

November 20, 2023
File No. 27221289.23

Mr. Bill Blum
Iowa Department of Natural Resources
Land Quality Bureau
Wallace Street Office Building
502 E 9th Street
Des Moines, IA 50319-0034

Subject: 2023 Financial Assurance
Harrison County Sanitary Landfill
Permit No. 43-SDP-05-94P

Dear Mr. Blum:

SCS Engineers (SCS), on behalf of the Harrison County Landfill Commission, is pleased to submit the 2023 Financial Assurance for the Harrison County Sanitary Landfill (Landfill) to the Iowa Department of Natural Resources (DNR). We have included the completed DNR Form 542-8090 Municipal Solid Waste Sanitary Landfill Financial Assurance Report Form in addition to the attachments noted below.

Please note that these closure and post-closure cost estimates were prepared by utilization of the inflation factor provided by the DNR as of January 26, 2023. The updated closure and post-closure cost estimates are included in Attachment A. The letter for the Local Government Guarantee and Alternative II for the financial test is included in Attachment B.

Please feel free to contact us if you have any questions, require any additional details, or need any further clarification.

Sincerely,



Sean Marczewski
Project Professional
SCS Engineers





Christine L. Collier, P.E.
Senior Project Manager
SCS Engineers

SAM/CLC

cc: Addressee
Tyler Hinkel, Operations Manager, Harrison County Landfill



Certification

	I hereby certify that this document was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Iowa.
	
	Christine L. Collier Date
	My license renewal date is: December 31, 2023 Pages or sheets covered by this seal: Attachment A



Municipal Solid Waste Sanitary Landfill Financial Assurance Report Form

SECTION 1: FACILITY INFORMATION

(please print or type)

Information Requested

Facility Name: Harrison County Sanitary Landfill Permit Number: 43-SDP-05-94P

Permitted Agency/Entity: Harrison County Landfill Commission

SECTION 2: CLOSURE/POSTCLOSURE OR CORRECTIVE ACTION COST ESTIMATES

Information Requested	Cost Estimate	Date of Cost Estimate
Updated Closure Cost Estimate	\$ 1,975,618	3/15/2023
Updated Postclosure Cost Estimate	\$ 1,148,501	3/15/2023
Initial or Updated Corrective Action Cost Estimate	\$	

*Attach closure/postclosure cost estimate(s) signed and certified by an Iowa-licensed professional engineer. Cost estimates shall include, at a minimum, each of the cost line items defined in 113.14(3)"c" for closure and 113.14(4)"c" for postclosure. Please provide closure and/or postclosure site area acreage information with the estimates.

Provide a cost estimate for corrective action only if corrective action is required and a corrective action plan has been approved by the Department. Attach the corrective action cost estimate signed and certified by an Iowa-licensed professional engineer. The cost estimate shall account for total costs of the activities described in the approved corrective action plan for the corrective action period.

SECTION 3: FACILITY WASTE TONNAGE INFORMATION

Information Requested	Tons
Remaining permitted capacity as of the beginning of permit holder's current fiscal year	687,108
Amount of waste disposed of at the facility during the prior year	17,858

SECTION 4: PROOF OF COMPLIANCE

Publicly Owned Municipal Solid Waste Landfills

(ATTACH AUDIT REPORT)

Owner's Most Recent Annual Audit Report

Prepared by: Gronewold, Bell, Kyhn & Co. P.C.

For fiscal year ending: 6/30/2022

Privately Owned Municipal Solid Waste Landfills

(ATTACH AFFIDAVIT)

Attach owner/operator's affidavit indicating that an annual review has been performed by a certified public accountant to determine whether the privately owned landfill is in compliance with IAC 567 Chapter 113. The affidavit shall state the name of the certified public accountant, the dates and conclusions of the review, and the steps taken to rectify any deficiencies identified by the accountant.

SECTION 5: FINANCIAL ASSURANCE INSTRUMENT**Type and Value of Financial Assurance Instrument(s)****(ATTACH INSTRUMENT(S))**

Assurance Instrument	Establishment Date	Mechanism Covers	Instrument Value*
Trust Fund 567 IAC 113.14(6)"a"		Closure <input type="checkbox"/> Postclosure <input type="checkbox"/> Corrective Action <input type="checkbox"/>	\$
Surety Bond 567 IAC 113.14(6)"b"		Closure <input type="checkbox"/> Postclosure <input type="checkbox"/> Corrective Action <input type="checkbox"/>	\$
Letter of Credit 567 IAC 113.14(6)"c"		Closure <input type="checkbox"/> Postclosure <input type="checkbox"/> Corrective Action <input type="checkbox"/>	\$
Insurance 567 IAC 113.14(6)"d"		Closure <input type="checkbox"/> Postclosure <input type="checkbox"/> Corrective Action <input type="checkbox"/>	\$
Corporate Financial Test 567 IAC 113.14(6)"e"		Closure <input type="checkbox"/> Postclosure <input type="checkbox"/> Corrective Action <input type="checkbox"/>	\$
Local Gov't. Financial Test 567 IAC 113.14(6)"f"		Closure <input type="checkbox"/> Postclosure <input type="checkbox"/> Corrective Action <input type="checkbox"/>	\$
Corporate Guarantee 567 IAC 113.14(6)"g"		Closure <input type="checkbox"/> Postclosure <input type="checkbox"/> Corrective Action <input type="checkbox"/>	\$
Local Gov't Guarantee 567 IAC 113.14(6)"h"	March 10, 2010	Closure <input checked="" type="checkbox"/> Postclosure <input checked="" type="checkbox"/> Corrective Action <input type="checkbox"/>	\$ 1,446,512
Local Gov't. Dedicated Fund 567 IAC 113.14(6)"i"		Closure <input checked="" type="checkbox"/> Postclosure <input checked="" type="checkbox"/> Corrective Action <input type="checkbox"/>	\$ 1,677,607

*Pursuant to IAC 567 113.14(9), if account(s) are restricted/reserved to pay for closure, postclosure or corrective action costs, then the amount of the financial assurance instrument may be reduced by the sum of the cash balance of the account(s) established to comply with subrule 113.14(8).

SECTION 6: INITIAL PROOF OF ESTABLISHMENT OF ACCOUNTS**Check Which Applies:**☐ New Mechanism☒ Previously Submitted

Pursuant to IAC 567 Chapter 113.14(8)"f", documentation of the establishment of accounts is to be submitted to the department by April 1, 2003 for currently permitted MSWLFs. Permit holders for MSWLFs permitted after April 1, 2003, shall submit documentation of the establishment of accounts prior to the MSWLF's initial receipt of waste.

Please attach documentation indicating accounts/fund have been established for closure and postclosure care and if the account(s) are restricted/reserved for closure or postclosure care. Examples of documentation include bank statements for closure/postclosure accounts, letter signed by the chief financial officer, letter from certified public accountant, etc.

Accounts established pursuant to paragraph 113.14(6)"a" for trust funds or paragraph 113.14(6)"i" for local government dedicated funds also satisfies the requirements of this subrule, and the permit holder shall not be required to establish additional closure and postclosure accounts.

SECTION 7: CLOSURE AND POSTCLOSURE ACCOUNTS

Completion of the following closure and postclosure account information complies with the annual financial statement requirements of IAC 567 113.14(3)"a" and 113.14(4)"a" by indicating the current balance(s) of the closure/postclosure account(s) or dedicated/trust fund and the projected amount(s) to be deposited in the account(s).

Under "Beginning Balance", please state the account/fund balance 30 days after the start of the previous fiscal year, for "Ending Balance", indicate the account balance 30 days after the close of the previous fiscal year, and for "Projected Deposit", indicate the amount to be deposited within 30 days of the close of the permit holder's fiscal year.

Information Requested	Beginning Balance	Ending Balance	Projected Deposit
Closure Account Balance (see formula below)	\$	\$	\$
Postclosure Account Balance (see formula below)	\$	\$	\$
Or			
Dedicated Fund Balance (see formula below)	\$ 1,593,988	\$ 1,677,607	\$ 37,595
Trust Fund Balance (see formula below)	\$	\$	\$

Formula for Projected Deposits

Closure or Postclosure Account

$$\frac{CE - CB}{RPC} \times TR$$

Where "CE" is the closure or postclosure cost estimate, "CB" is the balance 30 days after close of the previous fiscal year, "RPC" is the remaining permitted capacity in tons, of the landfill from the beginning of the current fiscal year, and "TR" is the total number of tons of solid waste disposed in the prior year.

Dedicated/Trust Fund

$$\frac{CE - CB}{Y}$$

Where "CE" is the closure or postclosure cost estimate, "CB" is the balance 30 days after close of the previous fiscal year, and "Y" is number of years remaining in the pay-in period.

If needed, the space below can be used to show calculations for projected deposits

Closure	Postclosure
$\frac{(\$3,124,119 - \$1,677,607)}{687,108} \times 17,858 = \$37,595$	

SECTION 8: PERMIT HOLDER ENDORSEMENT

Submittal of this completed and endorsed form along with all required documentation establishes Notification and Proof of Permit Holder Compliance with IAC 567 Chapter 113.

Name of Official: Tyler Hinkel Title: Solid Waste Manager

Agency/Entity: Harrison County Landfill Comission

Address: 2812 East Highway 30

City: Loan State: Iowa Zip: 51546

Telephone: (712) 644-3093 Fax: (712) 644-2348

Email Address: hclco@iowatelecom.net

Signature of Official:  Date: 11-9-23

Questions? Contact Bill Blum at (515) 240-6048 or Bill.Blum@dnr.iowa.gov

Attachment A

Closure and Post-Closure Cost Estimates

2023 Closure Cost Estimate - West MSWLF Unit - HCL

Task ¹	Units	Unit Cost	Subtotal	Cost Year	Inflation or Update	Unit Cost (2023\$)	Cost of Task (2023\$)
1. Closure and Postclosure Plan Document Revisions	1.0	\$ 5,000	\$ 5,000	2021	Inflation	\$ 5,625.93	\$ 5,626
2. Site Preparation, Earthwork, and Final Grading	1.0	\$ 56,813	\$ 56,813	2021	Inflation	\$ 63,925	\$ 63,925
3. Drainage Control Culverts, Piping, and Structures	0.0	\$ -	\$ -	2021	Inflation	\$ -	\$ -
4. Erosion Control Structures, Sediment Ponds, and Terraces	1.0	\$ 63,560	\$ 63,560	2021	Inflation	\$ 71,517	\$ 71,517
5. Final Cap Construction ⁴	12.4	\$ 74,881	\$ 924,776	2021	Inflation	\$ 84,255	\$ 1,040,545
6. Cap Vegetation Soil Placement ⁴	12.4	\$ 10,153	\$ 125,392	2021	Inflation	\$ 11,424	\$ 141,089
7. Cap Seeding, Mulching, and Fertilizing ⁵	17.4	\$ 2,025	\$ 35,137	2021	Inflation	\$ 2,278.73	\$ 39,536
8. Monitoring Well, Piezometer, and Gas Control Modifications	1.0	\$ 416,887	\$ 416,887	2021	Inflation	\$ 469,075	\$ 469,075
9. Leachate System Cleanout and Extraction Well Modifications	1.0	\$ 4,500	\$ 4,500	2021	Inflation	\$ 5,063	\$ 5,063
10. Monitoring Well Installation and Abandonments	0.0	\$ -	\$ -	2021	Inflation	\$ -	\$ -
11. Facility Modifications to Effect Closed Status	1.0	\$ 750	\$ 750	2021	Inflation	\$ 844	\$ 844
12. Engineering and Technical Services	1.0	\$ 98,500	\$ 98,500	2021	Inflation	\$ 110,831	\$ 110,831
13. Legal, Financial, and Administrative Services	1.0	\$ 19,500	\$ 19,500	2021	Inflation	\$ 21,941	\$ 21,941
14. Closure Compliance Certifications and Documentation	1.0	\$ 5,000	\$ 5,000	2021	Inflation	\$ 5,626	\$ 5,626
Total Cost of Closure			\$1,755,815				\$1,975,618

Notes:

- Task items based on the list from 567 IAC 113.14(3)"c"(6).
- "Inflation" denotes that the updated unit quantities were multiplied by the Iowa Department of Natural Resources (DNR) provided adjustment of cost for inflation factor (2022 over 2021). "Update" indicates that the costs were reviewed and potentially revised for the individual line item.
- For the 2023 Financial Assurance Report, Unit Costs have been adjusted to reflect the updated quantities with cell construction that occurred in 2021 (9.6 acres) and associated materials and time.
- Current open total area requiring final cover 12.4 acres
- Approximate Borrow Area 5.0 acres

Adjustments for Cost Estimates for Inflation	
Factors to escalate from one year to the next.	
2021 =	1.0126
2022 =	1.0585
2023 =	1.063

2023 Postclosure Cost Estimate - East & West MSWLF Units - HCL

Task ¹	Years	Cost per Year	Subtotal	Cost Year	Inflation or Update	Cost per Year (2023\$)	30 Year Cost (2023\$)
1. General Site Facilities, Access Roads, and Fencing Maintenance	30	\$ 484	\$ 14,508	2021	Inflation	\$ 544.12	\$ 16,324
2. Cap and Vegetative Cover Maintenance ^{3,4}	30	\$ 1,786	\$ 53,576	2021	Inflation	\$ 2,009	\$ 60,283
3. Drainage and Erosion Control Systems Maintenance	30	\$ 1,115	\$ 33,438	2021	Inflation	\$ 1,254	\$ 37,624
4. Groundwater to Waste Separation Systems Maintenance	30	\$ -	\$ -	2021	Inflation	\$ -	\$ -
5. Gas Control Systems Maintenance	30	\$ 304	\$ 9,114	2021	Inflation	\$ 342	\$ 10,255
6. Gas Control Systems Monitoring and Reporting	30	\$ 1,750	\$ 52,500	2021	Inflation	\$ 1,969	\$ 59,072
7. Groundwater and Surface Water Monitoring Systems Maintenance	30	\$ 867	\$ 26,007	2021	Inflation	\$ 975	\$ 29,263
8.1. Groundwater and Surface Water Quality Monitoring and Reporting ³	30	\$ 16,584	\$ 497,506	2021	Inflation	\$ 18,660	\$ 559,787
8.2. Groundwater and Surface Water Quality Monitoring and Reporting ⁴	30	\$ 1,336	\$ 40,093	2021	Inflation	\$ 1,504	\$ 45,112
9. Groundwater Monitoring Systems Perf. Evaluations and Reports	30	\$ -	\$ -	2021	Inflation	\$ -	\$ -
10. Leachate Control Systems Maintenance	30	\$ 2,997	\$ 89,900	2021	Inflation	\$ 3,372	\$ 101,154
11. Leachate Management, Transportation, and Disposal	30	\$ 703	\$ 21,078	2021	Inflation	\$ 791	\$ 23,717
12. Leachate Control Systems Performance Evaluations and Reports	30	\$ 2,650	\$ 79,500	2021	Inflation	\$ 2,982	\$ 89,452
13. Engineering and Technical Services	30	\$ 1,500	\$ 45,000	2021	Inflation	\$ 1,688	\$ 50,633
14. Legal, Financial, and Administrative Services	30	\$ 500	\$ 15,000	2021	Inflation	\$ 563	\$ 16,878
15. Financial Assurance, Accounting, Audits, and Reports	30	\$ 1,450	\$ 43,500	2021	Inflation	\$ 1,632	\$ 48,946
Total Cost of Postclosure			\$ 1,020,721				\$ 1,148,501

Notes:

- Task items based on the list from 567 IAC 113.14(3)"c"(6).
- "Inflation" denotes that the updated unit quantities were multiplied by the Iowa Department of Natural Resources (DNR) provided adjustment of cost for inflation factor (2022 over 2021). "Update" indicates that the costs were reviewed and potentially revised for the individual line item.
- West MSWLF Unit area 12.4 acres
- East MSWLF Unit area 12.1 acres

Adjustments for Cost Estimates for Inflation	
Factors to escalate from one year to the next.	
2021 =	1.0126
2022 =	1.0585
2023 =	1.063

Attachment B

Local Government Guarantee Financial Test and Letter

Harrison County Board of Supervisors

John Straight, Chairman
Tony Smith, Vice Chair
Brian Rife, Member

May 18, 2023

Bill Blum
Iowa Department of Natural Resources
Wallace State Building
Des Moines, IA 50319

Dear Mr. Blum,

I am the Chairman of the Board, for the Harrison County Board of Supervisors, hereby referred to as the "Guarantor". This letter is in support of the Guarantor's use of the local government guarantee, to demonstrate financial assurance for "Closure and/or Post-Closure" costs, as specified in Iowa Administrative Code (IAC) 5567 11.3 and 113.4.

The Guarantor is providing local government guarantee as specified in IAC 567 11.6(8) for the Harrison County Landfill Commission, hereby referred to as "Owner", owner and operator for the following Municipal Solid Waste Landfill, for which financial assurance for "Closure and/or Post-Closure" care is demonstrated through the financial tests specified in IAC 567-113.6(6):

Landfill Name:	Harrison County Sanitary Landfill P.O. Box 121 2812 E. Hwy. 30 Logan, IA 51546
Permit No.#	43-SDP-F-94P and 43-SDP-01-75C

The current "Closure and Post-Closure" estimates, in accordance with IAC 5567-113(3)d and 113.4(3)d, covered by the financial test are shown below:

"Closure and/or Post-Closure" costs to be assured are: \$1,446,512

The Guarantor meets or exceeds the financial test criteria as shown in Alternative II and agrees to comply with the reporting requirements in subrule 113.6(8)b.

As Chairman of the Board, for the Guarantor, I hereby certify that the information in this letter is true, to the best of my knowledge, and that this letter is being submitted in accordance with Iowa Administrative Code Chapter 113 subrule 113.6(8)b record-keeping requirements for the "Local Government Guarantee".


John Straight

5-18-2023
Date

MUNICIPAL SOLID WASTE SANITARY LANDFILL LOCAL GOVERNMENT GUARANTEE

Guarantee made this November 11, 2023, by **Harrison County, Iowa**, herein referred to as “Guarantor”, which is a county organized under the laws of the State of Iowa. This guarantee is made by the Guarantor on behalf of the **Harrison County Sanitary Landfill** to the Iowa Department of Natural Resources, herein referred to as “IDNR”, in an amount not to exceed **\$1,446,512** lawful money of the United States.

WHEREAS, Section 455B.306 of the Code of Iowa requires financial assurance instruments for all sanitary disposal projects; and

WHEREAS, **Harrison County Landfill Commission** has applied to the IDNR to operate a sanitary disposal project located within the State of Iowa, and is required pursuant to IAC 567 Chapter 113.14 to maintain financial assurance for closure and/or postclosure care in connection therewith; and

WHEREAS, IAC 567 Chapter 113.14(6)“h” provides for the “Local Government Guarantee” mechanism to be an acceptable financial assurance instrument, and Guarantor meets or exceeds the financial test criteria and agrees to comply with the requirements of said subrule; and

WHEREAS, **Harrison County Landfill Commission** owns and/or operates the following municipal solid waste sanitary landfill facility(ies) covered by this Guarantee:

Permit No. 43-SDP-05-94P
Harrison County Sanitary Landfill
2812 US-30, Logan, Iowa 51546
Closure and/or Post-Closure costs to be assured are: \$1,446,512

WHEREAS, the Guarantor guarantees to IDNR that in the event that **Harrison County Landfill Commission** fails to perform closure and/or postclosure care of the above facility(ies) in accordance with the approved plan or other permit requirements, whenever required to do so, the Guarantor shall either perform closure and/or postclosure care, pay a third party to perform closure and/or postclosure care, establish a fully funded secured trust fund as specified in IAC 567 Chapter 113.14(6)“a”, or establish an alternate financial assurance instrument in the name of **Harrison County Landfill Commission** in the amount of the current closure and/or postclosure cost estimate, as required by Chapter 113.14(6).

WHEREAS, the Guarantor agrees to remain bound under this Guarantee for as long as **Harrison County Landfill Commission** must comply with the applicable financial assurance requirements of Chapter 113, except when the Guarantor provides written notice, by certified mail, of intent to terminate Guarantee, at least 120 days prior to the date said Guarantee is to be terminated. When such notice is provided, **Harrison County Landfill Commission** shall, within 90 days, provide IDNR proof of alternate financial assurance or the IDNR shall call upon the Local Government Guarantee.

WHEREAS, the Guarantor expressly waives notice of acceptance of this Guarantee by **Harrison County Landfill Commission** or by IDNR. Guarantor also expressly waives notice of amendments or modifications of the site closure plan and of amendments or modifications of the facility permit(s).

IN WITNESS THEREOF, the Guarantor executes this Local Government Guarantee under their respective hand and seal, this 20th day of November, 20 23.

John Straight
Guarantor

Signature: John Straight

[Seal]

Name: John Straight

Title: Chairman

Signature: Austin Bonham

Name: Susan Bonham

Title: Auditor

Signature of Witness or Notary: _____

The figures for the following items are derived from the Guarantor's independently audited, year-end financial statements/audit report for the latest completed fiscal year, ended [Fiscal year end date]. 6-30-22

Alternative II

1. Sum of the current closure and/or postclosure cost estimate(s) being assured through the Local Government Guarantee	\$1,446,512	\$1,344,977
	From most recent annual auditor's report	From 2nd most recent annual auditor's report
2. Total Revenues for past two years	\$19,864,522	\$19,626,064
3. Total Expenditures for past two years	\$18,389,997	\$17,108,079
4. Cash plus marketable securities (see definition below)	\$12,672,309	\$15,632,294
5. Annual debt service	\$1,452,110	\$1,367,046
Must be able to answer "Yes" or "True" to the following	Yes/True	No/False
6. Is line 4 divided by line 3 greater than 5 percent?	X	
7. Is line 5 divided by line 3 less than 20 percent?	X	
8. There are no outstanding general obligation bonds that are currently in default.	X	
9. There are no outstanding general obligation bonds rated lower than Baa as issued by Moody's or BBB as issued by Standard & Poor's.	X	
10. Have financial statements (audit) been prepared in conformity with Generally Accepted Accounting Principles or with Other Comprehensive Basis of Accounting?	X	
11. Is line 3 less than line 2 in each of the past two years?	X	
12. If answered "no" to line 11, line 3 does not exceed line 2 by more than 5 percent in each of the past two years.	X	
13. Is line 1 less than 43 percent of line 2?	X	
14. Have not received an adverse opinion or disclaimer of opinion from the independent certified public accountant or office of the auditor of the state of Iowa.	X	
15. Have closure and postclosure costs being assured been referenced in the owner's most recent audit report or instead placed in the owner's files if timing did not permit reference in the most recent audit?	X	

Definitions:

"Deficit" means total annual revenues minus total annual expenditures.

"Total revenues" means revenues from all taxes and fees but does not include the proceeds from borrowing or asset sales, excluding revenue from funds managed by local government on behalf of a specific third party.

"Total expenditures" means all expenditures excluding capital outlays and debt repayment.

"Cash plus marketable securities" means all the cash plus marketable securities held by the local government on the last day of a fiscal year, excluding cash and marketable securities designated to satisfy past obligations such as pensions.

"Debt service" means the amount of principal and interest due on a loan in a given time period, typically the current year.