

Transmittal

West Des Moines, IA

PROJECT: WC,CY24 Env.Comp&On- DATE: 4/10/2024
Call,Loess Hills,IA
27224020.00

SUBJECT: Loess Hills Regional Landfill - 65- TRANSMITTAL ID: 00001
SDP-01-72P - 2024 Financial
Assurance v1.0 04.10.2024

PURPOSE: For your review and comment VIA: Info Exchange

FROM

NAME	COMPANY	EMAIL	PHONE
Christine Collier West Des Moines, IA	SCS Engineers	CCollier@scsengineers.com	+1-515-631-6161

TO

NAME	COMPANY	EMAIL	PHONE
chad.stobbe@dnr.iowa.gov		chad.stobbe@dnr.iowa.gov	
brian.rath@dnr.iowa.gov		brian.rath@dnr.iowa.gov	
Becky Jolly		becky.jolly@dnr.iowa.gov	
Mike Sullivan		michael.sullivan@dnr.iowa.gov	

REMARKS: Chad, Brian, Mike and Becky -

Please find for download theLoess Hills Regional Landfill - 65-SDP-01-72P - 2024 Financial Assurance v1.0 04.10.2024. Let us know if you have any questions.

Thank you

Christine L. Collier, P.E.
Project Manager
SCS Engineers
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West Des Moines, Iowa 50265
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Transmittal

DATE: 4/10/2024
TRANSMITTAL ID: 00001

DESCRIPTION OF CONTENTS

QTY	DATED	TITLE	NOTES
1	4/10/2024	Loess Hills Regional Landfill - 65-SDP-01-72P - 2024 Financial Assurance v1.0 04.10.2024.pdf	

COPIES:

Rachel Hanigan (Waste Connections, Inc. (99))
Kelly Danielson (Waste Connections, Inc. (99))
Christopher Calhoun (SCS Engineers)
Christine Collier (SCS Engineers)
Ben Madson (SCS Engineers)

April 10, 2024
File No. 27224020.00

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

Subject: 2024 Financial Assurance
Loess Hills Regional Sanitary Landfill
Permit No. 65-SDP-01-72P

Dear Mr. Sullivan:

SCS Engineers (SCS), on behalf of Iowa Waste Services, LLC, is pleased to submit the 2024 Financial Assurance to the Iowa Department of Natural Resources (DNR) for the Loess Hills Regional Sanitary Landfill (Landfill). We have attached the completed DNR Form 542-8090 in addition to the updated cost estimates as detailed below.

The closure, post-closure, and corrective action cost estimates were updated based on a review of similar projects for the 2024 financial assurance cost estimate. The 2023 Phase II Gas Collection and Control System Expansion was completed with the Construction Quality Assurance Report submitted on October 27, 2023 (Doc #108095) and approved on November 15, 2023 (Doc #108218). Quantities associated with and/or impacted by the gas collection and control system expansion were modified as appropriate for the closure and post closure cost estimates. Attachment A includes the closure, post closure, and corrective action cost estimates. Table 1 provides a summary of the 2023 and 2024 cost estimates.

Table 1. Closure, Post-Closure and Corrective Action Cost Estimates

Financial Assurance	2023 Estimate	2024 Estimate
Closure	\$4,863,511	\$5,122,079
Post-Closure	\$2,338,659	\$2,520,191
Corrective Action	\$116,500	\$119,862
Totals	\$7,318,670	\$7,762,132

Attachment B includes an affidavit signed by a Certified Public Accountant for Iowa Waste Services, LLC. Attachment C includes a copy of the bond used for coverage of the closure, post-closure, and corrective action costs.





Municipal Solid Waste Sanitary Landfill Financial Assurance Report Form

SECTION 1: FACILITY INFORMATION

(please print or type)

Information Requested

Facility Name: Loess Hills Regional Sanitary Landfill Permit Number: 65-SDP-01-72P
Permitted Agency/Entity: Iowa Waste Services, LLC

SECTION 2: CLOSURE/POSTCLOSURE OR CORRECTIVE ACTION COST ESTIMATES

Information Requested	Cost Estimate	Date of Cost Estimate
Updated Closure Cost Estimate	\$ 5,122,079	03/19/2024
Updated Postclosure Cost Estimate	\$ 2,520,191	03/19/2024
Initial or Updated Corrective Action Cost Estimate	\$ 119,862	03/19/2024

*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	7,895,895
Amount of waste disposed of at the facility during the prior year	737,693

SECTION 4: PROOF OF COMPLIANCE

Publicly Owned Municipal Solid Waste Landfills

(ATTACH AUDIT REPORT)

Owner's Most Recent Annual Audit Report

Prepared by: Not Applicable

For fiscal year ending: Not Applicable

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 checked="" type="checkbox"/> Postclosure <input checked="" type="checkbox"/> Corrective Action <input checked="" type="checkbox"/>	\$ 7,762,132
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”		Closure <input type="checkbox"/> Postclosure <input type="checkbox"/> Corrective Action <input type="checkbox"/>	\$
Local Gov’t. Dedicated Fund 567 IAC 113.14(6)“i”		Closure <input type="checkbox"/> Postclosure <input type="checkbox"/> Corrective Action <input type="checkbox"/>	\$

*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 <i>(see formula below)</i>	\$	\$	\$ NA
Postclosure Account Balance <i>(see formula below)</i>	\$	\$	\$ NA
Or			
Dedicated Fund Balance <i>(see formula below)</i>	\$	\$	\$ NA
Trust Fund Balance <i>(see formula below)</i>	\$	\$	\$ NA

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
NA per variance request approved April 5, 2017.	

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: Kelly Danielson Title: Regional Manager

Agency/Entity: Iowa Waste Services, LLC

Address: 59722 290th Street

City: Malvern State: Iowa Zip: 51551

Telephone: (402) 641-8239 Fax: _____

Email Address: kelly.danielson@wasteconnections.com

Signature of Official:  Date: 3/29/24

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

Attachment A

Closure and Post Closure Cost Estimates

2024 Closure Cost Estimate - Loess Hills Regional Sanitary Landfill

Task ¹	Units	Unit Cost	Cost Year	Inflated/Updated ²	Cost of Task
1. Closure and Postclosure Plan Document Revisions	1	\$ 8,000	2024	Updated	\$ 8,000
2. Site Preparation, Earthwork, and Final Grading	1	\$ 63,693	2024	Updated	\$ 63,693
3. Drainage Control Culverts, Piping, and Structures	0	\$ -	2024	Updated	\$ -
4. Erosion Control Structures, Sediment Ponds, and Terraces	1	\$ 351,047	2024	Updated	\$ 351,047
5.a Final Cap Construction (Unlined Area)	0.0	\$ 8,712	2024	Updated	\$ -
5.b-f Final Cap Construction (Lined Area)	68.6	\$ 45,913	2024	Updated	\$ 3,149,638
6. Cap Vegetation Soil Placement	68.6	\$ 8,712	2024	Updated	\$ 597,643
7. Cap Seeding, Mulching, and Fertilizing	77.5	\$ 1,403	2024	Updated	\$ 108,737
8. Monitoring Well, Piezometer, and Gas Control Modifications	1	\$ 451,176	2024	Updated	\$ 451,176
9. Leachate System Cleanout and Extraction Well Modifications	1	\$ 20,000	2024	Updated	\$ 20,000
10. Monitoring Well Installation and Abandonments	0	\$ -	2024	Updated	\$ -
11. Facility Modifications to Effect Closed Status	1	\$ 1,500	2024	Updated	\$ 1,500
12. Engineering and Technical Services	1	\$ 331,935	2024	Updated	\$ 331,935
13. Legal, Financial, and Administrative Services	1	\$ 23,710	2024	Updated	\$ 23,710
14. Closure Compliance Certifications and Documentation	1	\$ 15,000	2024	Updated	\$ 15,000
Total Cost of Closure					\$ 5,122,079

Notes:

- 1) Task items based on the list from 567 IAC 113.14(3)"c"(6).
- 2) "Inflation" denotes that the updated unit quantites were multiplied by the Iowa Department of Natural Resources (DNR) provided adjustime cost for inflation factor. "Updated" indicates that the costs were reviewed and potentially revised for the individual line item.
 - 3) Current open unlined area requiring final cover: 0.0 acres
 - 4) Current open lined area requiring final cover: 68.6 acres
 - 5) Current open total area requiring final cover: 68.6 acres
 - 6) Approximate Borrow Area: 8.9 acres
 - 7) Closed Area: 16.79 acres

2024 Postclosure Cost Estimate - Loess Hills Regional Sanitary Landfill

Task ¹	Years	Cost per Year	Cost Year	Inflated/ Updated ²	30 Year Cost
1. General Site Facilities, Access Roads, and Fencing Maintenance	30	\$ 760	2024	Updated	\$ 22,791
2. Cap and Vegetative Cover Maintenance	30	\$ 4,521	2024	Updated	\$ 135,636
3. Drainage and Erosion Control Systems Maintenance	30	\$ 1,507	2024	Updated	\$ 45,207
4. Groundwater to Waste Separation Systems Maintenance	30	\$ 1,108	2024	Updated	\$ 33,238
5. Gas Control Systems Maintenance	30	\$ 12,960	2024	Updated	\$ 388,800
6. Gas Control Systems Monitoring and Reports	30	\$ 4,800	2024	Updated	\$ 144,000
7. Groundwater and Surface Water Monitoring Systems Maintenance	30	\$ 265	2024	Updated	\$ 7,943
8. Groundwater and Surface Water Quality Monitoring and Reports	30	\$ 20,354	2024	Updated	\$ 610,612
9. Groundwater Monitoring Systems Performance Evaluations and Reports	30	\$ -	2024	Updated	\$ -
10. Leachate Control Systems Maintenance	30	\$ 4,230	2024	Updated	\$ 126,900
11. Leachate Management, Transportation, and Disposal	30	\$ 23,662	2024	Updated	\$ 709,863
12. Leachate Control Systems Performance Evaluations and Reports	30	\$ 2,100	2024	Updated	\$ 63,000
13. Engineering and Technical Services	30	\$ 5,050	2024	Updated	\$ 151,500
14. Legal, Financial, and Administrative Services	30	\$ -	2024	Updated	\$ -
15. Financial Assurance, Accounting, Audits, and Reports	30	\$ 2,690	2024	Updated	\$ 80,700
Total Cost of Postclosure					\$ 2,520,191

Notes:

- 1) Task items based on the list from 567 IAC 113.14(4)"c"(6).
- 2) "Inflation" denotes that the updated unit quantities were multiplied by the Iowa Department of Natural Resources (DNR) provided adjustment for inflation factor. "Updated" indicates that the costs were reviewed and potentially revised for the individual line item.

2024 Corrective Action Cost Estimate - Loess Hills Regional SLF

Task ¹	Units/Years ²	Cost per Year	Cost Year	Inflated/ Updated ³	30 Year Cost
1. Passive Out-of-Waste Landfill Gas Venting System Installation	1	\$ 54,000	2024	Updated	\$ 54,000
2. Corrective Action Groundwater Quality Monitoring and Reporting	30	\$ 1,501	2024	Updated	\$ 45,042
3. Remedy Completion Certification and Documentation	1	\$ 2,900	2024	Updated	\$ 2,900
4. Remedy Decommissioning	1	\$ 17,920	2024	Updated	\$ 17,920
Total Cost of Corrective Action					\$ 119,862

Notes:

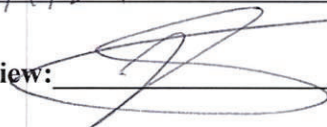
- 1) Selected remedy is source control via landfill gas venting with monitored natural attenuation.
- 2) This calculation is based on a 30-year remedy end date. The remedy end date will be evaluated annually and adjusted if necessary.
- 2) "Inflation" denotes that the updated unit quantites were multiplied by the Iowa Department of Natural Resources (DNR) provided adjustme cost for inflation factor. "Updated" indicates that the costs were reviewed and potentially revised for the individual line item.
- 4) Estimated remedy end date: 2054
- 5) Years are not being adjusted until further in to the corrective action process.
- 6) The number of wells in Item 2 for groundwater monitoring and reporting was adjusted to 4 from 3 in the 2023 calculation.

Attachment B

Municipal Solid Waste Sanitary Landfill Owner's Affidavit


MUNICIPAL SOLID WASTE SANITARY LANDFILL OWNER'S AFFIDAVIT

As the Owner and/or Operator of Loess Hills Regional Sanitary Landfill, a privately owned municipal solid waste sanitary landfill, I certify that a yearly review has been performed by a certified public accountant to determine whether the landfill is in compliance with Iowa Administrative Code Chapter 113. Conclusions of the review and the steps taken to rectify any deficiencies identified by the accountant are listed below.

Date of Review: 4/1/24
Certified Accountant that performed the Review: 
Company that owns the landfill: Iowa Waste Services, LLC

Conclusion(s) of the review: No Comments

Steps taken to rectify any deficiencies identified: NA

Owner/operator's Signature:  Date: 4/1/24
Owner/operator's printed Name: Aaron Bradley
Owner/operator's Title: Regional Vice President

Attachment C

Surety Bond

Facility Name: Loess Hills Sanitary Landfill
Permit No.: 65-SDP-1-72P

RIDER TO SURETY BOND

PURPOSE: INCREASE

To be attached to Bond Number 868244 issued by Evergreen National Indemnity Company, as Surety in the amount of Seven Million Three Hundred Fifty One Thousand Six Hundred Seventy and 00/100 Dollars (\$7,351,670.00) on behalf of Iowa Waste Services, LLC, in favor of the Iowa Department of Natural Resources.


In consideration of the premium charged for the attached bond, it is mutually understood and agreed by the Principal and the Surety that the bond shall be modified to read as follows:

The above said bond amount shall be Seven Million Seven Hundred Sixty Two Thousand One Hundred Thirty Two and 00/100 Dollars (\$7,762,132.00) effective the 1st day of, April 2024.


All other items, limitations and conditions of said bond except as herein expressly modified shall remain unchanged.

Signed, sealed and dated this 4th day of, April 2024

Principal: Iowa Waste Services, LLC

By: 
Kurt R. Shaner
Vice President - Engineering and Sustainability

Surety: Evergreen National Indemnity Company

By: 
Hilarie Frankenberry, Attorney-In-Fact

(Corporate Seal)

EVERGREEN NATIONAL INDEMNITY COMPANY

Independence, Ohio

POWER OF ATTORNEY

Bond No. 868244

KNOW ALL MEN BY THESE PRESENTS: That the Evergreen National Indemnity Company, a corporation in the State of Ohio does hereby nominate, constitute and appoint:

**** Hilarie Frankenberry ****

its true and lawful Attorney(s)-In-Fact to make, execute, attest, seal and deliver for and on its behalf, as Surety, and as its act and deed, where required, any and all bonds, undertakings, recognizances and written obligations in the nature thereof, PROVIDED, however, that the obligation of the Company under this Power of Attorney shall not exceed TWENTY FIVE MILLION AND 00/100 DOLLARS (\$25,000,000.00)

This Power of Attorney is granted and is signed by facsimile pursuant to the following Resolution adopted by its Board of Directors on the 23rd day of July, 2004:

"RESOLVED, That any two officers of the Company have the authority to make, execute and deliver a Power of Attorney constituting as Attorney(s)-in-fact such persons, firms, or corporations as may be selected from time to time.
FURTHER RESOLVED, that the signatures of such officers and the Seal of the Company may be affixed to any such Power of Attorney or any certificate relating thereto by facsimile; and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company; and any such powers so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN WITNESS WHEREOF, the Evergreen National Indemnity Company has caused its corporate seal to be affixed hereunto, and these presents to be signed by its duly authorized officers this 1st day of April, 2024.

EVERGREEN NATIONAL INDEMNITY COMPANY



By: [Signature]
Robert W. Shepard, President
By: [Signature]
David A. Canzone, CFO

Notary Public)
State of Ohio) SS:

On this 1st day of April, 2024, before the subscriber, a Notary for the State of Ohio, duly commissioned and qualified, personally came Robert W. Shepard and David A. Canzone of the Evergreen National Indemnity Company, to me personally known to be the individuals and officers described herein, and who executed the preceding instrument and acknowledged the execution of the same and being by me duly sworn, deposed and said that they are the officers of said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and signatures as officers were duly affixed and subscribed to the said instrument by the authority and direction of said Corporation, and that the resolution of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Cleveland, Ohio, the day and year above written.



WILLIAM J. KOVAL, JR.
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.

By: [Signature]
William J. Koval, Jr., Notary Public
My commission has no expiration date
Section 147.03 R.C.

State of Ohio) SS:

I, the undersigned, Secretary of the Evergreen National Indemnity Company, a stock corporation of the State of Ohio, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force and has not been revoked; and furthermore that the Resolution of the Board of Directors, set forth herein above, is now in force.

Signed and sealed in Independence, Ohio, this 4th day of April, 2024.



[Signature]
Wan C. Collier, Secretary