

LOCATION RESTRICTION DEMONSTRATION
UNSTABLE AREAS
40 CFR 257.64
PRESQUE ISLE POWER PLANT LANDFILL NO. 3
WE ENERGIES

We Energies owns and operates a solid waste disposal facility located approximately 4 miles west of the Presque Isle Power Plant (PIPP). The landfill is in the N ½ of the SE ¼ of Section 6, Township 48 North, Range 25 West, Marquette County, Michigan. The landfill property is surrounded by forested uplands and accessed by a private paved haul road from the power plant. The We Energies PIPP Landfill No. 3 is regulated as a Type III landfill by the Michigan Department of Environmental Quality (MDEQ) in accordance with Part 115, Solid Waste Management of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. The design, construction, operation, closure, and post-closure care requirements are specified in the MDEQ approved Construction Permit dated February 27, 2002 and the current Operating License. The construction of Cell 1 was completed in 2003 and placed into service on October 8, 2005. Cell 2 was constructed in 2007 and placed into service on October 10, 2008. In 2014, We Energies installed final cover over portions of Cell 1.

In addition to the state regulations, the landfill is also required to comply with 40 CFR Part 257 Subpart D – *Standards for Disposal of Coal Combustion Residuals in Landfills and Surface Impoundments*. PIPP Landfill No. 3, Cells 1 and 2 are defined as an existing CCR landfill in accordance with 40 CFR 257.53. Future landfill cells are permitted by the MDEQ in the approved construction permit application and defined as lateral expansions under 40 CFR 257.53 when constructed. This document fulfills the requirements for the Location Restrictions Demonstration for Landfill No. 3 as an existing CCR landfill in accordance with 40 CFR 257 Subpart D.

Location restrictions related to unstable areas are outlined in 40 CFR 257.64 – Unstable Areas:

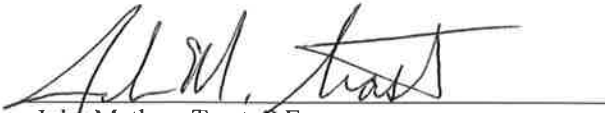
§ 257.64 Unstable areas.

(a) An existing or new CCR landfill, existing or new CCR surface impoundment, or any lateral expansion of a CCR unit must not be located in an unstable area unless the owner or operator demonstrates by the dates specified in paragraph (d) of this section that recognized and generally accepted good engineering practices have been incorporated into the design of the CCR unit to ensure that the integrity of the structural components of the CCR unit will not be disrupted. (b) The owner or operator must consider all of the following factors, at a minimum, when determining whether an area is unstable: (1) On-site or local soil conditions that may result in significant differential settling; (2) On-site or local geologic or geomorphologic features; and (3) On-site or local human-made features or events (both surface and subsurface).

The rule defines an “Unstable Area” as “a location that is susceptible to natural or human-induced events or forces capable of impairing the integrity, including structural components of some or all of the CCR unit that are responsible for preventing releases from such unit.

Based on review of the site’s location, soil conditions, human-made features or events (both surface and subsurface), geology, and hydrogeology the existing PIPP Landfill No. 3 is not located in an unstable area that could result in significant differential settlement or mass movement damaging the facility.

The location restriction demonstration for the existing PIPP Landfill No. 3 was completed under the direction of John, M. Trast, P.E. I am a licensed professional engineer in the State of Michigan in accordance with Article 20 of the Occupational Code, Public Act 2999 of 1980, as amended. This document has been prepared in accordance with the Michigan Administrative Rules, Department of Licensing and Regulatory Affairs, Professional Engineers – General Rules, Part 3 – Standards of Practice and Professional conduct; and that, to the best of my knowledge, all information contained in this document is correct and the document was prepared in compliance with all applicable requirements in 40 CFR Part 257 Subpart D.



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