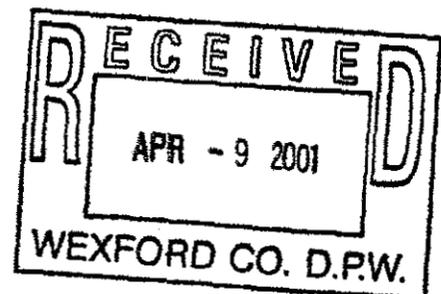
RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting Liberty Township Clerk Wexford County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the Liberty Township Board, held on the 2 day of May, 2000, a copy of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267, P.A. 1976, as amended

Marjorie Bogart, clerk



RESOLUTION NO. 2001-2

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the TOWNSHIP OF SPRINGVILLE
County of Wexford, State of Michigan held at MESICK, Michigan
on the 26th day of MARCH, 2000.

PRESENT: Mickey Sparks, Sharon Ream, Clyde Kastl

ABSENT: Geraldine Kastl, Durward Crawford

Mickey Sparks offered the following resolution and moved for its adoption.
The motion was supported by Clyde Kastl

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT SPRINGVILLE TOWNSHIP approves and adopts the 2000 Wexford County Solid Waste Management Plan as its guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: 3

NAYS: 0

ABSENT: 2

ABSTAIN: 0

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting SPRINGVILLE TOWNSHIP CLERK Wexford County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the SPRINGVILLE TOWNSHIP BOARD, held on the 26th day of MARCH, 2000, a copy of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267, P.A. 1976, as amended

Sharon H. Ream, Clerk

RESOLUTION NO. _____

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the Shake Twp
County of Wexford, State of Michigan held at Oshtemo, Michigan
on the 10 day of April, 2000.

PRESENT: all present
Motion made by Michael Gayford
Seconded by Paul Wilson to adopt Solid Waste
Management Plan Motion Carried

ABSENT: none

_____ offered the following resolution and moved for its adoption.
The motion was supported by _____

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended. Requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW THEREFORE, BE IT RESOLVED THAT

Shagb Trap
approves and adopts the 2000 Wexford County Solid Waste Management Plan as its guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: 5

NAYS: none

ABSENT: _____

ABSTAIN: _____

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting Supervisor Les Potts Wexford County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the Shagb Trap, held on the 10 day of April, 2000, a copy of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267, P.A. 1976, as amended.

RESOLUTION NO. 01-001

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the GREENWOOD TOWNSHIP BOARD
County of Wexford, State of Michigan held at MANTON, Michigan
on the 1st day of MAY, 2000

PRESENT: Rex Swinehart, Marilyn Gassel, Timothy Tidey,
Alan Mohler, Susan Brettschneider

ABSENT: None

Swinehart offered the following resolution and moved for its adoption.
The motion was supported by Gassel

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended. Requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT
Greenwood Township

approves and adopts the 2000 Wexford County Solid Waste Management Plan as its guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: Swinehart, Gassel, Tidey, Mohler, Brettschneider

NAYS: None

ABSENT: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting Clerk of Greenwood Township

Wexford County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the Greenwood Township Board, held on the 1st day of May, 2000¹.

a copy of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267, P.A. 1976, as amended.

Marilyn Gassel, Clerk

RESOLUTION NO. 2001-09

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the MANTON CITY COMMISSION
County of Wexford, State of Michigan held at 603 S. State St, Manton, Michigan
on the 11th day of June, ~~2000~~ 2001.

PRESENT: FULLERTON, GLYNN, TIDEY, ROBBINS, OLSON, POWELL.

ABSENT: NONE

COMMISSIONER ROBBINS offered the following resolution and moved for its adoption.
The motion was supported by COMMISSIONER OLSON.

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended. Requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT

MANTON CITY COMMISSION

approves and adopts the 2000 Wexford County Solid Waste Management Plan as its guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: SIX

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting CITY CLERK

Wexford County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the MANTON CITY COMMISSION, held on the 11th day of JUNE, ~~2000~~, 2001.

a copy of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267, P.A. 1976, as amended.

Teresa Loving

RESOLUTION NO. 2000-1

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the VILLAGE OF HARRIETTA
County of Wexford, State of Michigan held at HARRIETTA, Michigan
on the 5th day of APRIL, 2000.

PRESENT: RUSSELL HEMSTREET, DENISE VERDI, JUDITH CAIN,
MARY SUMMERS, JULIA MACEK, LAURA SHETENHELM,
RUBY WEISHEIM, DAN BOEHLE, NELLA KERZICH

ABSENT: NONE

JULIA MACEK offered the following resolution and moved for its adoption.
The motion was supported by RUBY WEISHEIM.

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT VILLAGE OF HARRIETTA approves and adopts the 2000 Wexford County Solid Waste Management Plan as its guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: MARY SUMMERS, JULIA MACEK, LAURA SHETENHELM
RUBY WEISHEIM, DAN BOEHLE, NELLA KERZICH

NAYS: NONE OPPOSED

ABSENT: NONE

ABSTAIN: NONE

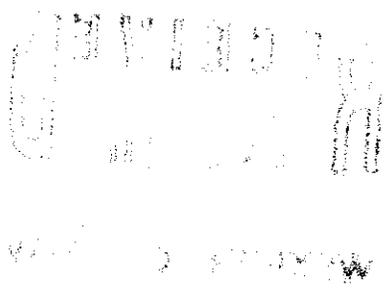
RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting VILLAGE CLERK Wexford County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the VILLAGE OF HARRIETTA, held on the 5th day of APRIL, 2000, a copy of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267, P.A. 1976, as amended

Denise Verdi



RESOLUTION NO. #4-2000-6

FOR ADOPTION OF THE WEXFORD COUNTY
SOLID WASTE MANAGEMENT PLAN
OF 2000

At a regular meeting of the Boon Township Board
County of Wexford, State of Michigan held at Boon Township, Michigan
on the 12 day of April, 2000.

PRESENT: Alice Finnerty, William Demko,
Jacqueline Willis

ABSENT: William Gottschall

Alice Finnerty offered the following resolution and moved for its adoption.
The motion was supported by William Demko.

WHEREAS, Wexford County, as well as all counties in the State of Michigan are required by Part 115 of P.A. 451 of 1994, as amended, and the rules promulgated thereunder, to update their current Solid Waste Management Plan; and

WHEREAS, the Wexford County Board of Commissioners appointed a fourteen (14) member Solid Waste Management Planning Committee (SWMPC) who met to draft the 2000 revision of the Wexford County Solid Waste Management Plan; and

WHEREAS, the SWMPC sent copies of the proposed Plan to all municipalities; held a public hearing on the proposed Plan; and has revised the proposed Plan in response to comments made at the hearing as appropriate; and

WHEREAS, the SWMPC, the Designated Solid Waste Planning Agency, and the Board of Public Works has recommended that the county adopt the Plan; and

WHEREAS, Part 115 of P.A. 451 of 1994, as amended, requires approval of the Wexford County Solid Waste Management Plan by the County Board of Commissioners and at least sixty-seven percent (67%) of the municipalities in the County; and

WHEREAS, on March 01, 2000, the Wexford County Board of Commissioners approved the plan.

NOW, THEREFORE, BE IT RESOLVED THAT Boon Township
approves and adopts the 2000 Wexford County Solid Waste Management Plan as its
guide for addressing solid waste management in Wexford County.

After discussion, the vote was:

YEAS: 3

NAYS: 0

ABSENT: William Gottschall

ABSTAIN: none

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF WEXFORD

I, the undersigned, the duly qualified and acting Boon Township Clerk
Wexford County, State of Michigan, do hereby certify that the foregoing is a true and
complete copy of proceedings taken at a regular meeting of the
Boon Township Board, held on the 12 day of April, 2000,
a copy of which is on file in my office. Public notice of said meeting was given pursuant
to and in compliance with Act 267, P.A. 1976, as amended

Alice Tinnerty - Boon Township Clerk

ATTACHMENTS

APPENDIX D

Plan Implementation Strategy

The following discusses how the County intends to implement the plan and provides documentation of acceptance of responsibilities from all entities that will be performing a role in the Plan:

The Wexford County Department of Public Works will continue to operate the County Landfill and ensure continued licensure by the State. The Department will provide recycling opportunities at the landfill as well as establish drop-off recycling sites in the County. The Department of Public Works will promote private sector ownership and operation of solid waste facilities and services including **contracting with the DPW to collect and haul recyclable materials**. The County will work with the MSU Cooperative Extension Office and other nonprofit organizations to make publications on recycling/home composting/reuse available to residents.

The Department of Public Works will continue to pursue funding opportunities for **expanding recycling stations and operations** for instituting a Countywide household hazardous waste program. The County Board of Commissioners should consider amending the County zoning ordinance to incorporate requirements for siting of landfills and other solid waste disposal facilities, including the siting requirements specified in this Plan. The County Board should encourage other municipalities within the County with their own zoning ordinances to institute similar regulations. Working with the Cities of Cadillac and Manton and other public agencies within the County, the Department of Public Works may initiate a study of the feasibility of countywide composting program, including location, equipment, capital and operating costs and other factors that would contribute to a rational decision-making process. If such a composting program is determined to be feasible, the specific siting and operation parameters would be developed and the program may be **implemented**.

Either the County, through the Board of Commissioners or the Board of Public Works, or the private sector should institute a study of the feasibility and cost/benefits of retrofitting the existing wood burning steam generating plant to a co-generation plant that would also use refuse derived fuel. Such a facility could also contain a central recycling collection facility.

The cities of Cadillac and Manton may initiate or expand composting programs in their communities that would contain bio-solids, wood chips and leaves. The resultant compost could be used for municipal landscaping or given to residents for domestic use. If a countywide composting program is instituted, these municipal composting efforts could be included in the countywide program.

The County will reappoint a Solid Waste Management Planning Committee to oversee the review and update of this Plan as required.

ATTACHMENTS

Resolutions

The following are resolutions from County Board of Commissioners approving municipality's request to be included in an adjacent County's Plan.

The Wexford County Board of Commissioners did not make any request(s) to be included in an adjacent County's solid waste management plan.

ATTACHMENTS

Listed Capacity

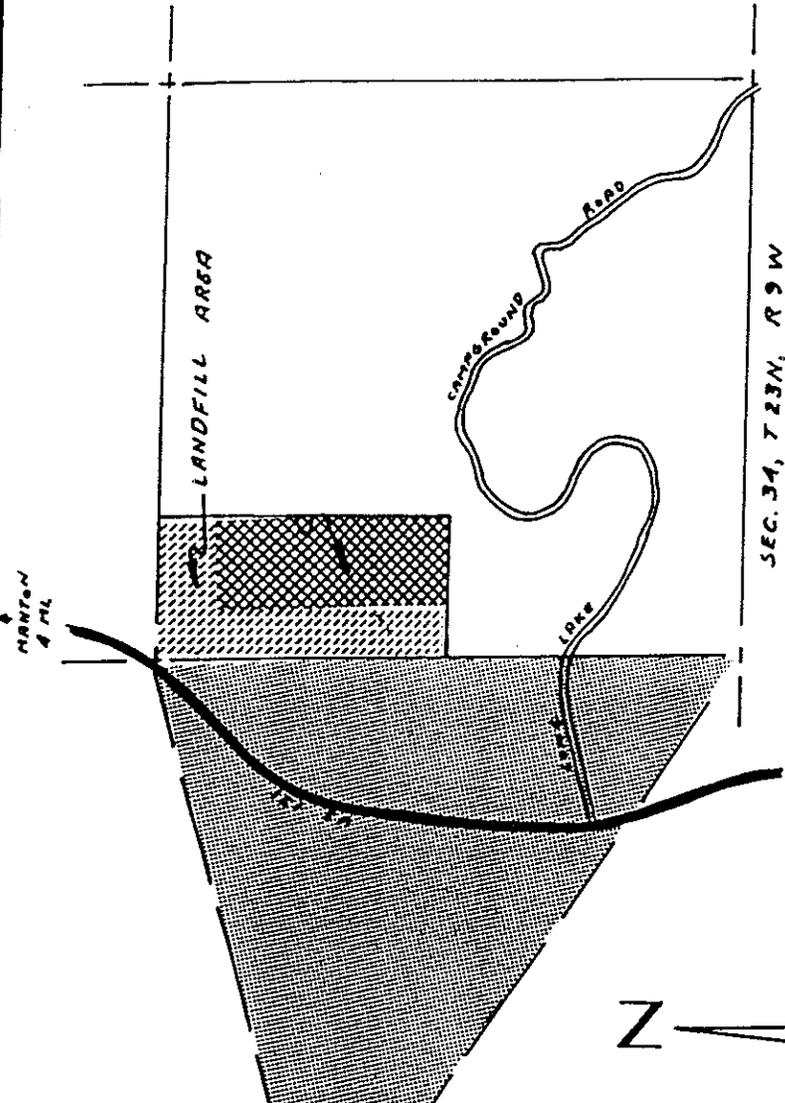
Documentation from landfills that the County has access to their listed capacity.

***See Data Base Information**

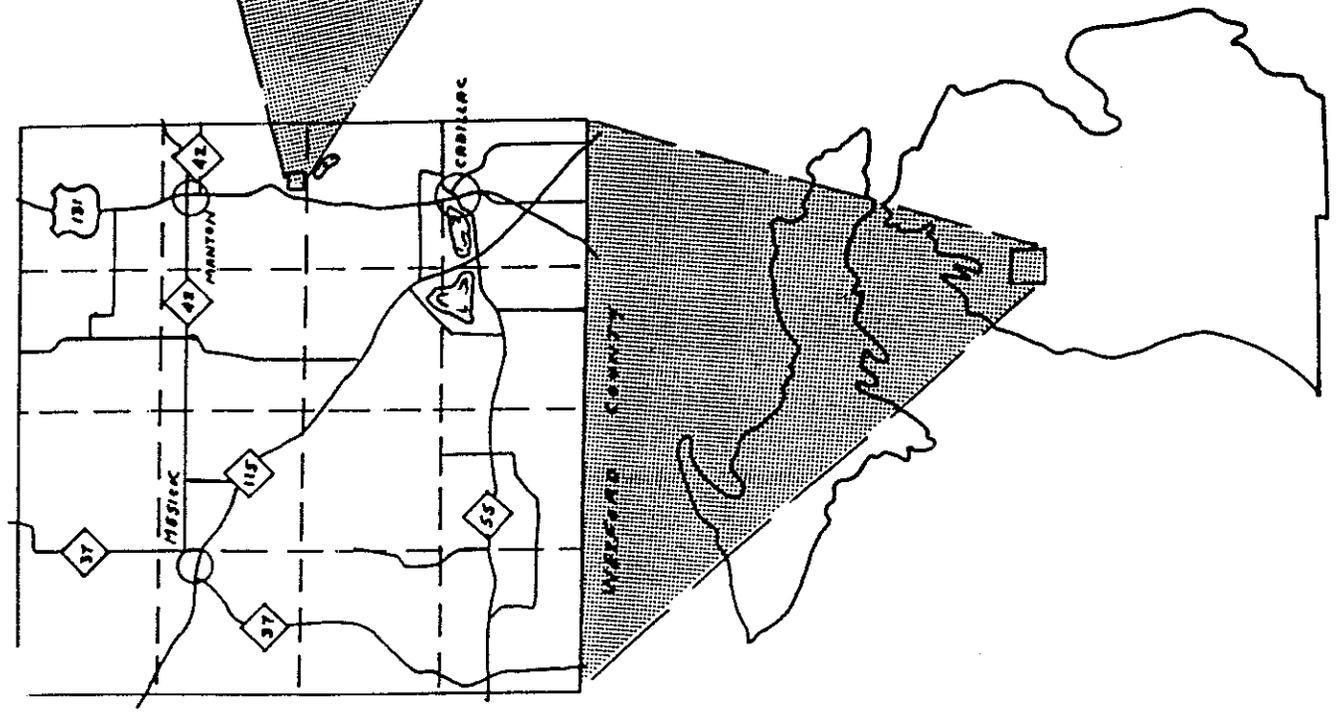
ATTACHMENTS

Maps

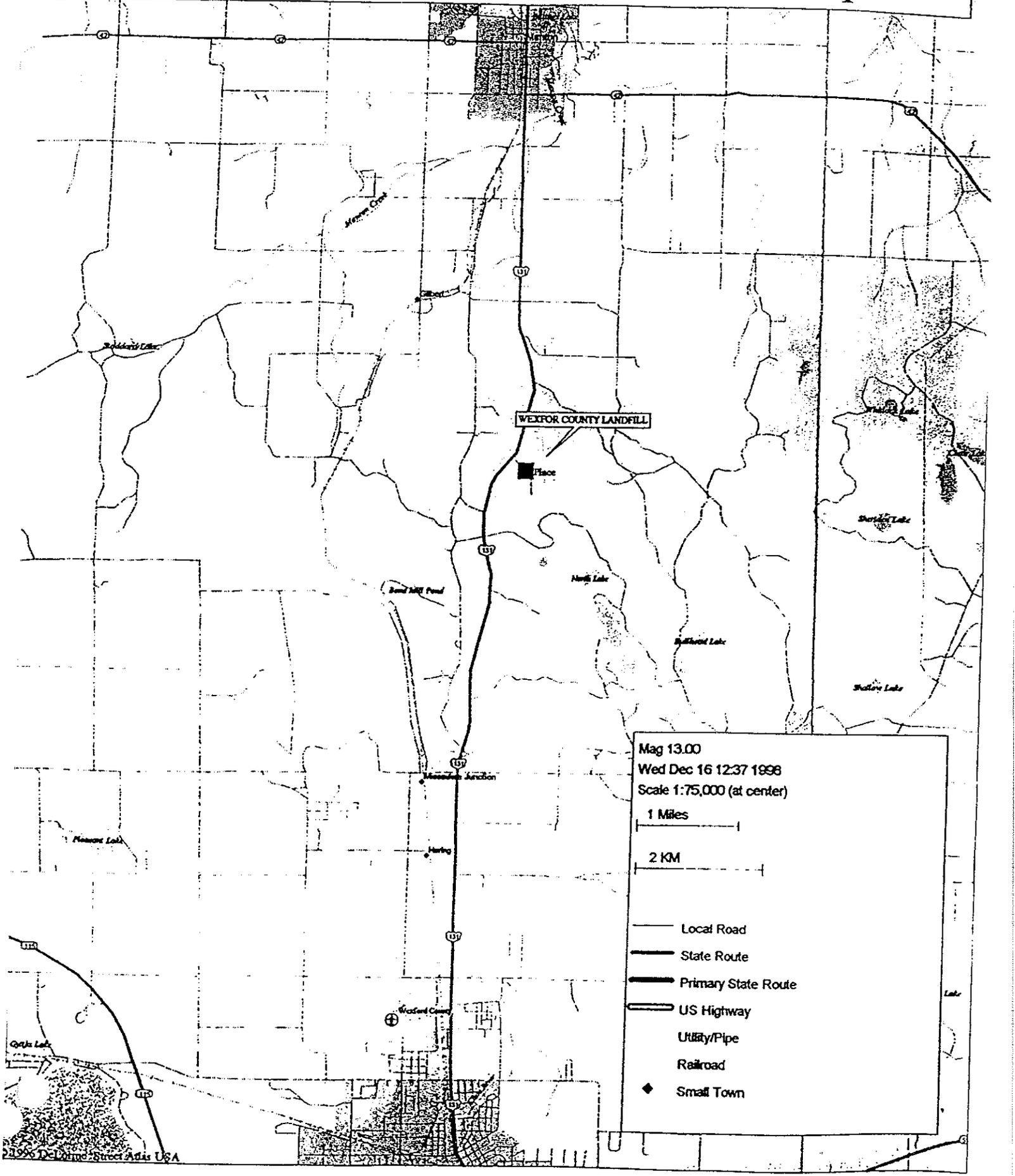
Maps showing locations of solid waste disposal facilities used by the County.



LOCATION MAP
 WEXFORD COUNTY
 SANITARY LANDFILL



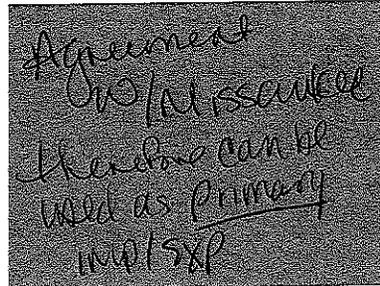
WEXFORD COUNTY LANDFILL SITE MAP



ATTACHMENTS

Inter-County Agreements

Copies of Inter-County agreements with other Counties (if any).



Agreement
NO/Assessment
there can be
used as primary
MUTSXP

**AGREEMENT FOR
RECIPROCAL INTER-COUNTY TRANSPORTATION
OF SOLID WASTE DISPOSAL**

THIS AGREEMENT, is made and entered into as of September 19, 95, 1995, between the COUNTY OF MISSAUKEE, a Michigan municipal corporation, the principal offices of which are located at 111 South Canal, Lake City, Michigan, 49651, ("Missaukee County") and the Wexford County Board of Public Works, the principal offices of which are located at 3161 South Lake Mitchell Drive, Cadillac, Michigan 49601.

RECITALS

1. The Wexford County Department of Public Works operates the Wexford County Landfill pursuant to the provisions of Act No. 185 of the Public Acts of Michigan of 1957, as amended ("Act 185"), to provide for the disposal of Solid Waste in Wexford County.

2. Act No. 641 of the Public Acts of Michigan of 1978, as amended ("Act 641"), requires:

(a) all counties to adopt a solid waste management plan which must include an enforceable program and process to assure that the nonhazardous solid waste generated or to be generated for a 5 and 20 year period is collected and recovered, processed, or disposed of at facilities which comply with Act 641 and rules promulgated pursuant to the provisions of Act 641;

(b) that a municipality or a county shall assure that all solid waste is removed from sites of generation frequently enough to protect the public health and delivered to licensed solid waste disposal areas; and

(c) that the rules of the Michigan Department of Natural Resources shall require solid waste management plans to evaluate and select technically and economically feasible solid waste management options which may include resource recovery systems.

3. Wexford County and Missaukee County have adopted their Solid Waste Management Plans pursuant to the provisions of Act 641, which plans were approved by the governing bodies of the municipalities within each county and by the Director of the Michigan Department of Natural Resources, as required by Act 641.

4. The Wexford County Solid Waste Management Plan provides for Missaukee County and its residents to use the Wexford County Sanitary Landfill as a primary disposal site and that both the receiving and sending county's solid waste management plans include a mechanism to implement a reciprocal agreement prior to any shipment of solid waste.

5. The Missaukee County Solid Waste Management Plan provides for the disposal of solid waste, generated within Missaukee County, outside of Missaukee County and in Wexford County.

NOW, THEREFORE, in exchange for consideration in and referred to by this Agreement, the parties agree as follows:

ARTICLE 1

WORDS AND PHRASES DEFINED

1.1 Definitions. As used in this Agreement, the words and phrases listed below shall have the following meanings:

(a) "Acceptable Solid Waste" means waste consisting principally of wood, paper, glass, metals, plastics, rags, tires, white goods, batteries and compostable materials, including garbage, collected from residential, industrial, and commercial sources; and such other recoverable materials which shall become marketable now or in the future.

(b) "Act 641" means Act No. 641 of the Public Acts of Michigan, 1978 as amended.

(c) "Board of Public Works" means the Wexford County Board of Public Works established pursuant to Act No. 185 of the Public Acts of Michigan of 1957, as amended.

(d) "Hazardous Waste" means hazardous waste as defined in Act No. 64 of the Public Acts of Michigan of 1979, as amended, and as identified in administrative rules promulgated pursuant to said Act by the Director of the Michigan Department of Natural Resources.

(e) "Non-acceptable Waste" means toxic waste, hazardous waste, pathological and hospital waste, as defined presently or in the future by the EPA and any other applicable government authority and the following materials if more than in random quantities: paints, solvents, thinners, gasoline, gasoline storage vessels, inflammable liquids, used engine oil, used hydraulic oil, aerosol cans (not found in residential waste), pesticides, insecticides, chemicals, P.V.C. plastics in large quantities, explosive material, rendering plant waste, chemical waste, and any oversided bulky waste not collected on a daily and routine basis.

(f) "Person" means any individual, firm (public or private corporation,) partnership, trust, public or private agency or any other entity, or any group of such person.

(g) "RRF" means the Solid Waste Resource Recovery Facility that may be constructed, operated, and maintained within Wexford County.

(h) "Site of Generation" means any premises in or on which solid waste is generated by any person.

(i) "Site-Separated Materials" means recyclable materials (including, but not limited to, bottles, cans, newspapers, corrugated containers, metals, grass, leaves, brush, and yard trimmings) that are separated from solid waste after collection from a site of generation by either a waste hauler or by the operators of a disposal area to which it is delivered.

(j) "Solid Waste" means garbage, rubbish, ashes, incinerator ash, incinerator residue, street-cleanings, municipal and industrial sludges, solid commercial and solid industrial waste, and animal waste provided, however, that this definition shall not include hazardous waste, site-separated materials, source separated materials, human body waste, liquid or other waste regulated by statute, ferrous or non-ferrous scrap directed to a scrap metal processor or to a reuser of ferrous or non-ferrous products, and slag or slag products directed to a slag processor or to a reuser of slag or slag products.

(k) "Solid Waste Management Plan" means the Wexford County Solid Waste Management Plan approved by the Wexford County Board of Commissioners and the Director of the Department of Natural Resources, pursuant to the requirements and provisions of Act 641, and any amendments to the plan adopted in accordance with said Act.

(l) "Source-separated Materials" means recyclable materials (including, but not limited to, bottles, cans, newspapers, corrugated containers, metal, grass, leaves, brush, and yard trimmings) that are separated from solid waste prior to the collection of solid waste from a site of generation.

(m) "Tipping Fee" means the fee established by the Board of Public Works to be charged upon delivery of acceptable solid waste to the Wexford County Landfill/Resource Recovery Facility.

(n) "Transporting Vehicle" means any vehicle used for the purposes of collecting, transporting, delivering, or disposing of solid waste.

(o) "Waste Hauler" means any person engaged, in whole or in part, in the business of collecting, transporting, delivering, or disposing of solid waste within the County.

(p) "Wexford County Landfill"/"Landfill" means the Type II Sanitary Landfill operated by the Wexford County Department of Public Works at 990 North U.S. 131, Manton, Michigan.

1.2 Words or Phrases Not Listed. Any words or phrases not listed above shall have the means as defined in Act 641 or if not defined in Act 641, shall have their ordinary or common meanings.

ARTICLE II **MISSAUKEE COUNTY'S OBLIGATION**

2.1 Waste Diversion Program. Missaukee County has established and agrees to maintain a program for diverting a portion of its waste from the Wexford County Landfill. The waste diversion program shall comply with all State regulations and be acceptable to the Wexford County Department of Public Works and shall contain, at a minimum, the following items:

- a) **Public Education Program**
Missaukee County shall participate in a program to inform the public of proper disposal methods for various wastes so that no non-acceptable wastes are disposed of in the Wexford County Landfill. The educational program shall also inform the public as to the importance of recycling and how the public can participate.
- b) **Recycling Program**
The Missaukee County recycling program shall include a sufficient number of drop-off sites to provide the public with an opportunity to participate in the program.
- c) **Composting Program**
Missaukee County shall establish or participate in a composting program to prevent yard wastes and other organic wastes from being disposed of in the Wexford County Landfill.

- d) **Household Hazardous Waste Collections**
Missaukee County agrees to participate in a household hazardous waste collection program in conjunction with Wexford County if the need arises and if funding is available. The collected wastes shall be disposed of at a facility licensed to receive that type of waste.

2.2 Hazardous and Non-acceptable Waste. Commercial solid waste haulers registered with the Missaukee County Clerk and approved thereby to haul solid waste generated in Missaukee County and to be transported out of Missaukee County and/or private citizens of Missaukee County choosing to transport their own solid waste to the Wexford County Landfill, shall not deliver any hazardous waste and/or non-acceptable waste to the Wexford County Landfill until a household hazardous waste collection center is established in Wexford County. Missaukee County acknowledges that a separate agreement may be necessary before household hazardous waste is transported to Wexford County.

2.3 Waste Haulers. Missaukee County shall maintain a list of Commercial Solid Waste haulers authorized to conduct business in Missaukee County. A copy of this list shall be provided to the Wexford County Department of Public Works.

2.4 Laws, Rules and Regulations. Missaukee County shall ensure that the collection and delivery of acceptable solid waste pursuant to this agreement complies with Act 185, Act 641, the Solid Waste Management Plans of Missaukee and Wexford County and all other applicable laws, rules, regulations, orders, determinations and licensing requirements.

2.5 Missaukee County agrees to negotiate a Flow Control Ordinance if requested by the Wexford County Department of Public Works to assure delivery of minimum and/or maximum daily volumes of solid waste to any Resource Recovery Facility constructed and operated in Wexford County.

2.6 Missaukee County agrees to accept solid waste from Wexford County on a primary day to day basis under the same terms and conditions of this Agreement if a licensed facility is constructed in Missaukee County.

ARTICLE III **WEXFORD COUNTY'S OBLIGATIONS**

3.1 Disposal of Acceptable Solid Waste. Commencing on the effective date of this Agreement, the Wexford County Department of Public Works reserves the right to accept, reject or dispose of any or all solid waste originating in Missaukee County and delivered from Missaukee

County that is transported to the Wexford County Landfill or any other disposal facility in Wexford County, when, in the sole opinion of the Wexford County Department of Public Works, such acceptance, rejection or disposal is deemed desirable or necessary for the efficient and safe operation of those facilities.

3.2 Compliance with Act 641. In disposing of acceptable solid waste delivered pursuant to this Agreement, the Wexford County Department of Public Works shall comply with Act 185, Act 641, the Solid Waste Management Plan, and all other applicable laws, rules, regulations, orders, determinations, and licensing requirements.

ARTICLE IV PAYMENTS BY WASTE HAULERS

4.1 Tipping Fees. A tipping fee shall be charged to and paid by all registered Missaukee County Solid Waste Haulers upon delivery of acceptable solid waste to the Wexford County Landfill unless other payment arrangements have been made with the Wexford County Department of Public Works.

4.2 Setting of Fees. The tipping fee(s) shall be fixed and be revised from time to time by resolution of the Wexford County Board of Public Works. The tipping fee(s) will not become effective until the Board of Public Works gives at least thirty (30) days notice to Missaukee County and the registered solid waste haulers of the amendment in the tipping fee(s). Any decision to amend the tipping fee(s) shall be made in accordance with applicable laws, rules and regulations and be the sole responsibility of the Board of Public Works. No notice of public hearing shall be required prior to any amendment in the tipping fee(s).

ARTICLE V TERM AND TERMINATION

5.1 Effective Date. This Agreement shall become effective upon its execution.

5.2 Term. This Agreement shall be binding and remain in effect for a period of five (5) years commencing on the date of execution and may be renewed for a term of five (5) years thereafter upon mutual agreement of the parties.

5.3 Termination. Wexford County reserves the right to terminate this Agreement earlier for the following reasons:

(a) The Landfill or any other solid waste disposal facility ceases to operate due to circumstances beyond the control of the Wexford County Department of Public Works.

(b) Operation of the Wexford County Landfill or any Resource Recovery Facility is no longer feasible due to changes in federal or state laws, rules, regulations, orders, determinations, or licensing requirements.

(c) Wexford County sells, conveys or ceases to operate the Wexford County Landfill or any other disposal facility.

(d) The registered Missaukee County commercial solid waste haulers or Missaukee County default on the terms and conditions of this Agreement.

ARTICLE VI INSURANCE AND INDEMNIFICATION

6.1 Insurance. Wexford County shall not obtain or maintain any insurance covering Missaukee County, its agents or its employees. Missaukee County shall obtain and maintain all necessary and appropriate insurance policies covering the negligent and wrongful acts of its employees and agents, including general liability and automobile liability coverages. Missaukee County shall provide any necessary unemployment or workers' disability compensation coverages for its employees.

6.2 Indemnification. Missaukee County shall hold Wexford County harmless from, indemnify Wexford County for and defend Wexford County against any and all claims, including claims arising from a change in federal or state laws and/or regulations, resulting from or claimed by any third party to have resulted from the disposal of solid waste, generated in Missaukee County, in the Wexford County Landfill.

ARTICLE VII MISCELLANEOUS

7.1 Assignment. Neither party may assign any of its rights or obligations under this Agreement without the prior written consent of the other party.

7.2 Amendments. This is the entire Agreement between the parties as to its subject matter and may be amended only by a written agreement duly authorized and executed by the parties.

7.3 Notices. All notices required or permitted by this Agreement shall be in writing and shall be delivered personally or sent by certified mail, return receipt requested, postage prepaid, to the following addresses:

If to Wexford County:

Director, Department of Public Works
3161 South Lake Mitchell Drive
Cadillac, Michigan 49601

If to Missaukee County:

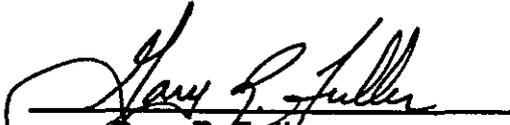
Chairman, Board of Commissioners
111 South Canal, P.O. Box 800
Lake City, Michigan 49651

7.4 Jurisdiction. The jurisdiction and venue of any judicial proceeding brought pursuant or related to this Agreement shall be in the Wexford County Circuit Court or any other court in Wexford County having subject matter jurisdiction.

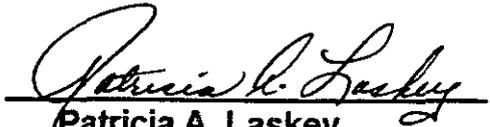
7.5 Headings. The article and other headings in this Agreement are for reference purposes only and shall not affect its meaning or interpretation.

IN WITNESS WHEREOF, the parties have executed this Agreement on this 19th day of September, 1995.

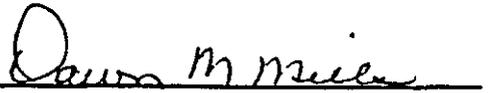
WITNESSES:



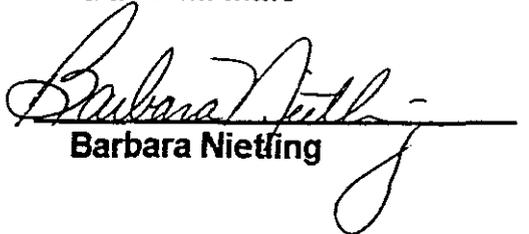
Gary R. Fuller



Patricia A. Laskey

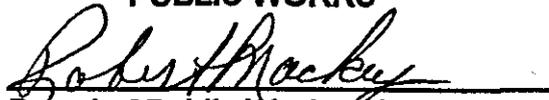


Dawn M. Mills

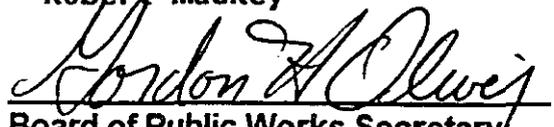


Barbara Nietling

WEXFORD COUNTY BOARD OF
PUBLIC WORKS



Board of Public Works Chairperson
Robert Mackey

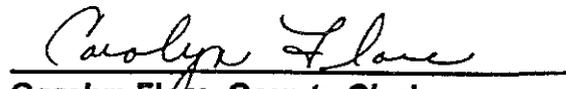


Board of Public Works Secretary
Gordon H. Oliver

MISSAUKEE COUNTY



Gary Birgy, Chairman of Board
of Commissioners



Carolyn Flore, County Clerk

WEXFORD COUNTY DEPARTMENT OF PUBLIC WORKS

3161 SOUTH LAKE MITCHELL DRIVE

CADILLAC, MICHIGAN 49601

PHONE (616) 775-0155 • FAX (616) 775-0156

**TO: Designated County Solid Waste Management
Planning Agencies**

**FROM: Wexford County (DPW) Designated
Solid Waste Management Planning
Agency**

DATE: January 25, 1999

RE: Import/Export Authorization(s)

**Please be advised that the following counties are included
in the Wexford County Solid Waste Management Plan for Primary
or Contingency use of the Wexford County Landfill.**

Missaukee	-	Primary
Manistee	-	Contingency
Leelanau	-	Contingency
Clare	-	Contingency

If you have any questions please contact this office.

GRF/sls

encl: Page III-4

SELECTED SYSTEM

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

Table 1-A

CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ²
<u>Wexford</u>	<u>Missaukee</u>	<u>Wexford County Landfill</u>	<u>Negotiated</u>	<u>Negotiated</u>	* <u>Primary (Agreement Requi:</u>
<u>Wexford</u>	<u>Manistee</u>	<u>Wexford County Landfill</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>
<u>Wexford</u>	<u>Leelanau</u>	<u>Wexford County Landfill</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>
<u>Wexford</u>	<u>Wexford</u>	<u>Wexford County Landfill</u>	<u>100%</u>	<u>100%</u>	<u>Primary</u>
<u>Wexford</u>	<u>Clare</u>	<u>Wexford County Landfill</u>	<u>Negotiated</u>	<u>Negotiated</u>	<u>Contingency</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

* Any primary or contingency use of the Wexford County Landfill must be preceded by a negotiated agreement executed by and between the Wexford County Board of Public Works and the appropriate authority of the exporting county.

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

ATTACHMENTS

Special Conditions

Special conditions affecting import or export of solid waste.

Any primary or contingency use of the Wexford County Landfill must be preceded by a negotiated agreement executed by and between the Wexford County Board of Public Works and the appropriated authority of the exporting county.

See Section III, page 4 (Import Authorization).

