

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO AMEND RESOLUTION NO. 27432, AS ADOPTED ON FEBRUARY 26, 2013, RELATIVE TO THE AGREEMENT FOR THE CLOSURE/POST CLOSURE PLAN FOR THE CITY LANDFILL, LATERAL EXPANSION AREA 3, WITH THE STATE OF TENNESSEE, DIVISION OF SOLID WASTE MANAGEMENT, BY DELETING “SEVEN MILLION ONE HUNDRED SIXTY-SIX THOUSAND FIVE HUNDRED FIFTY-ONE DOLLARS (\$7,166,551.00)” AND SUBSTITUTING IN LIEU THEREOF “FOR AN AMOUNT NOT TO EXCEED SEVEN MILLION TWO HUNDRED SEVENTY-FOUR THOUSAND FORTY-NINE DOLLARS (\$7,274,049.00).”

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, it is hereby amending Resolution No. 27432, as adopted on February 26, 2013, relative to the agreement for the closure/post closure plan for the City Landfill, Lateral Expansion Area 3, with the State of Tennessee, Division of Solid Waste Management, by deleting “\$7,166,551.00” and substituting in lieu thereof “for an amount not to exceed \$7,274,049.00”.

ADOPTED: \_\_\_\_\_, 2014

/mms

# City of Chattanooga



## Resolution/Ordinance Request Form

Date Prepared: December 31, 2013

Preparer: Jason Silvers

Department: Public Works - City Wide Services

Brief Description of Purpose for Resolution/Ordinance: Res./Ord. # \_\_\_\_\_ Council District # \_\_\_\_\_

A City Council resolution/ordinance is requested to amend Resolution No. 27432, as adopted on February 26, 2013, relative to the agreement for the Closure/Post Closure Plan for the City Landfill, Lateral Expansion Area 3 with the State of Tennessee, Division of Solid Waste Management, by deleting "an amount not to exceed seven million one hundred sixty-six thousand five hundred fifty-one dollars (\$7,166,551.00)" and substituting in lieu thereof "an amount not to exceed seven million two hundred seventy-four thousand forty-nine dollars (\$7,274,049.00)."

Name of Vendor/Contractor/Grant, etc. \_\_\_\_\_  
Total project cost \$ \_\_\_\_\_  
Total City of Chattanooga Portion \$ \_\_\_\_\_  
City Amount Funded \$ \_\_\_\_\_  
New City Funding Required \$ \_\_\_\_\_  
City's Match Percentage % \_\_\_\_\_

New Contract/Project? (Yes or No) No  
Funds Budgeted? (YES or NO) \_\_\_\_\_  
Provide Fund Solid Waste Fund  
Provide Cost Center \_\_\_\_\_  
Proposed Funding Source if not budgeted \_\_\_\_\_  
Grant Period (if applicable) \_\_\_\_\_

### List all other funding sources and amount for each contributor.

Amount(s)	Grantor(s)
\$ _____	_____
\$ _____	_____
\$ _____	_____

Agency Grant Number \_\_\_\_\_

CFDA Number if known \_\_\_\_\_

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by:   
DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

Please submit completed form to @budget, City Attorney and City Finance Officer

Revised: October, 2011

RESOLUTION NO. 27432

A RESOLUTION AUTHORIZING AN AMENDMENT OF CONTRACT IN LIEU OF PERFORMANCE BOND RELATIVE TO THE CLOSURE/POST CLOSURE PLAN FOR THE CITY LANDFILL, LATERAL EXPANSION AREA 3 WITH THE STATE OF TENNESSEE, DIVISION OF SOLID WASTE MANAGEMENT, ARISING FROM AN ANNUAL INFLATION ADJUSTMENT, BY INCREASING THE BOND AMOUNT FROM SEVEN MILLION THIRTY-TWO THOUSAND NINE HUNDRED TWENTY-FIVE DOLLARS (\$7,032,925.00) TO SEVEN MILLION ONE HUNDRED SIXTY-SIX THOUSAND FIVE HUNDRED FIFTY-ONE DOLLARS (\$7,166,551.00).

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, it is hereby authorizing an Amendment of Contract in Lieu of Performance Bond relative to the Closure/Post Closure Plan for the City Landfill, Lateral Expansion Area 3 with the State of Tennessee, Division of Solid Waste Management, arising from an annual inflation adjustment, by increasing the bond amount from \$7,032,925.00 to \$7,166,551.00.

ADOPTED: February 26, 2013

/mms

## Amendment of Contract in Lieu of Performance Bond

Whereas, The City of Chattanooga, TN and the State of Tennessee Department of Environment and Conservation, entered into Contract in Lieu of Performance Bond (Copy attached) for proper operation and closure and/ or post-closure of the City of Chattanooga Sanitary Landfill. Register Number SNL 33-0273, Lateral Expansion Area 3; and

Whereas, said contract included a provision allowing the Commissioner of Environment and Conservation to collect up to \$7,166,551.00 from any funds being disbursed or to be disbursed from the State to the City of Chattanooga, TN as financial assurance for said proper operation, closure and post-closure; and

Whereas, the State and The City of Chattanooga desire to change the amount of said financial assurance from \$7,166,511.00 to \$7,274,049.00.

Paragraph 3 of the Agreement in Lieu of Performance Bond is amended as follows:

The Figure "7,166,551.00" is deleted and the figure  
"\$7,274,049.00" is substituted in lieu thereof.

Date of Amendment to Contract : \_\_\_\_\_

\_\_\_\_\_  
Honorable Andy Berke  
Chattanooga City Mayor  
For the City of Chattanooga, TN

\_\_\_\_\_  
Daisy Madison  
Department of Finance  
City of Chattanooga, TN

\_\_\_\_\_  
Commissioner  
Department of Environment and  
Conservation

\_\_\_\_\_  
Commissioner  
Department of Finance and  
Administration

(Please Submit 5 Signed Originals of this Document)

**Amendment of Contract in Lieu of Performance Bond**

Whereas, **The City of Chattanooga, TN** and the State of Tennessee Department of Environment and Conservation, entered into Contract in Lieu of Performance Bond (Copy attached) for proper operation and closure and/ or post-closure of the **City of Chattanooga Sanitary Landfill**. Register Number **SNL 33-0273, Lateral Expansion Area 3**; and

Whereas, said contract included a provision allowing the Commissioner of Environment and Conservation to collect up to **\$7,166,551.00** from any funds being disbursed or to be disbursed from the State to the **City of Chattanooga, TN** as financial assurance for said proper operation, closure and post-closure; and

Whereas, the State and **The City of Chattanooga** desire to change the amount of said financial assurance from **\$7,166,511.00** to **\$7,274,049.00**.

Paragraph 3 of the Agreement in Lieu of Performance Bond is amended as follows:

The Figure **"7,166,551.00"** is deleted and the figure **"\$7,274,049.00"** is substituted in lieu thereof.

Date of Amendment to Contract : \_\_\_\_\_

\_\_\_\_\_  
Honorable Andy Berke  
Chattanooga City Mayor  
For the City of Chattanooga, TN

\_\_\_\_\_  
Daisy Madison  
Department of Finance  
City of Chattanooga, TN

\_\_\_\_\_  
Commissioner  
Department of Environment and  
Conservation

\_\_\_\_\_  
Commissioner  
Department of Finance and  
Administration

(Please Submit 5 Signed Originals of this Document)

To - Lee Norris  
OR 12/18/13



STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Financial Responsibility  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Ave., 10<sup>th</sup> Floor  
Nashville, TN 37243  
(615) 532-0851

December 9, 2013

The Honorable Andy Berke  
City of Chattanooga Mayor  
City Hall, 101 East 11<sup>th</sup> Street  
Chattanooga, Tennessee 37402

RE: Annual Inflation Adjustment of the financial assurance for *the City of Chattanooga Landfills, Permits #SNL 33-0035 Phase I and II, SNL 33-0273 Original, and SNL 33-0273 Lateral Expansion Area III* as required by the Regulations of the Division of Solid Waste Management.

Dear Mayor Berke:

**All county and municipal "Contracts in Lieu of Performance Bonds" must be adjusted annually for inflation by no later than the anniversary date of the issuance of the contract.**

The staff of the Financial Responsibility Group utilizing data published by the U. S. Department of Commerce has projected the GNP (Gross National Product) inflation factor to be used for the inflation adjustments and renewals required before **March 31, 2014**. Our projection of the inflation factor to be used is **1.5%**. The amount of your financial assurance instrument(s) from the **Year 2013** must be multiplied by **1.015**. The permitted facility and/or the Department may reserve the right to adjust this figure later based upon the actual inflation factor published by the U.S. Department of Commerce. The U. S. Department of Commerce does not make this information available until late March of each year.

**Effective immediately, any County or Municipal Contract in Lieu of Performance Bond incurring an annual inflation adjustment shall not be processed by amendment until the cumulative amount of the adjustment(s) equals or exceeds TEN THOUSAND DOLLARS (\$10,000.00). This is a change from the previous threshold of Five Thousand Dollars (\$5,000). For example, if the inflation adjustment is \$4,000 in year one, \$5,000 in year two, and \$6,000 in year three, the amendment will be processed in year three when the total of adjustments exceeds \$10,000. We will continue to send your inflation adjustment figures annually for your records whether or not a contract amendment is required.**

Please review the amount(s) listed for each permit listed below. If any changes or modifications to your permit(s) have occurred, please contact us as soon as you receive this letter. The due date(s) and projected amount(s) for the inflation adjustment(s) of your financial instrument(s) are as follows:

Inflation Adjustments **REQUIRED** for 2013

old

NEW

Facility Permit #:	Financial Instrument Type & No.:	Financial Instrument Anniversary Due Date:	Present Amount of Financial Assurance "On File"	Inflation Adjustment / Increase Required:	Inflation Adjustment and Allowable Post-Closure Reduction:	Total "Required" Amount of Financial Assurance:
SNL 33-0035 Phase I and II	Contract	12-15-14	\$ 2,385,107.00	\$	\$ 125,616.00	\$ 2,259,491.00
SNL 33-0273 Original	Contract	09-02-14	\$ 6,710,568.00	\$	\$ 4,927,417.00	\$ 1,783,152.00
SNL 33-0273 Lateral Expansion Area 3	Contract	01-03-14	\$ 7,166,551.00	\$ 107,498.00	\$	\$ 7,274,049.00

Inflation Adjustments **NOT REQUIRED** for 2013

Facility Permit #:	Financial Instrument Type & No.:	Financial Instrument Anniversary Due Date:	Present Amount of Financial Assurance "On File"	Inflation Adjustment / Increase Required:	Inflation Adjustment and Allowable Post-Closure Reduction:	Total "Required" Amount of Financial Assurance:
SWP 33-1186	Contract	10-13-14	\$ 32,759.00	\$ 2,284.00	\$	\$ 35,043.00

Please see the attached spreadsheets, which list in detail the amount of financial assurance required due to the 2013 annual inflation adjustment and/or post closure reduction (if applicable) for your permit(s). The spreadsheets also list the current amount of financial assurance on file for each permit.

**PLEASE NOTE**

- (1) Any County and/or Municipal Contract In Lieu of Performance Bonds incurring an annual inflation adjustment shall not be processed by amendment until the amount of the adjustment equals or exceeds TEN THOUSAND DOLLARS (\$10,000.00).

If you have any questions, please call me at (615) 532-0848. Please submit the inflation adjusted financial instrument to the Financial Responsibility Group at the address listed on the letterhead as indicated above.

Respectfully,

*James Marks*  
 James Marks, ASA IV  
 Municipal & County Contract Administrator  
 TDEC - Financial Responsibility

CC: Guy Moose, Manager of Solid Waste Management, Chattanooga Field Office, TDEC

Enclosure: Customer Information Spreadsheet

## FINANCIAL RESPONSIBILITY

### CUSTOMER DATABASE

<b>DIVISION</b>	Solid Waste Management		<b>Evaluated by:</b>	JEM
<b>(UST ONLY)</b>	FUND PARTICIPANT	FUND PARTICIPANT		
	___ ELIGIBILITY ASSUMED	___ NOT FUND ELIGIBLE	___ NOT PARTICIPATING IN THE FUND	
<b>OWNER/ OPERATOR NAME</b>	City of Chattanooga, TN		Dept. of Public Works - Water Resouce Division	
<b>ADDRESS</b>	City Hall, 101 East 11th Street		455 Moccasin Ben Road	
	Chattanooga, TN 37402		Chattanooga, TN 37402	
<b>CONTACT PERSON</b>	Mr. Andy Berke		Mr. Jerry Stewart	
<b>TITLE</b>	Mayor (Chattanooga, TN)		Director	
<b>TELEPHONE #</b>	(423) 757-5152		(423) 757-5026	
<b>FAX NUMBER</b>	(423) 757-0005		(423) 757-4904	
<b>E-MAIL ADDRESS</b>				
<b>CORPORATE PARENT/OWNER ADDRESS</b>				
<b>CONTACT PERSON</b>				
<b>TITLE</b>				
<b>TELEPHONE #</b>				
<b>FAX NUMBER</b>				
<b>HW INSTALLATION ID # (EPA)</b>				
<b>SOLID WASTE PERMIT #</b>	SNL 33-0273(Partial Closure), SWP 33-1186, SNL 33-0035-Phase I and II and SNL 33-0273 Lateral Exp Area 3, SWP 33-1120 (NYO)			
<b>UST OWNER ID #</b>				
<b>RADIOLOGICAL HEALTH PERMIT #</b>				
<b>SUPERFUND PERMIT #</b>				
<b>GEOLOGY (OIL &amp; GAS) PERMIT #</b>				
<b>WATER POLLUTION CONTROL (SURFACE MINING) PERMIT #</b>				



**Summary Sheet**  
**Amount of Financial Assurance Required**

PERMIT ID # OR FACILITY ID # (s)	AMOUNT OF CLOSURE OPERATING CONTINGENCY REQUIRED (A)	AMOUNT OF POST- CLOSURE REQUIRED (B)	AMOUNT OF 3RD PARTY LIABILITY ON FILE (C)	AMOUNT OF CORRECTIVE ACTION REQUIRED (D)	INSTRUMENT TYPE AND ISSUE DATE (E)	ISSUING INSTITUTION (F)	TOTAL AMOUNT OF FINANCIAL ASSURANCE (G)
SNL 33-0035 Ph I & II	CLOSED	\$2,259,490.49					\$2,259,490.49
SNL 33-0273 Original		\$1,783,151.73					\$1,783,151.73
SNL 33-0273 Lat. Exp 3	\$7,216,678.66	\$57,369.66					\$7,274,048.32
SWP 33-1120	NYO	NYO					NYO
SWP 33-1186	\$35,042.44	NA					\$35,042.44
<b>Total Required</b>	\$7,251,721.10	\$4,100,011.87	\$0.00	\$0.00			<b>Total (A,B,C,D) \$11,351,732.97</b>

**Amount of Financial Assurance On File**

PERMIT ID # OR FACILITY ID # (s)	AMOUNT OF CLOSURE OPERATING CONTINGENCY ON FILE (AA)	AMOUNT OF POST- CLOSURE ON FILE (BB)	AMOUNT OF 3RD PARTY LIABILITY ON FILE (CC)	AMOUNT OF CORRECTIVE ACTION ON FILE (DD)	INSTRUMENT TYPE AND ISSUE DATE (E)	ISSUING INSTITUTION (F)	TOTAL AMOUNT OF FINANCIAL ASSURANCE (G)
SNL 33-0035 Ph I & II	CLOSED	\$2,385,107.00			C 12/15/93	Chattanooga, TN	\$2,385,107.00
SNL 33-0273	\$4,891,025.31	\$1,819,542.69			C 9/2/97	Chattanooga, TN	\$6,710,568.00
SNL 33-0273 Lat. Exp 3	\$7,110,029.16	\$56,521.84			C 01/03/06	Chattanooga, TN	\$7,166,551.00
SWP 33-1120	NYO	NA					
SWP 33-1186	\$32,759.00	NA			C 10/13/94	Chattanooga, TN	\$32,759.00
<b>Total on File</b>	\$12,033,813.47	\$4,261,171.53	\$0.00	\$0.00			<b>Total (AA, BB, CC, DD) \$16,294,985.00</b>
Net amount overfunded as of 12/09/2013	+\$4,782,092.37	+\$161,159.65					+\$4,943,252.03

ABBR - C - CONTRACT CB - CASHBOND CHECK OR CASH CD - CERTIFICATE OF DEPOSIT CG - FT - CORPORATE GUARANTEE  
FINANCIAL TEST CI - CERTIFICATE OF INSURANCE FT - FINANCIAL TEST GG - GOVERNMENT GUARANTEE LC - LETTER OF CREDIT  
PB - PERFORMANCE BOND S - SECURITIES TF - TRUST FUND

## Attachment 2: Calculating Financial Assurance From the Beginning To the End of the Post Closure Care Period

<b>Facility</b>	Chattanooga Summit Landfill
<b>Permit#</b>	SNL 33-0035 Phase I and II

This site closed in 1998 and is required to have 30 years of post closure care.

At closure in 1998 the cumulative inflation adjusted total of post closure was \$ 3,580,336.00

or

This site has not yet begun post closure. The scheme below is simply an example of how post closure financial assurance will be adjusted annually for inflation.

This example assumes that the facility closed in \_\_\_\_\_ and is required to have \_\_\_\_\_ years post closure. At closure, the cumulative inflation adjusted post-closure amount was \$ \_\_\_\_\_ .00 . Each successive year after closure, the post-closure amount is reduced by approximately one year's post-closure expense and the outstanding dollar amount of post-closure is adjusted for inflation.

Calculation of Post Closure With Annual Inflation Adjustments After Closure of the Waste Management Unit							
EACH YEAR FOLLOWING CLOSURE (A)	ANNUAL INFLATION FACTOR (B)	SUM OF REMAINING YEARS COST OF POST CLOSURE (C)	NUMBER OF YEARS REMAINING IN POST CLOSURE (D)	APPROXIMATELY ONE YEAR REDUCTION IN POST CLOSURE COST (E)	ESTIMATED AMOUNT OF POST CLOSURE FOR REMAINING YEARS (F)	INFLATION ADJUSTMENT FOR THE REMAINING YEARS (G)	AMOUNT OF POST CLOSURE FINANCIAL ASSURANCE DUE THIS YEAR (H)
Year(row)	row27	Formula=H26	Year(s)	=C27/D27	=C27-E27	=F27*B27	=G27
2005	1.022	\$3,147,188.02	24	\$131,132.83	\$3,016,055.19	\$3,082,408.40	\$3,082,408.40
2006	1.027	\$3,082,408.40	23	\$134,017.76	\$2,948,390.64	\$3,027,997.19	\$3,027,997.19
2007	1.030	\$3,027,997.19	22	\$137,636.24	\$2,890,360.95	\$2,977,071.78	\$2,977,071.78
2008	1.027	\$2,977,071.78	21	\$141,765.32	\$2,835,306.46	\$2,911,859.73	\$2,911,859.73
2009	1.024	\$2,911,859.73	20	\$145,592.99	\$2,766,266.75	\$2,832,657.15	\$2,832,657.15
2010	1.012	\$2,832,657.15	19	\$149,087.22	\$2,683,569.93	\$2,715,772.77	\$2,715,772.77
2011	1.010	\$2,715,772.77	18	\$150,876.27	\$2,564,896.51	\$2,590,545.47	\$2,590,545.47
2012	1.024	\$2,590,545.47	17	\$152,385.03	\$2,438,160.44	\$2,496,676.29	\$2,496,676.29
2013	1.019	\$2,496,676.29	16	\$156,042.27	\$2,340,634.03	\$2,385,106.07	\$2,385,106.07
2014	1.015	\$2,385,106.07	15	\$159,007.07	\$2,226,099.00	\$2,259,490.49	\$2,259,490.49



## Attachment 1: Calculating Financial Assurance - Inflation Adjustment During the Operating Life of the Facility

<b>Facility :</b>	City of Chattanooga, TN					
<b>Permit# :</b>	SNL 33-0273 Lateral Expansion Area 3					
<b>Initial Year Calculated :</b>	2005					
YEAR (A) (establish date times next year inflation rate)	ANNUAL INFLATION FACTOR (B)	CLOSURE COST (1) (C)	POST CLOSURE COST (2) (D)	OPERATING COST (3) (E)	CONTINGENCY COST (4) (F)	TOTAL AMOUNT OF FINANCIAL ASSURANCE DUE (G)
	(18)Formula=	=C17*B18	=D17*B18		=F17*B18	=SUM(C18:F18)
2003	1.011	\$5,488,844.00	\$45,834.00	N/A	\$276,733.90	\$5,811,411.90
2004	1.016	\$5,576,665.50	\$46,567.34	N/A	\$281,161.64	\$5,904,394.49
2005	1.022	\$5,699,352.15	\$47,591.83	N/A	\$287,347.20	\$6,034,291.17
2006	1.027	\$5,853,234.65	\$48,876.80	N/A	\$295,105.57	\$6,197,217.03
2007	1.030	\$6,028,831.69	\$50,343.11	N/A	\$303,958.74	\$6,383,133.54
2008	1.027	\$6,191,610.15	\$51,702.37	N/A	\$312,165.63	\$6,555,478.15
2009	1.024	\$6,340,208.79	\$52,943.23	N/A	\$319,657.60	\$6,712,809.62
2010	1.012	\$6,416,291.30	\$53,578.55	N/A	\$323,493.49	\$6,793,363.34
2011	1.011	\$6,486,870.50	\$54,167.91	N/A	\$327,051.92	\$6,868,090.34
2012	1.024	\$6,642,555.39	\$55,467.94	N/A	\$334,901.17	\$7,032,924.50
2013	1.019	\$6,768,763.95	\$56,521.83	N/A	\$341,264.29	\$7,166,550.07
2014	1.015	\$6,870,295.41	\$57,369.66	N/A	\$346,383.25	\$7,274,048.32

(1) The estimated 3rd party cost to close the solid waste unit as submitted by owner/operation and as approved and amended by the Division of Solid Waste Management.

(2) The summation of the required years of post closure cost as submitted by the owner/operator and approved or amended by the Division

(3) Calculated at 00 tons per day for individual year x 30 days at N/A per ton.

(4) Calculated at 5% of items (1+2+3) above.

**Note:** The total amount of financial assurance can be reduced after certification of closure by the sum of closure cost, operations cost, and contingency cost as established by the cumulative annual inflation adjustments at the point of closure.

Attachment 1: Calculating Financial Assurance - Inflation Adjustment During the Operating Life of the Facility						
Facility :	City of Chattanooga, TN					
Permit# :	SWP 33-1186					
Initial Year Calculated :	1994 (Still Operating)					
YEAR (A) (establish date times next year inflation rate)	ANNUAL INFLATION FACTOR (B)	CLOSURE COST (1) (C)	POST CLOSURE COST (2) (D)	OPERATING COST (3) (E)	CONTINGENCY COST (4) (F)	TOTAL AMOUNT OF FINANCIAL ASSURANCE DUE (G)
	(18)Formula=	=C17*B18	=D17*B18		=F17*B18	=SUM(C18:F18)
2000	1.015	\$25,299.53	N/A	N/A	\$1,264.98	\$26,564.51
2001	1.021	\$25,830.82	N/A	N/A	\$1,291.54	\$27,122.36
2002	1.022	\$26,399.10	N/A	N/A	\$1,319.96	\$27,719.06
2003	1.011	\$26,689.49	N/A	N/A	\$1,334.48	\$28,023.97
2004	1.016	\$27,116.52	N/A	N/A	\$1,355.83	\$28,472.35
2005	1.022	\$27,713.08	N/A	N/A	\$1,385.66	\$29,098.74
2006	1.027	\$28,461.34	N/A	N/A	\$1,423.07	\$29,884.41
2007	1.030	\$29,315.18	N/A	N/A	\$1,465.76	\$30,780.94
2008	1.027	\$30,106.69	N/A	N/A	\$1,505.34	\$31,612.03
2009	1.024	\$30,829.25	N/A	N/A	\$1,541.47	\$32,370.71
2010	1.012	\$31,199.20	N/A	N/A	\$1,559.96	\$32,759.16
2011	1.010	\$31,511.19	N/A	N/A	\$1,575.56	\$33,086.75
2012	1.024	\$32,267.46	N/A	N/A	\$1,613.38	\$33,880.84
2013	1.019	\$32,880.54	N/A	N/A	\$1,644.03	\$34,524.57
2014	1.015	\$33,373.75	N/A	N/A	\$1,668.69	\$35,042.44

(1) The estimated 3rd party cost to close the solid waste unit as submitted by owner/operation and as approved and amended by the Division of Solid Waste Management.

(2) The summation of the required years of post closure cost as submitted by the owner/operator and approved or amended by the Division

(3) Calculated at 00 tons per day for individual year x 30 days at N/A per ton.

(4) Calculated at 5% of items (1+2+3) above.

**Note:** The total amount of financial assurance can be reduced after certification of closure by the sum of closure cost, operations cost, and contingency cost as established by the cumulative annual inflation adjustments at the point of closure.

**Amendment of Contract in Lieu of Performance Bond**

Whereas, the City of Chattanooga and the State of Tennessee Department of Environment and Conservation, entered into a Contract in Lieu of Performance Bond (Copy attached) for proper operation and closure and/or post-closure of the City of Chattanooga Sanitary Landfill, Registration Number SNL 33-0273 Lateral Expansion Area 3; and

Whereas, said contract included a provision allowing the Commissioner of Environment and Conservation to collect up to \$7,166,551.00 from any funds being disbursed or to be disbursed from the State to the City of Chattanooga as financial assurance for said proper operation, closure and post-closure; and

Whereas, the State and the City of Chattanooga desire to change the amount of said financial assurance from \$ 7,166,551.00 to \$ 7,274,049.00.

Paragraph 3 of the Agreement in Lieu of Performance Bond is amended as follows:

The figure "\$7,166,551.00" is deleted and the figure "\$ 7,274,049.00" is substituted in lieu thereof.

Date of Amendment to Contract December 9, 2013.

(Must have date of Official's signature)

\_\_\_\_\_  
Commissioner  
Department of Environment  
and Conservation

\_\_\_\_\_  
Title Mayor of the City of Chattanooga, TN  
For the City of Chattanooga

\_\_\_\_\_  
Commissioner  
Department of Finance  
and Administration

**EXAMPLE  
ONLY**

\_\_\_\_\_  
Title \_\_\_\_\_  
For the County of \_\_\_\_\_

\_\_\_\_\_  
Title \_\_\_\_\_  
For \_\_\_\_\_

(Please Type or Complete form in Ink and Submit three (3) Signed Originals of this Document)