



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

April 9, 2008

Mr. Thomas M. Posma, Chairman
Mason County Board of Commissioners
304 East Ludington Avenue
Ludington, Michigan 49431

Dear Mr. Posma:

The locally-approved amendment to the Mason County Solid Waste Management Plan (Plan Amendment) received by the Department of Environmental Quality (DEQ) on January 14, 2008, is hereby approved.

The Plan Amendment authorizes Type A transfer and material recovery facilities to be exempt from the all-season road requirement if a surety bond is given to the Mason County Road Commission to cover any necessary repairs caused by the operator's use of a county road adjacent to its facility. The DEQ has determined that the Plan Amendment complies with the provisions of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and its administrative rules.

The DEQ would like to thank Mason County for its efforts in addressing its solid waste management issues. If you have any questions, please contact Ms. Rhonda Oyer Zimmerman, Chief, Solid Waste Management Unit, Storage Tank and Solid Waste Section, Waste and Hazardous Materials Division, at 517-373-4750.

Sincerely,

Steven E. Chester
Director
517-373-7917

cc: Senator Gerald Van Woerkom
Representative David Palsrok
Mr. Fabian L. Knizacky, Mason County Administrator
Mr. Jim Sygo, Deputy Director, DEQ
Ms. JoAnn Merrick, Chief of Staff, DEQ
Ms. Carol Linteau, Legislative Director, DEQ
Mr. George W. Bruchmann, DEQ
Mr. Steven Sliver, DEQ
Mr. Philip Roycraft, DEQ
Ms. Rhonda Oyer Zimmerman, DEQ
Ms. Christina Miller, DEQ
Mason County File

2007 Amendment to the 1998 Solid Waste Management Plan

Pages 76-78

The current text on Page 76, second to the last paragraph in the Plan, will be replaced with the following, all new language has been underlined:

Transfer facilities

The transfer facility building(s) shall not be located within 300 feet of adjacent property lines, road right-of-way, or lakes and perennial streams. All facilities shall be screened with a suitable barrier at least 8 feet high and with 75% screening to reduce the visibility of the operation.

The transfer facility building(s) shall not be located closer than 300 feet to domiciles existing at the time of permit application, unless the affected property owner had provided a written waiver consenting to activities closer than 300 feet. The waiver shall be knowingly made and separate from a lease or deed unless the lease or deed contains an explicit waiver from the current owner.

The transfer facility shall not be located within the 100-year flood plain as identified on DEQ prepared maps as defined in Part 31 of Act 451 Administrative rules.

The transfer facility shall not be located within 300 feet of a wetland as defined and regulated under Part 303 of Act 451.

The transfer facility shall not be located within 300 feet of any existing public park or recreation area.

A potential Type A transfer facility site must have direct access to an all-weather "class A" road to accommodate heavy truck traffic generated at the site. If a proposal for a transfer facility includes or assumes year-round traffic to off-site sources of cover material, the proposal must include all-season road access provisions for this function. However, the transfer facility site shall be exempt from these all-season road requirements if the operator of the transfer station provides a surety bond to the Mason County Road Commission to cover any necessary repairs caused by the operator's use of a county road adjacent to its facility. If a transfer facility proposal includes upgrading a road to all-season status, the design and construction must conform to the current standards of the American Association of State Highway and Transportation Officials (AASHTO), as set forth in Design Guidelines, ASHTO Interim Structural Pavement Design Procedure, Adopted for All Season Roads (revision of January 1989, or a later revision if issued). A proposal will be found consistent with the road access requirement of the Plan if it contains a written statement agreeing to upgrade direct access roads to all-season "class A" standards based on AASHTO specifications as cited here, at no direct charge to county, road commission or local governments. A 66-foot easement recorded on the deed of a land-locked parcel qualifies as having road frontage, but does not negate the necessity for the access road to be of all-season construction. Said upgrade to all-

season "class A" standards must be completed prior to the start of construction of the transfer facility. Sites lacking direct access to an all-weather "class A" road to accommodate heavy truck traffic is inconsistent with this Plan, unless the bond requirement described in this paragraph is met.

The developer must provide a written noise and vibration abatement plan for the proposed transfer facility site.

The current text on Page 77, third to the last paragraph in the Plan will be replaced with the following, all new language has been underlined:

Solid Waste Material Recovery Facilities (MRF)

The MRF building(s) shall not be located within 300 feet of adjacent property lines, road right-of-way, or lakes and perennial streams. All facilities shall be screened with a suitable barrier at least 8 feet high and with 75% screening to reduce the visibility of the operation.

The MRF building(s) shall not be located closer than 1,000 feet to domiciles existing at the time of permit application, unless the affected property owner had provided a written waiver consenting to activities closer than 1,000 feet. The waiver shall be knowingly made and separate from a lease or deed unless the lease or deed contains an explicit waiver from the current owner.

The MRF shall not be located within the 100-year flood plain as identified on DEQ prepared maps as defined in Part 31 of Act 451 Administrative rules.

The MRF shall not be located within 300 feet of a wetland as defined and regulated under Part 303 of Act 451.

The MRF shall not be located within 300 feet of any existing public park or recreation area.

A potential MRF site must have direct access to an all-weather "class A" road to accommodate heavy truck traffic generated at the site. If a proposal for a MRF includes or assumes year-round traffic to off-site sources of cover material, the proposal must include all-season road access provisions for this function. However, the MRF site shall be exempt from these all-season road requirements if the operator of the transfer station provides a surety bond to the Mason County Road Commission to cover any necessary repairs caused by the operator's use of a county road adjacent to its facility. If a MRF proposal includes upgrading a road to all-season status, the design and construction must conform to the current standards of the American Association of State Highways and Transportation Officials (AASHTO), as set forth in Design Guidelines, ASHTO Interim Structural Pavement Design Procedure, Adopted for All Season Roads (revision of January 1989, or a later revision if issued). A proposal will be found consistent with the road access requirement of the Plan if it contains a written statement agreeing to upgrade

direct access roads to all-season "class A" standards based on AASHTO specifications as cited here, at no direct charge to county, road commission or local governments. A 66-foot easement recorded on the deed of a land-locked parcel qualifies as having road frontage, but does not negate the necessity for the access road to be of all-season construction. Said upgrade to all-season "class A" standards must be completed prior to the start of construction of the MRF. Sites lacking direct access to an all-weather "class A" road to accommodate heavy truck traffic is inconsistent with this Plan, unless the bond requirement described in this paragraph is met.

All MRF's shall be located in an area that has been zoned for industrial or agricultural use.

Landscaping, composed of shrubbery and trees, shall be provided and maintained to beautify the view of the MRF. The landscaping must be of sufficient maturity and density to serve as an effective sight barrier defined as follows. Such barriers shall consist of the following: plantings of evergreen trees, not more than 12 feet apart, or shrubbery not more than 5 feet apart, in staggered rows parallel to the boundaries of the property. Evergreen transplants shall be at least 4 feet in height at the time of planting, and shall grow to not less than 10 feet in height. Trees or shrubs that die must be replaced according to the previously described standards during the next growing season.

Noise effects on adjacent properties shall be minimized by the utilization of adequately sound proofed equipment and facilities designed to effect such minimization, and by the use of berms, walls, and natural planting screens. The developer must provide a written abatement plan.