

(4) Where solid waste is purposely dumped from a solid waste transporting unit due to a hot load or fire, the fire shall be immediately extinguished by the most effective means and the area shall be properly cleaned as soon as reasonably possible.

(5) During the collection process, a solid waste transporting unit shall not be parked in a residential area longer than necessary to collect solid waste, unless it is parked more than 500 feet from adjacent residences. A solid waste transporting unit shall not be parked, stored or established at any location so as to cause a hazard to health or at any residentially zoned location so as to cause a nuisance.

History: 1982 AACCS.

PART 7. SOLID WASTE MANAGEMENT PLANS

R 299.4701 Compliance with act and rules.

Rule 701. The solid waste management plans required by section 11533 of the act shall comply with the act and all rules promulgated pursuant to the act. Regional and multicounty planning is encouraged. The director shall consider proposals for regional and multicounty plans if the proposals are in conformance with the act.

History: 1982 AACCS; 2015 AACCS.

R 299.4702 County solid waste management plan; designation of agency responsible for preparation of plan.

Rule 702. (1) The director shall, within 2 weeks after the effective date of these rules, provide a form to each county on which the county shall indicate the county's intent to prepare or upgrade an existing solid waste management plan and designate an agency responsible for the preparation of the plan. As provided in section 11533(4) of the act, the municipalities within the county may file a notice of intent and designate the agency responsible for the preparation of the plan if the county fails to do so. In either case, the designated planning agency shall have the necessary expertise and the legal, financial, and institutional capabilities to prepare the plan. Designated planning agencies may include, but are not limited to, all of the following:

- (a) Regional, county, or municipal planning commissions.
- (b) Departments of public works.
- (c) Road commissions.
- (d) Drain commissioners.
- (e) County executives.
- (f) Solid waste disposal authorities.

(2) If a county files a notice of intent and the designated planning agency does not follow the work program or comply with the requirements of the act, the director shall review the reasons for nonperformance and may request that the municipalities within the county prepare a solid waste management plan.

(3) If the municipalities within a county file a notice of intent and the designated planning agency does not follow the work program or comply with the requirements of

the act, the director shall review the reasons for nonperformance and may request that a regional solid waste management planning agency prepare a solid waste management plan.

(4) If a regional solid waste management planning agency files a notice of intent and does not follow the work program or comply with the requirements of the act, the director shall review the reasons for nonperformance and may prepare a solid waste management plan which shall be final.

(5) One year after the effective date of these rules, the director may, at his or her discretion, assume responsibility for the preparation of a solid waste management plan if the governmental unit that filed a notice of intent does not comply with the requirements of the act and these rules.

History: 1982 AACCS; 2015 AACCS.

R 299.4703 Planning committees; formation; membership; responsibilities.

Rule 703. (1) The planning committee shall be formed pursuant to section 11534 of the act.

(2) Planning committee membership shall comply with all of the following requirements:

(a) The planning committee shall be formed in accordance with section 11534(2) of the act considering the definitions in part 1 of these rules, R 299.4103(e), R 299.4104(c), and R 299.4107(h). The 4 representatives appointed to the planning committee as representatives of the solid waste management industry shall, when possible, reside or conduct business within the county.

(b) The 2 representatives appointed to the planning committee from environmental interest groups shall be from organizations that are active within the county.

(c) The 3 general public representatives appointed to the planning committee shall reside within the county.

(d) The other 4 members of the planning committee shall be selected as specified in the act.

(e) Counties preparing a regional or multicounty solid waste management plan may jointly appoint a single planning committee.

(3) The planning committee shall do both of the following:

(a) Assist in the preparation of the plan by providing advice and consultation, which includes all of the following:

(i) Reviewing the designated planning agency's work program.

(ii) Identifying local policies and priorities.

(iii) Insuring coordination and public participation.

(iv) Advising counties or municipalities.

(v) Reviewing work elements.

(vi) Approving the plan.

(b) Assure that the designated planning agency is fulfilling all the requirements of the act and these rules as to both the content of the plan and the public participation. The committee shall notify the planning agency of any deficiencies. If the deficiencies are not worked out to the committee's satisfaction, then it shall inform the director and the

governmental unit filing the notice of intent. The director or the governmental unit filing the notice of intent shall resolve any deficiencies.

History: 1982 AACCS; 2015 AACCS.

R 299.4704 Work program; preparation and submittal by designated planning agency; review by planning committee; copies.

Rule 704. (1) Within 90 days after the official notification of funding availability to the county for solid waste management planning, as specified in part 8 of these rules, the designated planning agency shall submit a work program as described in R 299.4705.

(2) The designated planning agency shall prepare the work program pursuant to R 299.4705 and shall submit the work program to the planning committee for review.

(3) Concurrently, the designated planning agency shall submit the work program to the regional solid waste management planning agency for its review, comments, and suggestions.

(4) The planning committee shall review the work program and negotiate any changes with the designated planning agency within 15 days of the work program submittal.

(5) Upon review of the work program by the planning committee, the designated planning agency shall submit the work program, comments from the planning committee, and the comments from the regional solid waste management planning agency to the director for review and approval. The director shall have 30 days from receipt to approve or reject the work program.

(6) The designated planning agency shall, upon request, submit copies of the work program to municipalities, appropriate organizations, and adjacent counties.

History: 1982 AACCS.

R 299.4705 Work program; contents.

Rule 705. (1) The work program shall include a detailed description of tasks to be performed as needed to prepare the plan. Required plan contents are described in R 299.4711.

(2) The work program shall also include all of the following:

(a) A timetable for the accomplishment of tasks.

(b) A public participation element as described in R 299.4706, including a general schedule of public meetings, hearings, and other activities.

(c) Costs of the individual elements and the total cost of plan preparation.

(d) Detailed staffing needs and responsibilities for plan preparation.

(e) Sources of funding for the local 20% funding required by the act.

History: 1982 AACCS.

R 299.4706 Public participation programs.

Rule 706. (1) The designated planning agency shall conduct a public participation program which shall encourage the participation and involvement of the public and municipalities in the development and implementation of the solid waste management plan.

(2) The designated planning agency shall maintain a mailing list of all municipalities, affected public agencies, the private sector, and all interested persons who request information regarding the plan.

(3) Time shall be reserved on the agenda at all public meetings for questions and comments from the general public.

(4) The public meetings shall be scheduled at a time convenient to the general public.

(5) The designated planning agency shall hold public meetings with the planning committee not less than quarterly each year during plan preparation.

(6) If the director prepares the plan, the extent of public participation shall be conducted pursuant to section 11538(e) of the act.

(7) The designated planning agency shall maintain at least 1 central repository where all documents related to the plan may be inspected by the public.

(8) Upon request, the designated planning agency shall submit specific tasks as outlined in the work program to all of the following for comment and advice:

- (a) The planning committee.
- (b) Municipalities.
- (c) Appropriate organizations.
- (d) The regional solid waste management planning agency.
- (e) Adjacent counties.
- (f) Certified health departments.

History: 1982 AACCS; 2015 AACCS.

R 299.4707 Plan adoption; update procedures.

Rule 707. (1) The designated planning agency shall follow the review procedures as established in section 11535(a) to (f) of the act.

(2) The designated planning agency shall allow a period of not less than 3 months for the review and comments on the proposed plan. The exact time limit shall be specified in the work program. After the prescribed review and comment period, all of the comments from the reviewing agencies shall be submitted with the plan to the governmental unit that filed the notice of intent.

(3) The designated planning agency shall conduct a public hearing on the proposed county solid waste management plan before formal adoption by the county, the municipalities, or the state, as required in section 11535(f) of the act. Before the public hearing, the planning committee shall review the plan and shall authorize its release for public hearing. After the public hearing, the designated planning agency shall prepare a transcript, a recording, or another complete record of the public hearing proceedings. The record may be copied at cost or may be inspected by the general public upon request.

(4) The designated planning agency shall revise the plan, if necessary, in response to public hearing comments and shall then submit the plan to the planning committee.

(5) After approval by the majority of the planning committee and within 30 days of closing of the public comment period, the plan shall be submitted for formal action to either the county board of commissioners or to the municipalities who voted in favor of preparing the plan.

History: 1982 AACCS; 2015 AACCS.

R 299.4708 Formal action.

Rule 708. (1) If the county files a notice of intent under section 11533(3) of the act to prepare a solid waste management plan, then formal action has been fulfilled when the plan is approved by the planning committee and then approved by the county board of commissioners.

(2) If the municipalities within a county file a notice of intent under section 11533(4) of the act to prepare a solid waste management plan, then formal action has been fulfilled when the plan is approved by the planning committee and then is approved by a majority of those municipalities who voted in favor of filing a notice of intent to prepare a solid waste management plan.

(3) If the plan is disapproved under subrule (1) or (2) of this rule, the plan shall be returned to the planning committee along with the statement of the objections to the plan. The planning committee shall have 30 days to review the objections and return the plan to the county board of commissioners or to the majority of municipalities along with its recommendations. The county board of commissioner or a majority of municipalities who voted in favor of preparing the plan shall approve the plan, either as submitted or with changes and the reasons for the changes, and then shall submit the plan to all municipalities within the county.

(4) Before the plan may be submitted to the director for his or her approval, not less than 67% of the municipalities in the county shall approve the plan.

(5) A plan that is prepared by the regional solid waste management planning agency under section 11533(5) of the act shall be approved as follows:

(a) Within 30 days of closing of the public comment period, the regional solid waste planning agency shall submit the plan, together with any modifications and public comments and responses from the public hearing, to the county board of commissioners for their formal action.

(b) After the county board of commissioners has taken formal action, the plan shall be submitted to the governing bodies of all municipalities within the county for their approval.

(c) Not less than 67% of the municipalities shall approve the plan before submittal to the director for his or her approval.

History: 1982 AACCS; 2015 AACCS.

R 299.4709 Director's approval.

Rule 709. (1) After 67% approval, the plan shall be submitted to the director for his or her approval. The director shall have 6 months to approve or disapprove the plan.

(2) If, after the plan has been adopted by the county board of commissioners, the majority of the municipalities who voted in favor of preparing the plan or the regional solid waste management planning agency and 67% of all the municipalities in the county do not approve the plan within the required time limit, the director shall prepare a plan for the county, including the municipalities who did not approve the plan, after reviewing the materials prepared by the planning agency and after providing for a meeting with those municipalities who did not approve the plan. The plan prepared by the director shall be final.

(3) A 5-year update of the plan shall be prepared as required in section 11533(2) of the act.

(4) An amendment of the plan shall follow the same procedures for review and adoption as the original plan and the updates. However, there is no required submittal date for an amendment, and the cost of the required public notice and required public hearings shall be borne by the person seeking the amendment.

History: 1982 AACCS; 2015 AACCS.

R 299.4710 Enforcement.

Rule 710. (1) There are 2 areas of enforcement that are affected by the county solid waste management plans. The first is the issuance of permits and licenses and second is the validity of local ordinances.

(2) Two years after the approval of rules by the legislature or upon the director's approval of a county plan, whichever occurs first, a permit or license shall not be issued for a new facility unless that facility complies and is consistent with an approved solid waste management plan. If an approved solid waste management plan exists, the director shall review the plan and shall insure that the proposed facility complies and is consistent with the plan before a permit or license is issued. In reviewing the application for a new facility, the director shall consult with the designated planning agency to insure that the proposed facility complies with the approved solid waste management plan. If a proposed facility is not consistent or not in compliance with the approved solid waste management plan, then the applicant shall initiate an amendment to the plan if the applicant wishes to obtain a construction permit or operating license. If 2 years after the effective date of these rules an approved plan does not exist, the director shall not issue a permit or license for a new facility.

(3) As stated in section 11538(8) of the act, local ordinances which are not consistent with approved solid waste management plans are not enforceable.

History: 1982 AACCS; 2015 AACCS.

R 299.4711 Plan format and content.

Rule 711. To comply with the requirements of the act and to be eligible for 80% state funding, county solid waste management plans shall be in compliance with the following general format and shall contain the following elements:

- (a) An executive summary, which shall include all of the following:
 - (i) An overview.

- (ii) Conclusions.
- (iii) Selected alternatives.
- (b) An introduction as follows:
 - (i) The introduction shall establish the goals and objectives for the prevention of adverse effects on the public health and the environment resulting from improper solid waste collection, transportation, processing, or disposal, including the protection of ground and surface water quality, air quality, and land quality.
 - (ii) The introduction shall also establish the goals and objectives for the maximum utilization of Michigan's solid waste through resource recovery, including source reduction and source separation.
 - (c) A data base that includes all of the following:
 - (i) An inventory and description of all existing facilities where solid waste is being transferred, treated, processed, or disposed of, including all of the following:
 - (A) Physical location, size, and a delineation of private and public facilities.
 - (B) A description of solid waste type, volume, or weight received, and current capacity.
 - (C) Deficiencies.
 - (ii) An evaluation of existing solid waste collection, management, processing, treatment, transportation, and disposal problems by type and volume, including residential and commercial solid waste, industrial sludges, pretreatment residues, municipal sewage sludge, air pollution control residue, and other solid wastes from industrial or municipal sources, but excluding hazardous wastes.
 - (iii) Demographics of the county, including the following:
 - (A) Current and projected population densities and centers for 5- and 10-year periods.
 - (B) Identification of current and projected centers of solid waste generation, including industrial wastes for 5- and 10-year periods.
 - (iv) Current and projected land development patterns and environmental conditions as related to solid waste management systems for 5- and 10-year periods.
 - (d) Solid waste management system alternatives shall address the problems identified in subdivision (c)(ii) of this rule and shall include both of the following:
 - (i) Solid waste management components, including all of the following:
 - (A) Resource conservation including source reduction.
 - (B) Resource recovery including source separation, materials, energy, and markets.
 - (C) Volume reduction.
 - (D) Sanitary landfill.
 - (E) Collection.
 - (F) Transportation.
 - (G) Ultimate disposal area uses, including recreational potential.
 - (H) Institutional arrangements.
 - (ii) Development of alternative systems which address all the solid waste management components. Each alternative system shall evaluate public health, economic, environmental, siting, and energy impacts. Capital, operational, and maintenance costs shall be developed for each alternative system.
 - (e) Plan selection shall be based on all of the following:

(i) An evaluation and ranking of proposed alternative systems, including all of the following:

(A) Technical feasibility for 5- and 10-year periods.

(B) Economic feasibility for 5- and 10-year periods.

(C) Access to land for 5- and 10-year periods.

(D) Access to transportation networks to accommodate the development and operation of solid waste transporting, processing, and disposal facilities for 5- and 10-year periods.

(E) Effects on energy for 5- and 10-year periods; production possibilities and impacts of shortages on solid waste management systems.

(F) Environmental impacts over 5- and 10-year periods.

(G) Public acceptability.

(ii) The selected alternative shall meet all of the following requirements:

(A) Include the basis for selection, a summary of evaluation, and ranking.

(B) Include advantages and disadvantages of the selected plan for all of the following factors:

(1) Public health.

(2) Economics.

(3) Environmental effects.

(4) Energy use.

(5) Siting problems.

(C) 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 considering the available land in the planning area and the technical feasibility of, and economic costs associated with, the alternative.

(D) Include a timetable for implementing the solid waste management plan.

(E) Be consistent with and utilize population, waste generation, and other planning information prepared under the provisions of section 208 of Public Law 92-500, 33 U.S.C. 1288.

(iii) Site requirements, including the following requirements:

(A) The selected alternative shall identify specific sites for solid waste disposal areas for the 5-year period subsequent to plan approval or update.

(B) If specific sites cannot be identified for the remainder of the 10-year period, the selected alternative shall include specific criteria that guarantee the siting of necessary solid waste disposal areas for the 10-year period subsequent to plan approval.

(C) A site for a solid waste disposal area that is located in one county, but serves another county, shall be identified in both county solid waste management plans.

(f) Management component. Each solid waste management plan prepared pursuant to the act shall contain a management component which identifies management responsibilities and institutional arrangements necessary for the implementation of technical alternatives. At a minimum, this component shall contain all of the following:

(i) An identification of the existing structure of persons, municipalities, counties, and state and federal agencies responsible for solid waste management, including planning, implementation, enforcement, and an assessment of all of the following:

(A) Technical and administrative capabilities.

(B) Financial capabilities.

(C) Legal capabilities.

(ii) An identification of gaps and problem areas in the existing management system which must be addressed to permit implementation of the plan.

(iii) A recommended management system for plan implementation, which shall consist of all of the following elements:

(A) An identification of persons, municipalities, counties, and state and federal agencies assigned responsibilities under the plan, with a precise delineation of planning, implementation, and enforcement responsibilities, including legal, technical, and financial capability for all entities assigned responsibilities.

(B) A process for ensuring the ongoing involvement of and consultation with the regional solid waste management planning agency.

(C) A process 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.

(D) An identification of necessary training and educational programs, including public education.

(E) A strategy for plan implementation, including the acceptance of responsibilities from all entities assigned a role within the management system.

(F) A financial program that identifies funding sources for entities assigned responsibilities under the plan.

(g) Documentation of public participation as follows:

(i) A record of attendance shall be maintained and included in an appendix to the plan.

(ii) Citizen concerns and questions shall be considered and responded to in the plan's appendix.

History: 1982 AACCS; 2015 AACCS.

R 299.4712 Municipalities; filing for a separate planning grant.

Rule 712. A municipality that files for a separate planning grant under section 11547 of the act shall follow the same procedures and rules as a county in the preparation of a solid waste management plan, with the following exceptions:

(a) A municipality shall utilize, consult with, and receive advice from, the planning committee appointed by the county.

(b) A municipality shall consult and coordinate activities with the county designated planning agency.

(c) The county planning committee shall approve or disapprove the work program. If disapproved, the planning committee shall return the work program to the municipality with objections. The municipality shall, within 30 days, resubmit the work program with the necessary revisions.

(d) A municipality shall submit progress reports to the planning committee not less than quarterly.

History: 1982 AACCS; 2015 AACCS.

PART 8. GRANTS

R 299.4801 Certified health department grants; eligibility.

Rule 801. (1) Only a health department that is certified under part 2 of these rules is eligible for state grants for the operation of solid waste management programs as provided in the act.

(2) The director shall request grant funds to certified health departments for a 1-year period coinciding with the state fiscal year. Funds shall be committed to certified health departments dependent on the amount appropriated by the legislature and on the amount negotiated with each certified health department as provided in R 299.4802.

(3) All eligible health departments shall receive an equal percentage of their negotiated personnel costs up to 100%, as determined by the available appropriated funds and the total amount of negotiated personnel costs.

History: 1982 AACCS.

R 299.4802 Certified health department grants; performance contracts.

Rule 802. (1) A performance contract shall be negotiated with each eligible health department. The performance contract shall determine the reasonable personnel costs necessary for the certified health department to perform a solid waste management program. The reasonable personnel costs include all direct costs attributable to performance agreed to in the contract.

(2) If the director and an eligible health department are unable to reach agreement in contract negotiations carried out pursuant to subrule (1) of this rule, either party may elect not to enter into the contract.

History: 1982 AACCS.

R 299.4803 Certified health department grants; recordkeeping; payment schedule; unobligated funds.

Rule 803. (1) To substantiate appropriate expenditure of grant funds and to provide documentation of the level of work effort for future performance contract negotiations, the grantee shall keep records of receipts of grant funds and application fees, costs attributable to the operation of the solid waste management program, and expenditures of grant funds and application fee funds. Such records shall be available for inspection by state auditors during regular business hours without advance notice.

(2) Unless negotiated otherwise, payments shall be made at the end of each 3-month period of operation and upon receipt of a quarterly report of expenditures.

(3) Any unobligated grant funds shall be made available to a health department which is eligible for certification, but which has not received a funding grant.

History: 1982 AACCS.

R 299.4804 Solid waste management planning grants; eligibility.

Rule 804. Only a designated planning agency that meets the requirements set forth in part 7 of these rules is eligible to receive a solid waste management planning grant.

History: 1982 AACCS.

R 299.4805 Solid waste management planning grants; work program.

Rule 805. (1) For each fiscal year in which funding is available, the director shall prepare an official notice of funding availability for each county for solid waste management planning. The computation for each county shall be done according to the formula established in R 299.4806(1). The official notice shall be sent to each county.

(2) The director shall review each work program prepared pursuant to R 299.4704 and R 299.4705 and shall accept or reject it for grant consideration. A rejected work program shall be returned to the applicant with the reasons for rejection. An applicant shall have 1 month from the date of rejection to revise the work program and to submit it for reevaluation.

(3) A work program that is not submitted within the time periods allowed in R 299.4704 and R 299.4705 or that is rejected after reevaluation as provided by subrule (2) of this rule shall cause the designated planning agency to be excluded from consideration for a grant award. Funds available for preparation of the county plan shall be held for use by the agency designated pursuant to the provisions contained in R 299.4702(2) to (5).

(4) The cost of preparation of the work program is eligible for grant cost sharing if the work program is approved and if a grant is made for preparation of the solid waste management plan.

History: 1982 AACCS.

R 299.4806 Solid waste management planning grants; funding formula; funding of municipalities joined together by interlocal agreement; funding of work programs; amendments to plans.

Rule 806. (1) One-half of the appropriated funds for county solid waste planning grants in any 1 state fiscal year shall be equally divided among the counties as fixed grants. One-half of the appropriated funds shall be proportionally divided among the counties as population proportioned grants based upon the most recently adopted department of management and budget population totals. Therefore, the total grant funding available for solid waste management planning in each county is determined by the following formula:

$$\frac{1}{2} A \div 83 + \frac{1}{2} A \times \frac{PC}{PT}$$

where: PC = Current county population
PT = Total current state population (equal to the total of the
83 county
populations).
A = Total appropriated funds.

(2) Municipalities that are joined together by interlocal agreement as provided by section 11547(1) of the act shall be funded from the grant funds available to the counties in which they are located in an amount proportional to their population as compared to the total current county population.

(3) Each of the counties affected by inclusion of a municipality in the plan of an adjacent county as provided by section 11536(1) of the act shall have its population adjusted to account for the gained or lost population for the purpose of calculation of the grant.

(4) A grant offer for preparation of a county solid waste management plan shall not be more than 80% of the total cost of the plan which is not covered by federal funds.

(5) A work program that is submitted to fund the initiation and completion of an original solid waste management plan required by the act shall receive funding before work programs for updating previously approved plans.

(6) An amendment to an approved solid waste management plan is not eligible for state grant funding.

(7) A work program that is partially funded may be annually updated to reflect the amount of work accomplished, changes in projected project costs for each work element, and the cost of completion of the plan, but may not be changed to revise the scope of the project. An updated work program is eligible for continued funding from each annual appropriation until the full 80% state funding has been granted.

History: 1982 AACCS; 2015 AACCS.

R 299.4807 Solid waste management planning grants; payment; grantee portion of total plan cost; recordkeeping; unobligated funds.

Rule 807. (1) Grant payments shall be made quarterly after the grant offer and its terms have been accepted by the grantee. The director may withhold payment if the grantee does not uphold the terms of the grant or does not meet the timetable for the accomplishment of tasks submitted under R 299.4705(2)(a).

(2) The grantee portion of the total plan development cost shall be expended concurrently with the expenditure of state grant funds. The cost of preparation of the work program, if done only with grantee funds, shall be considered an advance payment towards the grantee portion of the total plan preparation cost.

(3) The grantee shall keep records of receipt and expenditure of all funds used in the plan preparation. Such records shall clearly show that the grant is utilized solely on the plan preparation costs as detailed in the approved work program and that the grantee cost contribution is made

and utilized on the project.

(4) Accounting records that are maintained as provided in subrule (3) of this rule shall be available for inspection by the director or his or her authorized representative during regular business hours.

(5) Unobligated grant funds shall be made available to other grantees. Such redistribution shall be proportioned to maximize the output of plan preparation tasks as determined by the director.

History: 1982 AACS.

PART 9. LANDFILL CONSTRUCTION PERMITS AND OPERATING LICENSES

R 299.4901 Advisory analysis; purpose.

Rule 901. The purpose of the advisory analysis before application is made for a landfill construction permit under section 11510 of the act is to do all of the following:

(a) To inform the applicant of other permits that may be required for the proposed disposal area, such as air emission and water discharge permits or soil erosion and sedimentation control permits.

(b) To provide information on known conditions that may affect the proposed site.

(c) To discuss the application and submission requirements and procedures.

(d) To comment on any work plans that are submitted by the applicant to complete the hydrogeological study or other work that is required to complete a construction permit application.

History: 1993 AACS; 1999 AACS.

R 299.4902 Landfill construction permit applications; content.

Rule 902. (1) A construction permit application for a landfill shall include 3 copies of all of the following information:

(a) All of the following general information on a form provided by the director:

(i) The name and location of the facility.

(ii) The name and address of the operator, including the name and telephone number of a contact person for the operator.

(iii) The name and address of the property owner and any mineral rights owners, including a name and telephone number of a contact person for the property owner.

(iv) The type of disposal area and application type proposed.

(v) The type of waste proposed for disposal.

(vi) The number of acres and design capacity applied for. for horizontal and vertical expansions, the application shall also specify existing permitted acreage, design capacity, and capacity remaining.

(vii) The amount of the application fee.

(viii) The signature of the owner and proposed operator.

(b) Construction permit application fees specified by the act.

BOARD OF COMMISSIONERS OF THE COUNTY OF OTTAWA COUNTY

RESOLUTION TO ESTABLISH THE MATERIALS MANAGEMENT PLANNING COMMITTEE

At a regular meeting of the Board of Commissioners of the County of Ottawa, Michigan, held on May 14, 2024, the following commissioners were present:

and the following were absent:

The following preamble and resolution were offered by Commissioner _____ and supported by Commissioner _____:

WHEREAS, Ottawa County is, per requirements of the newly enacted Part 115 of the Natural Resources and Environmental Protection Act, 194 PA 451, and as enforced by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), currently undergoing changes related to laws enacted on March 29, 2023, which require the development of a Materials Management Plan (MMP) that focuses on sustainable materials management approaches, such as recycling and composting instead of utilizing only landfilling waste, which will to replace the County's current Solid Waste Management Plan (SWMP).

NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD OF COMMISSIONERS OF THE COUNTY OF OTTAWA, AS FOLLOWS:

1. In accordance with the Board of Commissioners' March 26, 2024, Resolution, the Board of Commissioners hereby establishes the Material Management Planning Committee, and the members of the Committee will be comprised of the representatives set forth in the aforementioned resolution.
2. the County Clerk is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.
3. all resolutions or parts thereof in conflict with this resolution are hereby repealed but only to the extent of such conflict.

YEAS _____

NAYS _____

ABSTENTIONS _____

RESOLUTION DECLARED ADOPTED.

COUNTY OF OTTAWA

By: _____

Joe Moss, Chairperson
Board of Commissioners

By: _____

Justin F. Roebuck, County Clerk/Register

STATE OF MICHIGAN)

) SS

COUNTY OF OTTAWA)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the County of Ottawa Board of Commissioners, held on May 14, 2024 and that the said minutes are on file in the office of the County Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

Justin F. Roebuck

County Clerk, County of Ottawa, MI

Dated: _____, 2024