

West Des Moines, IA

PROJECT: Des Moines Co, FY24 Env Comp, IA 27223154.24 DATE: 6/28/2024

SUBJECT: Des Moines County Regional Sanitary Landfill - 29-SDP-01-76P - 2024 Financial Assurance Report TRANSMITTAL ID: 00003

PURPOSE: For your approval VIA: Info Exchange

FROM

NAME	COMPANY	EMAIL	PHONE
Isaac Creech West Des Moines, IA	SCS Engineers	ICreech@scsengineers.com	

TO

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

REMARKS: Good Morning:

SCS Engineers, on behalf of the Des Moines County Regional Solid Waste Commission, is submitting the attached 2024 Financial Assurance review. If you have any questions regarding this submittal, please contact us using the information below.

Thank you,

Isaac Creech, E.I.T.
Technical Associate
1690 All-State Court, Suite 100
West Des Moines, IA 50265
(515) 631-6160 (Office)
(515) 415 -9211 (W)
icreech@scsengineers.com
www.scsengineers.com

Transmittal

DATE: 6/28/2024
TRANSMITTAL ID: 00003

DESCRIPTION OF CONTENTS

QTY	DATED	TITLE	NOTES
1	6/28/2024	Des Moines County Regional Sanitary Landfill - 29-SDP-01-76P - 2024 Financial Assurance Report v1.0 06.28.2024.pdf	

COPIES:

Chris Ball (Des Moines County)
Eric Houtz (Des Moines County)
Christine Collier (SCS Engineers)
Ben Madson (SCS Engineers)
Jeff Phillips (SCS Engineers)
Isaac Creech (SCS Engineers)

June 28, 2024
File No. 27223154.24

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
Des Moines County Regional Sanitary Landfill
Permit No. 29-SDP-01-76P

Dear Mr. Sullivan:

SCS Engineers (SCS), on behalf of the Des Moines County Regional Solid Waste Commission, is pleased to submit the 2024 Financial Assurance for the Des Moines County Regional 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.

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 updated closure, post-closure, and corrective action cost estimates are included in Attachment A.

Attachment B includes a letter signed by the Chief Financial Officer for the Des Moines County Regional Solid Waste Commission, which contains information sufficient to demonstrate that the facility qualifies under the local government test for coverage of a portion of the closure and post closure costs. Attachment B also includes a copy of the letter of credit used for coverage for the remaining portion of closure and post-closure costs.

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

Sincerely,



Isaac A. Creech, E.I.T.
Associate Professional
SCS Engineers




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

IAC/CLC

cc: Addressee
Chris Ball, Operations Manager, Des Moines County Regional Solid Waste Commission
Eric Houtz, Des Moines County Regional Sanitary Landfill



Certification

	<p>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.</p>
	<p><i>Christine L. Collier</i> Digitally signed by Christine L. Collier Date: 2024.06.28 10:07:01 -05'00'</p>
	<p>Christine L. Collier Date</p> <p>My license renewal date is: December 31, 2025</p> <p>Pages or sheets covered by this seal: All</p>



Municipal Solid Waste Sanitary Landfill Financial Assurance Report Form

SECTION 1: FACILITY INFORMATION

(please print or type)

Information Requested

Facility Name: Des Moines County Regional Sanitary Landfill Permit Number: 29-SDP-01-76P
Permitted Agency/Entity: Des Moines County Regional Solid Waste Commission

SECTION 2: CLOSURE/POSTCLOSURE OR CORRECTIVE ACTION COST ESTIMATES

Information Requested	Cost Estimate	Date of Cost Estimate
Updated Closure Cost Estimate	\$ 4,791,586	3/20/2024
Updated Postclosure Cost Estimate	\$ 2,426,190	3/20/2024
Initial or Updated Corrective Action Cost Estimate	\$ 20,328	3/20/2024

*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	5,840,652
Amount of waste disposed of at the facility during the prior year	55,288

SECTION 4: PROOF OF COMPLIANCE

Publicly Owned Municipal Solid Waste Landfills

(ATTACH AUDIT REPORT)

Owner's Most Recent Annual Audit Report

Prepared by: Bohnsack & Frommelt LLP

For fiscal year ending: June 30, 2023

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"	3/21/2014	Closure <input checked="" type="checkbox"/> Postclosure <input checked="" type="checkbox"/> Corrective Action <input type="checkbox"/>	\$ 3,297,830
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"	2/7/2012 5/18/2022	Closure <input checked="" type="checkbox"/> Postclosure <input checked="" type="checkbox"/> Corrective Action <input checked="" type="checkbox"/>	\$ 1,846,708 \$20,328 (CA)
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>	\$	\$	\$
Postclosure Account Balance <i>(see formula below)</i>	\$	\$	\$
Or			
Dedicated Fund Balance <i>(see formula below)</i>	\$ 2,030,795	\$ 2,093,566	\$ 48,506
Trust Fund Balance <i>(see formula below)</i>	\$	\$	\$

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

<p>Closure/Postclosure</p> <p><u>\$7,217,776 (CE) - \$2,093,566 (CB)</u> x 55,288 (TR) = \$48,506</p> <p>5,840,652 (RPC)</p>	
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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: Chris Ball Title: Executive Director

Agency/Entity: Des Moines County Regional Solid Waste Commission

Address: 1818 West Burlington Ave

City: Burlington State: Iowa Zip: 52601

Telephone: (319) 753-8126 Fax: (319) 753-8717

Email Address: cball@dmcwaste.org

Signature of Official:  Date: 3/30/2024

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

Attachment A

Closure, Post-Closure, and Corrective Action Cost Estimates

2024 Closure Cost Estimate - Des Moines Co. Regional SLF

Task ¹	Units	Cost per Unit		Cost	
				Year	Cost of Task
1. Closure and Postclosure Plan Document Revisions	1	\$ 7,500	lump sum	2024	\$ 7,500
2. Site Preparation, Earthwork, and Final Grading	1	\$ 151,482	lump sum	2024	\$ 151,482
3. Drainage Control Culverts, Piping, and Structures	0	\$ -	lump sum	2024	\$ -
4. Erosion Control Structures, Sediment Ponds, and Terraces	1	\$ 158,774	lump sum	2024	\$ 158,774
5.1. Final Cap Construction (18") ²	6.40	\$ 11,173	acre	2024	\$ 71,508
5.2. Final Cap Construction (24") ⁴	7.59	\$ 14,898	acre	2024	\$ 113,072
5.3. Final Cap Construction (Lined Area) ³	24.54	\$ 92,613	acre	2024	\$ 2,272,714
5.4. Final Cap Construction (Modified Area) ⁶	5.01	\$ 2,250	acre	2024	\$ 11,273
5.5. Final Cap Construction (Modified Area) ⁷	1.20	\$ 41,173	acre	2024	\$ 49,408
6. Cap Vegetation Soil Placement	38.53	\$ 10,379	acre	2024	\$ 399,888
7. Cap Seeding, Mulching, and Fertilizing	51.72	\$ 1,871	acre	2024	\$ 96,755
8. Monitoring Well, Piezometer, and Gas Control Modifications	1	\$ 1,160,863	lump sum	2024	\$ 1,160,863
9. Leachate System Cleanout and Extraction Well Modifications	1	\$ 11,850	lump sum	2024	\$ 11,850
10. Monitoring Well Installations and Abandonments	0	\$ -	lump sum	2024	\$ -
11. Facility Modifications to Effect Closed Status	1	\$ 1,500	lump sum	2024	\$ 1,500
12. Engineering and Technical Services	1	\$ 225,000	lump sum	2024	\$ 225,000
13. Legal, Financial, and Administrative Services	1	\$ 45,000	lump sum	2024	\$ 45,000
14. Closure Compliance Certifications and Documentatior	1	\$ 15,000	lump sum	2024	\$ 15,000
2024 Total Cost of Closure					\$ 4,791,586

Notes:

¹ Task items based on the list from 567 IAC 113.14(3)"c"(6). Calculations for each task are contained on the following pages.

² Current open unlined area requiring final cover - includes alternatively clay-lined Subtitle D Cells 1 & 2	6.40	acres
³ Current open lined area requiring final cover (Cells 3, 4, 5, Abutment Areas 1A, 4A, 1B, 4B, 1C, & 4C)	24.54	acres
⁴ Current open lined C & D area (Cell 1W) requiring final cover	7.59	acres
⁵ Current open total area requiring final cover	38.53	acres
⁶ Current area temporarily closed, requiring testing for closure (abutment area 1D)	5.01	acres
⁷ Current area temporarily closed, requiring road replacement	1.20	acres
⁸ Borrow Area	8.18	acres
⁹ Closed Area	25.47	acres

2024 Postclosure Cost Estimate - Des Moines Co. Regional SLF

Task ¹	Units	Cost per Unit	Cost	
			Year	30 Year Cost
1. General Site Facilities, Access Roads, and Fencing Maintenance	30	\$ 902 /year	2024	\$ 27,048
2. Cap and Vegetative Cover Maintenance	30	\$ 5,112 /year	2024	\$ 153,352
3. Drainage and Erosion Control Systems Maintenance	30	\$ 1,777 /year	2024	\$ 53,303
4. Groundwater to Waste Separation Systems Maintenance	30	\$ 2,779 /year	2024	\$ 83,380
5. Gas Control Systems Maintenance	30	\$ 1,405 /year	2024	\$ 42,151
6. Gas Control Systems Monitoring and Reporting	30	\$ 6,400 /year	2024	\$ 192,000
7. Groundwater and Surface Water Monitoring Systems Maintenance	30	\$ 490 /year	2024	\$ 14,688
8. Groundwater and Surface Water Quality Monitoring and Reporting	30	\$ 31,553 /year	2024	\$ 946,586
9. Groundwater Monitoring Systems Performance Evaluations and Reports ²	30	\$ - /year	2024	\$ -
10. Leachate Control Systems Maintenance	30	\$ 17,624 /year	2024	\$ 528,725
11. Leachate Management, Transportation, and Disposal	30	\$ 5,201 /year	2024	\$ 156,041
12. Leachate Control Systems Performance Evaluations and Reports	30	\$ 3,536 /year	2024	\$ 106,066
13. Engineering and Technical Services	30	\$ 1,000 /year	2024	\$ 30,000
14. Legal, Financial, and Administrative Services	30	\$ 1,000 /year	2024	\$ 30,000
15. Financial Assurance, Accounting, Audits, and Reports	30	\$ 2,095 /year	2024	\$ 62,850
2024 Total Cost of Postclosure			\$	2,426,190

Notes:

¹ Task items based on the list from 567 IAC 113.14(4)"c"(6).

² Costs associated with Task 9 are included in Task 8.

2024 Corrective Action Cost Estimate - Des Moines Co. Regional SLF

Task	Units	Cost per Unit	Cost	
			Year	30 Year Cost
1. Leachate Extraction Well Installation		\$ -	lump sum 2024	\$ -
2. Remedy Engineering and Technical Services		\$ -	lump sum 2024	\$ -
3. Groundwater Monitoring Well Installation		\$ -	lump sum 2024	\$ -
4. Remedy Systems Maintenance		\$ -	/ year 2024	\$ -
5. Remedy Systems Monitoring and Reporting	8	\$ 150	/ year 2024	\$ 1,197
6. Groundwater and Surface Water Monitoring Systems Maintenance	8	\$ 71	/ year 2024	\$ 568
7. Groundwater and Surface Water Quality Monitoring and Reporting	8	\$ 1,078	/ year 2024	\$ 8,627
8. Engineering and Technical Services		\$ -	/ year 2024	\$ -
9. Legal, Financial, and Administrative Services		\$ -	/ year 2024	\$ -
10. Financial Assurance, Accounting, Audits, and Report		\$ -	/ year 2024	\$ -
11. Remedy Completion Certification and Documentation	1	\$ 2,970	lump sum 2024	\$ 2,970
12. Remedy Decommissioning	1	\$ 6,965	lump sum 2024	\$ 6,965
2024 Total Cost of Corrective Action				Total: \$ 20,328

Notes:

¹ Selected remedy is leachate extraction and monitored natural attenuation.

² Calculations for each task are contained on the following pages.

³ Duration of corrective action period obtained from 202a AWQR, Table 11.

The remedy end date will be evaluated annually and adjusted if necessary.

⁴ For the corrective action items covered under the closure/postclosure fund for which no change resulted from the addition of the corrective action (i.e. MW-7-90R & MW-7-93), no additional costs will be incurred within the corrective action financial assurance.

Attachment B

Local Government Guarantee Financial Test and Letter of Credit

MUNICIPAL SOLID WASTE SANITARY LANDFILL LOCAL GOVERNMENT FINANCIAL TEST & CFO LETTER

March 2024

Iowa Department of Natural Resources
Planning, Permitting & Engineering Services
Wallace State Office Building
502 East 9th Street
Des Moines, IA 50319

Dear Sir or Madam:

I am the chief financial officer of the Des Moines County Regional Solid Waste Commission, herein referred to as the "Owner". This letter is in support of the Owner's use of the Local Government Financial Test to demonstrate financial assurance for closure and/or postclosure care costs as specified in IAC 567 Chapter 113.14(3) and 113.14(4).

The Owner is the owner and operator of the following municipal solid waste sanitary landfill for which financial assurance for closure and/or postclosure care is demonstrated through the Local Government Financial Test, as specified in IAC 567 Chapter 113.14(6)"f":

Facility Name: Des Moines County Regional Sanitary Landfill

Address: 1818 West Burlington Avenue, Burlington, Iowa 52601

Permit No: 29-SDP-01-76P

The current closure and/or postclosure care cost estimate, in accordance with IAC 567 Chapter 113.14(3) and 113.14(4), are shown below for each facility covered by the Local Government Financial Test:

Closure/Postclosure cost to be assured: \$1,846,708

The Owner meets or exceeds the financial test criteria as shown below in Alternative II and agrees to comply with the requirements, as specified in subrule 113.14(6)"f".

As chief financial officer for the Owner, I hereby certify that the information provided in this letter is true to the best of my knowledge and that this letter is being submitted in accordance with IAC 567 Chapter 113.14(6)"f" for the Local Government Financial Test.

Signature: 

Name: Chris Ball

Date: 4/1/2024

The figures for the following items are derived from the Owner's independently audited, year-end financial statements/audit report for the latest completed fiscal year, ended June 30, 2023.

Alternative II

1. Sum of the current closure and/or postclosure cost estimate(s) being assured through the Local Government Financial Test *(see note below)	\$ 1,846,708	\$ 2,059,136
	From most recent annual auditor's report	From 2nd most recent annual auditor's report
2. Total Revenues for past two years	\$ 4,294,670	\$ 4,788,689
3. Total Expenditures for past two years ¹	\$ 2,988,107	\$ 2,969,324
4. Cash plus marketable securities (see definition below)	\$ 5,672,043	\$ 4,997,835
5. Annual debt service	\$ 273,272	\$ 269,853
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.	n/a	
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	

***The amount being assured by the financial test is the total of the cost estimates less the balance of restricted closure/postclosure account(s) and the letter of credit.**

¹ Total Expenditures equals Total Operating Expenses minus Depreciation in FY Auditor's Report.

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.

Amendment to Des Moines County Solid Waste Commission Letter of Credit

The amount of the letter of credit number 001 dated 3/21/2014 is hereby amended to the sum of \$3,297,830.00 with an effective date of March 31, 2024. All other terms and condition under Letter of Credit number 001 will remain in place.

Des Moines County Regional Solid Waste Commission

Borrower

Signature: 

Name: Chris Ball

Date: 6/27/2024

Title: ~~Finance Director~~

Executive Director

Lender

Signature: 

Name: Max Mercer

Date: 6-26-24

Title: Senior Vice President