

# Allegan County Solid Waste Planning Committee (SWPC)



Human Services Building  
3255 – 122<sup>nd</sup> Avenue Suite 200  
Allegan, MI 49010  
269-673-5411 Main Office  
269-673-4172 Main Fax  
<http://www.allegancounty.org>

**Garth Llewellyn, Chairman**  
**Dan Fritsch, Resource Recovery**  
**Coordinator**

## SOLID WASTE PLANNING COMMITTEE – AGENDA

Vacant  
Solid Waste Industry  
Representative

Tuesday, February 28, 2023 – 6:00 PM

Zimmerman Room, Human Services Building, 3255 122<sup>nd</sup> Avenue, Allegan

William Walker  
General Public  
Representative

### **CALL TO ORDER:**

### **ROLL CALL:**

**COMMUNICATIONS:** EGLE re: Stoddard and Sons

### **APPROVAL OF MINUTES:**

### **PUBLIC PARTICIPATION:**

### **APPROVAL OF AGENDA:**

**PRESENTATIONS:** Fred Sellers (EGLE) and Jeffry Krcmarik (EGLE) re: Part 115 and Allegan County SWPC (siting process and the definition of “Active Work Area”).

Vacant  
Township  
Representative

Vacant  
Industrial Waste  
Generator  
Representative

David Redding  
City Government  
Representative

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## **ACTION ITEMS:**

- a. Approve consistency of the siting application Anaergia/Fishbeck.
  - i. Motion made and approved to move the application to the full Solid Waste Planning Committee meeting, scheduled for February 28, 2023, for further review and vote and requested input from EGLE regarding the definition of “Active Work Area”. The Sub-Committee further determined that according to their determination of the Allegan County Solid Waste Plan’s definition of “Active Work Area” the application does not meet the criteria of the Plan.
  - ii. The Solid Waste Plan has not been updated since 1997 and one objective of having this siting process in place is to ensure that environmental risk is mitigated. EGLE was asked to come and discuss the definition of an “Active Work Area”.

Denise Webster  
General Public  
Representative

Garth Llewellyn  
General Public  
Representative

Gale Dugan  
County  
Commissioner

Jack Brown  
Solid Waste Industry  
Representative

Daniel DeFranco  
Environmental  
Representative

Randy Rapp  
Environmental  
Representative

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## **DISCUSSION ITEMS:**

- b. Legislative Update re: Solid Waste Plan
- c. Report
  - i. SWPC membership update & position vacancies and welcome the two members
    1. Daniel DeFranco
    2. David Redding
- d. Update on Participating Governmental Units surcharges for 2023 and 2024

Matt Rosser  
Solid Waste Industry  
Representative

Vacant  
Regional Solid Waste  
Planning  
Representative

Vacant  
Solid Waste Industry  
Representative

### **Mission Statement**

*“Allegan County shall plan, develop and evaluate the necessary policies and resources to ensure our county continues to progress and prosper”*

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**PUBLIC PARTICIPATION:**  
**FUTURE AGENDA ITEMS:**  
**ROUND TABLE:**  
**ADJOURNMENT:**  
**NEXT MEETING: May 23, 2023 @ 6:00 PM.**

# Allegan County Solid Waste Planning Committee (SWPC)



Human Services Building  
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269-673-5411 Main Office  
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**Garth Llewellyn, Chairman**  
**Vacant,**  
**Resource Recovery Coordinator**

## SOLID WASTE PLANNING SUB-COMMITTEE – MINUTES

Vacant  
Solid Waste Industry  
Representative

Thursday, February 2, 2023 – 8:00 AM

Zimmerman Room, Human Services Building, 3255 122<sup>nd</sup> Avenue, Allegan

William Walker  
General Public  
Representative

### **CALL TO ORDER:**

### **ROLL CALL:**

**Present: Jack Brown, Randy Rapp, Will Walker**

**Absent: Gale Dugan**

Vacant  
Township  
Representative

### **COMMUNICATIONS:**

### **APPROVAL OF MINUTES:**

### **PUBLIC PARTICIPATION:**

### **APPROVAL OF AGENDA:**

Vacant  
Industrial Waste  
Generator  
Representative

### **PRESENTATIONS:**

### **RECYCLE COORDINATOR REPORT:**

Norman Taylor  
City Government  
Representative

Denise Webster  
General Public  
Representative

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### **ACTION ITEMS:**

1. Solid Waste Application, Kent County Bioenergy Facility, LLC, Dorr Township, Michigan  
Anaergia Services, LLC
  - a. Site suitability application completeness

Garth Llewellyn  
General Public  
Representative

### **Questions:**

- Does “Active Work Area”, as defined in Part 115, pertain to Allegan County’s Solid Waste Plan Criteria?
  - Questions:
    - Does the domicile within 1000 feet of the Active Work Area effect approval?
    - Does the proposed site within 500 feet of adjacent property lines effect approval?
- Will the well on proposed site be used or properly abandoned?

Tom Jessup  
County  
Commissioner

Jack Brown  
Solid Waste Industry  
Representative

Daniel DeFranco  
Environmental  
Representative

Randy Rapp  
Environmental  
Representative

Matt Rosser  
Solid Waste Industry  
Representative

### **MOTION:**

- Motion made by **Jack Brown** to move the application to the full Solid Waste Planning Committee meeting, scheduled for February 28, 2023, for further review and vote and requested input from EGLE regarding the definition of “Active Work Area”. The Sub-Committee further determined that according to their determination of the Allegan County Solid Waste Plan’s definition of “Active Work Area” the application does not meet the criteria of the Plan. Seconded by **Will Walker** Yes: 3, Nay: 0 Motion carried

Gale Dugan  
Regional Solid Waste  
Planning  
Representative

Vacant  
Solid Waste Industry  
Representative

### **Mission Statement**

*“Allegan County shall plan, develop and evaluate the necessary policies and resources to ensure our county continues to progress and prosper”*

- Motion made to adjourn meeting by **Jack Brown**, seconded by **Will Walker**. Yes: 3, Nay: 0 Motion carried

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**DISCUSSION ITEMS:**

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**PUBLIC PARTICIPATION:**

**FUTURE AGENDA ITEMS:**

**ROUND TABLE:**

**ADJOURNMENT:**

**NEXT MEETING: No meeting scheduled**



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
KALAMAZOO DISTRICT OFFICE



DANIEL EICHINGER  
ACTING DIRECTOR

February 17, 2023

VIA EMAIL

Douglas E. Plesner, Compliance Manager  
C. Stoddard & Sons, Inc.  
3456 12<sup>th</sup> Street  
Wayland, Michigan 49348

Dear Douglas Plesner:

SUBJECT: C. Stoddard & Sons, Inc. Operating License - Administratively Complete  
Application (WDS 392815)

The Department of Environment, Great Lakes, and Energy (EGLE), Materials Management Division (MMD), acknowledges the receipt of your administratively complete, but technically unevaluated, operating license application for the C. Stoddard & Sons, Inc., located in Hopkins Township, Allegan County. The administrative completeness review was performed pursuant to the requirements of Part 13, Permits, and Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. The application was determined to be administratively complete on February 17, 2023.

As a result of this application being considered administratively complete, the 90-day processing period under Part 13 review deadline for this application has started. Consequently, the 90-day deadline for the MMD's decision on this application is

**May 17, 2023.** If you have any questions, feel free to contact Dania Alsaïd, Environmental Engineer, Kalamazoo District, MMD, at 269-391-3092, or you may contact me.

Sincerely,

Fred L. Sellers  
District Supervisor  
Kalamazoo District Office  
Materials Management Division  
269-569-1476

cc: Hopkins Township Clerk  
Allegan County Health Department  
Rhonda Oyer, EGLE-Lansing  
Jeff Spencer, EGLE-Lansing  
Jim Arduin, EGLE- Lansing  
Dania Alsaïd, EGLE-Kalamazoo  
Nathan Whitmyer, EGLE-Kalamazoo

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**Garth Llewellyn, Chairman**  
**Dan Fritsch, Resource Recovery  
Coordinator**

Vacant  
Solid Waste Industry  
Representative

## **SOLID WASTE PLANNING COMMITTEE – Coordinator’s Report**

Tuesday, February 28, 2023

Will Walker  
General Public  
Representative

### **RECYCLING COORDINATOR REPORT:**

Vacant  
Township  
Representative

- 1. Position update was filled January 03, 2023 and onboarding is occurring.** This process generally takes 3-6 months to complete.
- 2. Sustainable Business Park Anaergia/Fishbeck application for consistency (siting) was submitted to Allegan County.** SWPC sub-committee was formed and met numerous times. Subcommittee has reviewed the application and wants to bring to the full committee to discuss prior to approval. SWPC subcommittee minutes included in the meeting packet.

Vacant  
Industrial Waste  
Generator  
Representative

David Redding  
City Government  
Representative

### **3. Part 115 planning**

- a. Partnership with WMSBF for MMCE grant to collect data to inform Materials Management Plan updates.
- b. Coordinator is getting connected to start attending Planning meetings hosted by EGLE (bi-monthly).

Denise Webster  
General Public  
Representative

Garth Llewellyn  
General Public  
Representative

### **4. Legislative Update**

- a. Eight bill package (HB 4454-4461) passed during lame duck session and was signed by the Governor. Please see the timeline in the packet for additional information.
- b. MCR 41<sup>st</sup> Annual Conference May 9-11, 2023 at the Kalamazoo Radisson. Have any of you went in the past? Resource Recovery Coordinator plans to attend. Will forward registration when it is open.
  - i. This year's conference will feature a track of five sessions focused specifically on Part 115 changes to provide you with the most up-to-date information needed to make the most of this process. It's imperative for local governments to understand what will be expected, how they will be supported, and how they can intentionally engage with key stakeholders to develop an integrated system for managing end of life materials in ways that meet the needs of the community.

Gale Dugan  
County  
Commissioner

Jack Brown  
Solid Waste Industry  
Representative

Daniel DeFranco  
Environmental  
Representative

Randy Rapp  
Environmental  
Representative

Matt Rosser  
Solid Waste Industry  
Representative

Vacant  
Regional Solid Waste  
Planning  
Representative

Vacant  
Solid Waste Industry  
Representative

### **5. Recycling Surcharge Vote, 2022**

#### **Mission Statement**

*“Allegan County shall plan, develop and evaluate the necessary policies and resources to ensure our county continues to progress and prosper”*

- a. **Financial Stability:** Ballot proposals submitted to County Clerk by Allegan Township, Dorr Township, Valley Township, and Watson Township.
  - i. All proposals passed.
  - ii. **NEW PGUs:** Valley Township, Watson Township, & Fillmore Township (Fillmore is board approved at \$25/hh)

**6. Resource Recovery Program**

- a. **Customers:**
  - i. 2023 dates for events requested but not confirmed with vendors.
- b. **Customers:** Planning launch of online household hazardous waste appointment tool to make scheduling collection appointments more accessible. Tentative launch date is October 1, 2022.
  - i. Waitwhile is no longer working.
  - ii. **Potential solution would be to offer Qualtrics survey to request appointments online. This is something that is being explored in Q2.**
- c. **Customers:** Expanded recycling guide for difficult to recycle materials on county website.
  - i. **This is ongoing.**
- d. **Processes:** To ensure continuity of service, health department has identified and trained a primary and secondary backup for each program service.

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**Garth Llewellyn, Chairman**  
**Vacant,**  
**Resource Recovery Coordinator**

## SOLID WASTE PLANNING COMMITTEE – MINUTES

Vacant  
Solid Waste Industry  
Representative

Tuesday, November 22, 2022 – 6:00 PM

Brought to Order: 6:03pm

William Walker  
General Public  
Representative

Zimmerman Room, Human Services Building, 3255 122<sup>nd</sup> Avenue, Allegan

### **CALL TO ORDER:**

### **ROLL CALL:**

Vacant  
Township  
Representative

**Present:** Denise Webster, Garth Llewellyn, Tom Jessup,  
Jack Brown, Randy Rapp, Gale Dugan, Will Walker

Vacant  
Industrial Waste  
Generator  
Representative

**Absent:** Norm Taylor, Daniel DeFranco, Matt Rosser

### **COMMUNICATIONS:**

None

### **APPROVAL OF MINUTES:**

Norman Taylor  
City Government  
Representative

**Motion to approve the minutes:** Denise Webster, 2<sup>nd</sup> by  
Jack Brown unanimous approval by committee

### **PUBLIC PARTICIPATION:**

None

### **APPROVAL OF AGENDA:**

Garth Llewellyn  
General Public  
Representative

**Motion to approve agenda as sent by Randy Rapp on  
11/22/2022, 3:46pm:** Gale Dugan, 2<sup>nd</sup> by Tom Jessup

### **PRESENTATIONS:**

Tom Jessup  
County  
Commissioner

**Southwest Michigan Sustainable Business Forum,  
MMCE grant update and Siting Presentation (Lillian  
Woolley):** Presentation given

Jack Brown  
Solid Waste Industry  
Representative

### **RECYCLE COORDINATOR REPORT: Attached**

Daniel DeFranco  
Environmental  
Representative

**Motion to accept Coordinator's report, given by Randy**

**Rapp:** Gale Dugan, 2<sup>nd</sup> by Tom Jessup

\*Acting Coordinator asked to determine outcome of  
Cheshire Township vote

Randy Rapp  
Environmental  
Representative

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### **ACTION ITEMS:**

Matt Rosser  
Solid Waste Industry  
Representative

a. 2023 meeting schedule

**i. Motion to approve 2023 meeting schedule:** Jack Brown, 2<sup>nd</sup> by  
Denise Webster

Gale Dugan  
Regional Solid Waste  
Planning  
Representative

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### **DISCUSSION ITEMS:**

Vacant  
Solid Waste Industry  
Representative

b. Cost increases.

**i. Republic Services update**

#### **Mission Statement**

*"Allegan County shall plan, develop and evaluate the necessary policies and resources to ensure  
our county continues to progress and prosper"*



1. Jack Brown provided an update regarding future cost increases.
  2. The increases will be implemented as contracts expire.
  3. Republic is working with the Local Units of Government (LUG) on the new contracts.
  4. The fuel surcharge has helped ease the impact of some of the increases.
- c. Report
- i. SWPC membership update & position vacancies
    1. Discussion developed as to the goals and purposes of the SWPC.
    2. Acting Coordinator to email application to committee members.
- d. Siting timeline (template)
- i. To meet required statutes- this will be a helpful tool.
    1. SWPC sub-committee to meet, in person, prior to December 21<sup>st</sup> deadline.
    2. Acting Coordinator to send invitation for meeting to SWPC subcommittee.
    3. Final approval, if all items have been met, needed by February 20, 2023.
- e. Open the siting process on a potential transfer station at Broken Arrow
- i. Preliminary Summary
    1. Will Walker provided a summary of the possible transfer station at Broken Arrow.
    2. Broken Arrow to submit application when they are ready to proceed.
    3. A new subcommittee will be formed at that time.

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**PUBLIC PARTICIPATION:**  
**FUTURE AGENDA ITEMS:**  
**ROUND TABLE:**  
**ADJOURNMENT:**

**Motion to adjourn:** Tom Jessup, 2<sup>nd</sup> by Gale Dugan  
**NEXT MEETING: February 28, 2023 @ 6:00 PM.**

# Allegan County Solid Waste Planning Committee (SWPC)



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**Garth Llewellyn, Chairman**  
**Vacant,**  
**Resource Recovery Coordinator**

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## SOLID WASTE PLANNING SUB-COMMITTEE – MINUTES

Vacant  
Solid Waste Industry  
Representative

Thursday, December 8, 2022 – 8:00 AM

Zimmerman Room, Human Services Building, 3255 122<sup>nd</sup> Avenue, Allegan

William Walker  
General Public  
Representative

### **CALL TO ORDER:**

**ROLL CALL: Jack Brown, Randy Rapp, Gale Dugan, Will Walker**

### **COMMUNICATIONS:**

**APPROVAL OF MINUTES:**

**PUBLIC PARTICIPATION:**

**APPROVAL OF AGENDA:**

**PRESENTATIONS:**

**RECYCLE COORDINATOR REPORT:**

Vacant  
Township  
Representative

Vacant  
Industrial Waste  
Generator  
Representative

Norman Taylor  
City Government  
Representative

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### **ACTION ITEMS:**

1. Solid Waste Application, Kent County Bioenergy Facility, LLC, Dorr Township, Michigan  
Anaergia Services, LLC
  - a. Site suitability application completeness

### **Questions:**

- How far is the project from the closest 100 year flood plain?
- What is the name of the flood plain?
- What is the EGLE permit number applied which has been applied for?
  - We would like to tie it into the approval.
- What are the parameters of the road improvements?
  - Where are the roads going to be improved to Class A?
  - From 100<sup>th</sup> Street (Kent County) to 142<sup>nd</sup> Avenue (Allegan County)?

### **MOTION:**

- Motion made by **Gale Dugan** to accept the application as Administratively Complete if the above items are answered satisfactorily. Seconded by **Jack Brown**. Yes: 4, Nay: 0
- Motion made to adjourn meeting by Gale Dugan, seconded by Will Walker. Yes: 4, Nay: 0

Denise Webster  
General Public  
Representative

Garth Llewellyn  
General Public  
Representative

Tom Jessup  
County  
Commissioner

Jack Brown  
Solid Waste Industry  
Representative

Daniel DeFranco  
Environmental  
Representative

Randy Rapp  
Environmental  
Representative

Matt Rosser  
Solid Waste Industry  
Representative

Gale Dugan  
Regional Solid Waste  
Planning  
Representative

Vacant  
Solid Waste Industry  
Representative

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### **DISCUSSION ITEMS:**

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### **PUBLIC PARTICIPATION:**

#### **Mission Statement**

*“Allegan County shall plan, develop and evaluate the necessary policies and resources to ensure our county continues to progress and prosper”*

**FUTURE AGENDA ITEMS:**

**ROUND TABLE:**

**ADJOURNMENT:**

**NEXT MEETING: January 19, 2023 @ 9:00 – 11:00am**

# Allegan County Solid Waste Planning Committee (SWPC)



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269-673-5411 Main Office  
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**Garth Llewellyn, Chairman**  
**Vacant,**  
**Resource Recovery Coordinator**

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## **SOLID WASTE PLANNING SUB-COMMITTEE – AGENDA**

Vacant  
Solid Waste Industry  
Representative

Thursday, January 19, 2023 – 9:00 AM

Zimmerman Room, Human Services Building, 3255 122<sup>nd</sup> Avenue, Allegan

William Walker  
General Public  
Representative

### **CALL TO ORDER:**

### **ROLL CALL:**

**Present:** Jack Brown, Randy Rapp, Will Walker, Gale Dugan

Vacant  
Township  
Representative

### **COMMUNICATIONS:**

Vacant  
Industrial Waste  
Generator  
Representative

### **APPROVAL OF MINUTES:**

### **PUBLIC PARTICIPATION:**

### **APPROVAL OF AGENDA:**

Norman Taylor  
City Government  
Representative

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## **ACTION ITEMS:**

1. Solid Waste Application, Kent County Bioenergy Facility, LLC, Dorr Township, Michigan  
Anaergia Services, LLC
  - a. Site suitability application completeness
    - i. Meeting Start Time: 9:07am
      1. Motion: Dugan
      2. 2<sup>nd</sup>: Walker
      3. Unanimous
    - ii. Upon review of email from Fishbeck the application for Anaergia considered administratively complete.
      1. Motion: Dugan
      2. 2<sup>nd</sup>: Walker
      3. Unanimous
    - iii. Proximity, within 1000', of tipping site of home to the west
    - iv. Active work area within 500' of ROW and south property line
    - v. Provide locations of all wells within 800' of active work area
    - vi. Figure 11 had the North arrow in the wrong direction
  - b. Meeting adjourned at 10:45am
    - i. Motion: Dugan
    - ii. 2<sup>nd</sup>: Walker
    - iii. Unanimous

Denise Webster  
General Public  
Representative

Garth Llewellyn  
General Public  
Representative

Tom Jessup  
County  
Commissioner

Jack Brown  
Solid Waste Industry  
Representative

Daniel DeFranco  
Environmental  
Representative

Randy Rapp  
Environmental  
Representative

Matt Rosser  
Solid Waste Industry  
Representative

Gale Dugan  
Regional Solid Waste  
Planning  
Representative

Vacant  
Solid Waste Industry  
Representative

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## **DISCUSSION ITEMS:**

### **Mission Statement**

*"Allegan County shall plan, develop and evaluate the necessary policies and resources to ensure our county continues to progress and prosper"*

---

**PUBLIC PARTICIPATION:**

**FUTURE AGENDA ITEMS:**

**ROUND TABLE:**

**ADJOURNMENT:**

**NEXT MEETING: February 2, 2023** at 8:00am, Zimmerman Room, Human Services Building, 3255 122nd Avenue, Allegan



# Allegan County Boards & Commissions Members Consideration of Appointment/Election

Name: Daniel DeFranco Date: 12/16/2022  
 Address: 6122 Old Allegan Rd Home: 201-218-3730  
 City: Saugatuck, Mich. ZIP Code: 49453 Business: \_\_\_\_\_  
 E-mail Address: daniel.defranco7@gmail.com Mobile: \_\_\_\_\_  
 Seeking appointment/election to: Solid Waste Planning Committee  
 If applicable, which group or interests would you represent if appointed or elected? \_\_\_\_\_  
Environmental Interest Group Manager

Are you a resident of Allegan County?  YES  NO

Briefly state why you desire to be appointed: I would like to be a part of updating Allegan County's Solid Waste plan as I believe incorporating certain updates will be beneficial for the environment & open new economic opportunities for Allegan County Residents & businesses.

Please state any specific qualifications you possess which would be beneficial to the appointment you desire, such as special skills, interests, education, experience, or membership in specific groups. Please attach additional sheets if necessary.

For the past 3 years I have served as vice chair on a regional recycling committee that was very successful in sharing information on how to improve recycling habits & established an annual HHW Drop Off event for the community. I currently serve as Saugatuck Township Manager, where I act as staff for our Parks Commission, who has now secured a 10-year millage to support land acquisition & conservation efforts. I hold a doctorate in Philosophy from Tulane University in Philosophy.

Signature of Applicant: Daniel DeFranco

To complete and submit this form, you may:

- 1 fill out the PDF form online, print the completed form, then mail it to the address at right,
- 2 print out the PDF form, complete it by hand, then mail it to the address at right, or
- 3 fill out the PDF form online, save the completed form on your computer, then send the completed PDF form as an attachment to the e-mail address at right.

Send completed form to:

Allegan County Administration  
 3283 122nd Avenue  
 Allegan, Michigan 49010  
 Fax: (269) 686-5331  
 administration@allegancounty.org



# Allegan County Boards & Commissions Members Consideration of Appointment/Election

Name: David Redding Date: 12/19/2022  
 Address: 105 Division St Home: \_\_\_\_\_  
 \_\_\_\_\_ Business: \_\_\_\_\_  
 City: Allegan, Mich. ZIP Code: 49010 Mobile: (616) 970-2416  
 E-mail Address: dredding@cityofallegan.org

Seeking appointment/election to: Solid Waste Planning Committee

If applicable, which group or interests would you represent if appointed or elected? \_\_\_\_\_  
 Currently representing residents of the City of Allegan on the Allegan City Council. If appointed, would report findings to the City Council as appropriate.

Are you a resident of Allegan County?  YES  NO

Briefly state why you desire to be appointed: \_\_\_\_\_  
 Seeking to better understand municipal waste programs available in Allegan County to be able to provide information and insight in my role as a member of the Allegan City Council. Also seeking to ensure responsible handling of solid waste in our community, now and into the future.

Please state any specific qualifications you possess which would be beneficial to the appointment you desire, such as special skills, interests, education, experience, or membership in specific groups. Please attach additional sheets if necessary. \_\_\_\_\_  
 Allegan City Council member, B.S. in Social Studies with Political Science emphasis, expertise in regulatory compliance for Pharmaceutical industry, extensive experience in procedure development for large organizations

Signature of Applicant: \_\_\_\_\_

To complete and submit this form, you may:

- 1 fill out the PDF form online, print the completed form, then mail it to the address at right,
- 2 print out the PDF form, complete it by hand, then mail it to the address at right, or
- 3 fill out the PDF form online, save the completed form on your computer, then send the completed PDF form as an attachment to the e-mail address at right.

Send completed form to:

Allegan County Administration  
 3283 122nd Avenue  
 Allegan, Michigan 49010  
 Fax: (269) 686-5331  
 administration@allegancounty.org

## SELECTED SYSTEM

## 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:

N/A

### SITING PROCESS

The following process incorporates the criteria and procedures used to site solid waste disposal facilities and determine their consistency with this Plan:

Proposals for all new disposal areas, including solid waste landfills, transfer stations and processing plants, must conform to the criteria contained in this section before a determination of consistency may be issued. To initiate a review for consistency, a prospective applicant must submit a notice of intent to the county's designated planning agency. Since the county has sufficient disposal capacity for ten years it may, by vote of the solid waste planning committee, refuse to activate this siting process to consider an application. The applicant will be notified of the committee's decision not more than 45 days after submitting his or her initial notice. If the solid waste planning committee does not respond within this time period, the siting process will be activated.

Once the siting process is activated, the applicant will have 90 days to submit a formal application. The solid waste planning committee may, at its discretion, approve an extension of this deadline. Solid waste siting proposals will then be reviewed for consistency with the Plan by the designated planning agency and approved by the county solid waste planning committee according to the procedures outlined herein. A proposal that is declared to be consistent with the Plan shall become part of the Plan upon issuance of a construction permit by the DEQ.

To initiate formal review under this Plan, the facility developer shall submit the application information required below to the county designated planning agency. A reasonable number of additional copies may be required at the discretion of the designated planning agency.

Upon receipt of the application, the designated planning agency shall review the application for administrative completeness in accordance with the requirements listed below. If it is not complete, the developer shall be notified and given the opportunity to provide additional information to make the application complete. If no determination is made within thirty days, the application shall be considered administratively complete.



## SELECTED SYSTEM

### Application Requirements

- The application shall include a name, address, and telephone number for the applicant (including partners and other ownership interests), the property owners(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.
- 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 facility, haul route from access roads to nearest state trunkline, and a current map showing the zoning of the proposed site and surrounding zoning, domiciles, public & private water supplies, and present usage of all property within one mile of the site.
- 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 existing 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, location of all wetlands (as defined by Part 303, Wetlands Protection, of Act 451) within 1,200 feet of the site, and the site soil types and general geological characteristics.
- 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.
- 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's life expectancy.
- If necessary to satisfy the requirements of criteria number 12 below, the application shall include a signed agreement indicating the willingness of the developer to provide for road improvements and/or maintenance.

Within sixty days from the date the application is determined to be administratively complete, the designated planning agency shall complete the consistency review and make its recommendation to the county solid waste management planning committee who shall send the county's written final determination of consistency for the proposal to the applicant. To be found consistent with the Plan, all proposed solid waste disposal areas must comply with the siting criteria and requirements described in numbers 1-12 below. Sanitary landfills must also comply with numbers 13 and 14.

## SELECTED SYSTEM

### Siting Criteria

1. The active work area for a new facility or expansion of an existing facility shall not be located closer than 500 feet from adjacent property lines, road rights-of-way, lakes, and perennial streams.
2. The active work area for a new facility or expansion of an existing facility shall not be located closer than 1,000 feet from domiciles or public schools existing at the time of submission of the application.
3. 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.
4. A facility shall not be located in a wetland regulated by Part 303, Wetlands Protection, of Act 451, unless a permit is issued.
5. A facility shall not be constructed on lands enrolled under Part 361, Farmland and Open Space Preservation, of Act 451.
6. A facility shall not be located in an area defined in Section 32301 of Part 323, Shorelands Protection and Management, of Act 451, or in areas of unique habitat as defined by the Department of Natural Resources, Natural Features Inventory.
7. 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 DEQ.
8. A facility shall not be located in a designated historic or archaeological area as defined by the state historical preservation officer.
9. 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 facility developer indicates, to the satisfaction of the DEQ, that the site is suitable for such use.
  - b) The State determines that the land may be released for disposal area purposes and the facility developer acquires the property in fee title from the State in accordance with state requirements for such acquisition.

## SELECTED SYSTEM

10. Facilities may only be located on property zoned as agricultural, industrial, commercial, or other designation appropriate for solid waste disposal activity at the time the facility developer applies to the county for a determination of consistency under the Plan. Facilities may be located on unzoned property, but may not be located on property zoned residential.
11. The owner and operator of a facility shall agree to cooperate with the county on all current and future recycling and composting activities.
12. 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 agree to provide for upgrading and/or maintenance of the road serving the facility.
13. A sanitary landfill shall not be constructed within 10,000 feet of a licensed airport runway.
14. The applicant for a new landfill must submit a written statement indicating that:
  - a) the proposed facility is consistent with proven technologies and Part 115 of Act 451, 1994;
  - b) all haulers will be treated equitably and impartially;
  - c) local regulations concerning landscaping and screening; hours of operation; facility security; noise, litter, odor, and dust control will be observed.

If the facility developer does not agree with the county's consistency decision, or if the county has issued no consistency determination within 90 days of receiving the application, the developer may request the DEQ to determine consistency of the proposal with the Plan as part of DEQ review of a construction permit application.

If the proposal is found to be inconsistent with the Plan, the facility developer may provide additional information to address the identified deficiencies. The designed planning agency may determine consistency on such a resubmittal only in regards to those parts of the proposal which have been modified.

The final determination of consistency with the Plan shall be made by the DEQ upon submittal by the developer of an application for a construction permit. The DEQ shall review the determination made by the county to ensure that the criteria and review procedures have been properly adhered to by the county.

# SOLID WASTE/MATERIAL MANAGEMENT LEGISLATIVE TIMELINE

**MARCH 2023**



Legislation takes effect.

Environment, Great Lakes, and Energy need to notify Counties.



**July/August 2023**

**January 2024**



Counties need to respond to EGLE on the next steps to update the plan. .

Counties will need to have their Material Management Plans updated and submitted to EGLE.



**December 2026**

**2027 and Beyond**



Ongoing maintenance, reporting, and updates as required.

## Update

Timeline after brief review- 90 days to take effect. EGLE has 180 days to notify counties. Counties then have 180 days to respond to EGLE on what they plan to do. Thereafter, counties have 3 years to submit updated “Materials Management Plans” replacing the current Solid Waste Plans to the state. 30% recycling by 2029 (eventually 45% recycling mandate). Currently, Michigan is at 19%. Solid Waste Planning Committee to become Materials Management Committee. It appears some startup funding to update/covert Solid Waste Management Plans into Materials Management Plans. It appears up to \$94,000 in the first 3 years. When EGLE sends notification there should be more information on exact funding. Thereafter, \$60,000 to continue the program. Costs will be borne by the municipalities and counties to meet the benchmark recycling goals. They list all the ways to fund the programs such as millage, special assessment, general fund.

**SWPC REVIEW OF LEGISLATION AND NEXT STEPS–  
The SWPC will need to explore options with the Resource Recovery Coordinator and provide a recommendation to the Board of Commissioners on how we will update the plan.  
Would a sub-committee be appropriate?**