

**MEMBERS:**

Megan Chase

Pepper Bromelmeier

Dawn LaVanway

Barb Bradford

Burt Thompson

Kathy Egan

Diane Franckowiak

Dale Holzschu

Linda Franckowiak

Brian Skop

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**OFFICE ADDRESS**

203 East Cayuga Street

P.O. Box 187

Bellaire, MI 49615

**PHONE:** 231-533-6265

**FAX:** 231-533-8111

**SPECIAL ASSISTANCE**

If you wish to attend this Meeting & require special assistance, please contact the Administration and Planning Office by writing P.O. Box 187, Bellaire, MI 49615; emailing: [countyadmin@antrimcounty.org](mailto:countyadmin@antrimcounty.org); or calling 231-533-6265.

Antrim County  
**Solid Waste Facility Siting Committee**

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To: Solid Waste Facility Siting Committee  
From: Mathew Cooke, Deputy County Administrator  
Date: June 15, 2018  
Re: Meeting Notice

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The Antrim County Solid Waste Facility Siting Committee meeting to formally consider an application from American Waste for a transfer station in Warner Township is scheduled for:

**Thursday, June 28, 2018 at 1:00 p.m.**

Room 211  
2<sup>nd</sup> Floor, County Building, Bellaire, Michigan.

**Agenda**

- Public Comment
- Overview of Site Review Process
- Consideration of American Waste Application for Transfer Station Project in Warner Township (*pages 2-7*)
- Various Matters/Public Comment
- Adjournment

If you have any questions, concerns or are unable to attend this meeting, please contact the Administration and Planning Office at 231-533-6265.

Thank You.



# *Memorandum Administration Office*

June 15, 2018

TO: Antrim County Solid Waste Facility Siting Committee

FR: Mathew Cooke, Deputy Administrator

RE: Application Review and Preliminary Scoring

|   | Yes | No | Criterion  |
|---|-----|----|--|
| A | ✓   |    | Site Ownership   |
| B | ✓   |    | Frontage on Appropriate Roads  |
| C | ✓   |    | Distance from Wetlands   |
| D | ✓   |    | Distance from Farmland and Open Space Part 361 NREPA Lands               |
| E | ✓   |    | Distance from Designated Historic Sites                                  |
| F | ✓   |    | Distance from 100 Year Flood Plains                                      |
| G | ✓   |    | Distance from Designated Wellhead Protection Services                    |
| H | ✓   |    | Distance from Water, Beaches, Utility Easements, Public Right of Way     |
| I | ✓   |    | Distance from Water Well Serving a Dwelling                              |
| J | ✓   |    | Distance from Specified Building Types                                   |
| K | ✓   |    | Distance from Land Conservancy Parcels                                   |
| L | ✓   |    | Distance from Schools and Educational Establishments                     |
| M | ?   | ?  | Distance from Certain Recreational Facilities                            |
| N | ✓   |    | Distance from MDEQ Natural Features Inventory Lands                      |
| O | ✓   |    | Distance from Specified Types of Natural Resource Lands                  |
| P | ✓   |    | Distance from Certain Additional Recreational Lands                      |
| Q | ✓   |    | Distance from a Licensed Public Use Runway                               |
| R | ?   | ?  | Design Incorporates Certain Requirements with Signed Setbacks            |
| S | ✓   |    | Analysis Submitted Documenting Availability of Required Public Services  |
| T | ?   | ?  | Signed Statement to Abide by Certain Regulatory Requirements             |
| U | ?   | ?  | Written Agreement to Abide by Certain Non-locational Zoning Requirements |

- A. This is satisfied in the attached Michigan Department of Environmental Quality letter of approval from Russel J. Hardin, Director, which deleted the criterion that a State agency own the land.
- B. This is satisfied by the site being located on the south side of M-32, which is a state trunk line.
- C. This is satisfied by the fact there are no wetlands on site or within 100 feet from a wetland according to Michigan's Wetland Inventory and County GIS maps.
- D. This is satisfied that no sites within 100 feet of the proposed site are enrolled in the Farmland and Open Space Preservation Program. This was confirmed by Lindsay Woods

of the Environmental Stewardship Division of the Michigan Department of Agriculture and Rural Development.

- E. This is satisfied by there being no designated historic or archeological areas within 100' of the site based on internet searches.
- F. This is satisfied by FEMA flood maps showing the area as being an unmapped area with no data available. (Michigan DNR does not provide flood maps anymore, and Michigan DEQ utilizes FEMA flood maps).
- G. This is satisfied by there being no designated wellhead protection zone within 100' of the site as shown by Michigan DEQ Environmental Mapper- Wellhead Protection Areas.
- H. This is satisfied by the DEQ approval letter changes H. to read *"No part of the active work area of the site is located within or less than 100 feet from the boundary edge of: 1. Any surface water; 2. Beach contiguous to a lake or stream; 3. Existing public utility easements; and 4. Existing public rights of way."* The site does not fall within any of these criteria.
- I. This is satisfied by the nearest water well that serves a dwelling being further than 300' from the site.
- J. This is satisfied by no dwellings, duplexes, apartments, hospitals, medical care facilities, or foster care units within 300' of the site. There is a medical care unit that is nearby but is about 500' from the northwest corner of the site.
- K. This is satisfied by none of the surrounding properties within 300 feet of the site are not held by a land conservancy or have development restrictions from land conservancies.
- L. This is satisfied by the nearest school being more than half of a mile away. The nearest school is Alba Public School, about 7.7 miles south.
- M. Vicki Garon of American Waste is working on satisfying this criterion. I expect her to have the information by the meeting on June 28, 2018.
- N. This is satisfied by no part of the site or parcel being located within half of a mile of Michigan Department of Natural Resources Natural Inventory Features.
- O. This is satisfied by the site not being located within half of a mile of any lands regulated by parts 351 through 361 of P.A. 451 of 1994 or part 511 of P.A. 451 of 1994
- P. This is satisfied by there not being any state parks, campgrounds, camps, federally designated river corridors, state designated natural rivers water's edge or arboretums/sanctuaries within a mile of the site.
- Q. This is satisfied by no licensed public runways located within 10,000 feet of the site.
- R. Ms. Garon should have an updated site plan at the next meeting.
- S. This is satisfied by the analysis that is in the application that inventories existing public services at the site.
- T. Ms. Garon will have this signed for the final application to satisfy this criteria.
- U. Ms. Garon will have a written and signed statement to satisfy this criteria.

With the assumption that Ms. Garon and American Waste complete the items that are in question, the following motion is presented for your consideration:

**Motion by \_\_\_\_\_, seconded by \_\_\_\_\_, to recommend the Board of Commissioner's find the American Waste Solid Waste Transfer Station consistent with the Solid Waste Management Plan.**



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](http://www.deq.state.mi.us)

RUSSELL J. HARDING, Director

November 14, 2000

Mr. Jack White, Chairperson  
Antrim County Board of Commissioners  
P.O. Box 520  
Bellaire, Michigan 49615

Dear Mr. White:

The Department of Environmental Quality (DEQ) received the locally approved update to the Antrim County Solid Waste Management Plan (Plan) on July 10, 2000. Except for the items indicated below, the Plan is approvable. As outlined in the August 4, 2000 letter to Mr. Peter Garwood, Coordinator/Planner, Antrim County Office of the Coordinator/Planner, from Mr. Stan Idziak, DEQ, Waste Management Division, and as confirmed by letter dated September 19, 2000, from you to Mr. Idziak, the DEQ makes certain modifications to the Plan as discussed below.

On page III-47 of the Plan, under Solid Waste Disposal Areas, Type II Landfill, the Kalkaska-Antrim Transfer Station operated by Northern A-1 is listed. This facility is a Type A Transfer Station and should be listed under the Type A Transfer Facility heading. In addition, Antrim County (County) has not authorized the export of solid waste to Kalkaska County in Table 2-A on page III-43, even though the County intends to send solid waste to this facility. Therefore, Kalkaska County is added to Table 2-A on page III-43. Also, the Kalkaska-Antrim Transfer Station is removed from the Solid Waste Disposal Areas Type II Landfill list on page III-47 and the facility description added to the list under the Type A Transfer Facility heading on the same page.

On page III-81 of the Plan, B.2 Recycling and Compost Processing Facility, line 2, the phrase "of any type" should be deleted from this sentence. The term "source separated" is defined in Section 11506(6) of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and has a specific application. Therefore, this sentence is modified to read: "A processing facility that processes only source separated materials does not require a construction permit and operating license from the DEQ."

On page III-90 of the Plan, Minimum Standard Siting Criteria Evaluation Checklist, A: Site Ownership; and Primary Siting Criteria Detailed Descriptions, A: "The site and respective parcel must be owned by the applicant or under a long term lease (20 years or greater) from a state agency." This criterion is unnecessary since the Plan only allows siting for disposal areas that are sponsored by the County Sponsorship by the County is defined in the Plan in Section A.2 on page III-80 to mean, at a minimum, County ownership of the land on which the disposal area is located. This criterion is hereby deleted from the Plan.

On page III-91 of the Plan, Siting Criterion H. reads as follows:

- H. No part of the site and respective parcel(s) is located within or less than 100 feet from the boundary edge of:
1. Any surface water;
  2. Beach contiguous to a lake or stream;
  3. Existing public utility easements; and
  4. Existing public rights of way.

We believe that the criteria under numbers 3 and 4 will effectively prohibit any new disposal area from being sited under this Plan, since virtually all property on which a disposal area might seek to locate, would abut a public road and would be located near the public utilities necessary to provide service to the property.

This situation is remedied by altering section H to read:

- H. No part of the active work area of the site is located within or less than 100 feet from the boundary edge of:
1. Any surface water;
  2. Beach contiguous to a lake or stream;
  3. Existing public utility easements; and
  4. Existing public rights of way.

The term, active work area, is the legally defined phrase most appropriate to the intent of this criterion. This term is defined in R 299.4101 (g) of the administrative rules for Part 115.

On page III-93 item R, section 1, defines the standards of a vegetation belt, buffer, screening, and service access area for facilities that are landfill disposal areas and landfill disposal area expansions. On page III-80, section A, subsection A.1, clearly states that no Type II or Type III landfill disposal areas may be sited by the Plan. Therefore, it is not necessary to define standards for a vegetation belt, buffer,

screening, and service access area for facilities that are landfill disposal areas and landfill disposal area expansions. Section 1, subsections a, b, and c are deleted from the Plan.

On page III-102 of the Plan, III-12, Local Ordinances and Regulations Affecting Solid Waste Disposal, 3: "a. Certain ancillary construction details,"

This statement is too vague. In general, the DEQ will not approve the broad inclusion of all local zoning authorizations in solid waste management plans as these ordinances (1) may include provisions that will have siting impacts not included in the Plan's siting criteria, (2) will provide for discretionary local decisions which will impermissibly impact siting decisions which by law are controlled by the siting provisions specified in the Plan, or (3) may interfere with or conflict with the DEQ's regulatory responsibilities.

This situation is remedied by revising the statement to read: "a. Certain ancillary construction details, such as landscaping and screening,"

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 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 the DEQ approval of the Plan neither restricts nor expands the 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 Antrim County. If you have any questions, please contact Mr. Seth Phillips, Chief, Solid Waste Management Unit, at 517-373-4750.

Sincerely,

  
Russell J. Harding  
Director  
517-373-7917

cc: Senator George A. McManus, Jr.  
Representative Kenneth L. Bradstreet  
Mr. Peter Garwood, Antrim County Office of the Coordinator/Planner  
Mr. Arthur R. Nash Jr., Deputy Director, DEQ  
Mr. Timothy R. Sowton, Legislative Liaison, DEQ  
Mr. Jim Sygo, DEQ  
Ms. Joan Peck, DEQ  
Mr. Philip Roycraft, DEQ - Cadillac  
Mr. Seth Phillips, DEQ  
Mr. Stan Idziak, DEQ  
Antrim County File  
Kalkaska County File