

1. The following provisions are added to Article V - Special Use and Site Plan Review, Section 5.1.3 - Permit Procedure:

b.8. An analysis of all feasible and prudent alternatives to the use.

b.9. All other information required for the specific Special Use requested as required by this Zoning Ordinance.

2. The following provisions are added to Article V - Special Use and Site Plan Review, Section 5.1.4 - Standards for Decisions:

i. Whether feasible and prudent alternatives exist to the proposed use.

j. The impacts or potential impacts to soil, surface water and groundwater by use, contamination or pollution.

3. The following provisions are added to Article XI - Agricultural District, Section 11.3 - Uses Permitted When Authorized by Special Use Permit:

u. Waste and/or Industrial Waste Disposal Wells and Related Facilities. Any Brine Disposal Facilities require review and approval under this subsection, including any Brine Disposal Facility proposed to be transformed into a Waste and/or Industrial Waste Disposal Well. This use is also subject to the following specific requirements:

1. The Application for Special Use Permit shall include a complete description of all waste and/or industrial waste, including all chemical constituents and total volumes, intended for disposal at the facility. The Applicant shall copy the Township on all data required to be delivered to the Michigan Department of Natural Resources and Environment and/or the United States Environmental Protection Agency for the use. If the Special Use Permit is approved, the Applicant shall inform the Township, in writing, of any modification of the waste stream and/or any new waste or industrial waste that the Applicant proposes for disposal. Any such modification or new waste proposed for disposal shall require approval for modification of the Special Use Permit and be subject to all requirements of this Zoning Ordinance. If approved, the Applicant shall provide a yearly report to the Township which includes analysis of the waste stream for all chemical constituents and total volumes. The Applicant shall also allow the Township to conduct random samples of the waste stream upon reasonable notice to the Applicant at the Township's expense.

2. The Application for Special Use Permit shall include an independent, valid and reliable groundwater analysis from at least three (3) test wells properly placed downgradient from the proposed disposal well. If approved, the

Applicant shall sample these test wells for chemical constituents as required by the Township and deliver the results of these independent, valid and reliable analyses to the Township quarterly from the date of the any approved Special Use Permit. If the results of the initial groundwater analysis or the required groundwater monitoring indicate any contamination, as defined by Part 201 of the Natural Resources and Environmental Protection Act (MCL 324.20101 *et seq*), then the Applicant shall provide proof that the contamination is being investigated and remediated in accordance with state and federal regulations and/or was not caused by its activities. The Township retains the authority to revoke the Special Use Permit if the Applicant fails to provide such proof. The Applicant shall also allow the Township to conduct random samples from all test wells upon a 48 hour notice to the Applicant at the Township's expense.

3. The Application for Special Use Permit shall include an independent, valid and reliable soil analysis from five areas within the containment area surrounding the proposed disposal well. If approved, the Applicant shall provide 5 independent, valid and reliable soil analyses from within the containment area for chemical constituents as required by the Township quarterly from the date of any approved Special User Permit. If the results of the initial soil samples or the required soil monitoring indicate any contamination, as defined by Part 201 of the Natural Resources and Environmental Protection Act (MCL 324.20101 *et seq*), then the Applicant shall provide proof that the contamination is being investigated and remediated in accordance with state and federal regulations. The Township retains the authority to revoke the Special Use Permit if the Applicant fails to provide such proof. The Applicant shall also allow the Township to conduct random soil samples upon a 48 hour notice to the Applicant at the Township's expense.

4. The Applicant shall provide the results of all testing and lab procedures to the Township upon the Township's request.

5. The Application for Special Use Permit shall include proof of liability insurance with a pollution rider deemed adequate by the Township.

6. If the Special Use Permit is approved, the Applicant shall furnish a performance bond or cash to the Township Clerk in an amount sufficient to insure proper closure and restoration of the well and site.

7. The Applicant shall erect a fence with a locked gate at the site that completely encloses all activities.