

RESOLUTION # 1030
MUNICIPAL SOLID WASTE SANITARY LANDFILL
LOCAL GOVERNMENT GUARANTEE

Guarantee made this 19th day of April by Butler 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 Rural Iowa Waste Management Association to the Iowa Department of Natural Resources, herein referred to as "IDNR", in an amount not to exceed five hundred thousand and no/100 dollars (\$500,000.00) 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, the Rural Iowa Waste Management Association 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, the Rural Iowa Waste Management Association owns and/or operates the following municipal solid waste sanitary landfill facility covered by this Guarantee:

IDNR SDP Permit # 42-SDP-01-72P

Rural Iowa Sanitary Landfill

20488 M Avenue

Eldora, IA 50627

Closure Cost to be assured: \$171,755.00

Postclosure Cost to be assured: \$328,245.00

WHEREAS, the Guarantor guarantees to IDNR that in the event that the Rural Iowa Waste Management Association fails to perform closure and/or postclosure care of the above facility 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 the Rural Iowa Waste Management Agency 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 the Rural Iowa Waste Management Association 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, the Rural Iowa Waste Management Association 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 the Rural Iowa Waste Management Agency 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).

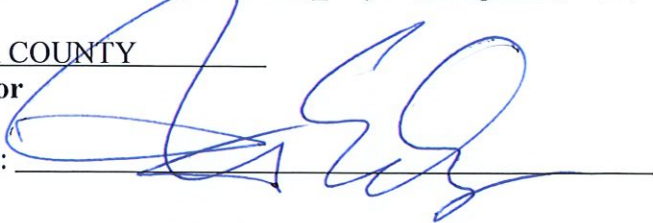
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IN WITNESS THEREOF, the Guarantor executes this Local Government Guarantee under their respective hand and seal, this 19th day of April, 2022.

BUTLER COUNTY

Guarantor

Signature: _____



Name: RUSTY EDDY

Title: BOARD CHAIRMAN

Signature: N/A

Name: _____

Title: _____

Signature of Witness or Notary: _____

Leslie Hoover, County Auditor