CHAPTER 11:

Financial Assurance Requirements

Section 81-1505(21) provides the statutory authority for the Department to develop, and the Council to adopt as regulations, requirements for all applicants to establish proof of financial responsibility. The requirements pertain to all new or renewal permit applicants regulated under the Nebraska Environmental Protection Act, the Integrated Solid Waste Management Act, and the Livestock Waste Management Act, unless a class of permittees is exempted by the Council. The purpose of financial responsibility is for an applicant to provide funds to be used in the event of abandonment, default or other inability of the permittee to comply with terms or conditions of its permit or license. State statutes also identify types of funding mechanisms that applicants can use to meet the requirements.

Following is a table which provides a comprehensive list of existing financial assurance requirements for each permittee. Financial assurance amounts are listed in two categories: the first is the obligated amount, which lists the total amount of financial assurance which must be provided by the time of closure of the facility. Second is the current amount demonstrated, which lists the amount of financial assurance which is currently accrued towards the obligated amount. The table lists the facility location, permit type, initial date financial assurance provided, method or type of financial assurance provided and the guarantor for each permittee.

NDEE FINANCIAL ASSURANCE										
Facility Name	Location	Permit Type	Initial Date		Obligated Amount		Current Amount emonstrated	FA Mechanism	Guarantor	
Municipal Solid Waste Disposal Areas (MSWDA), Sanitary Landfills (LF)										
Alliance Landfill	Alliance	MSWDA	03/17/94	\$	4,939,119	\$	2,121,379	Enterprise Fund	City of Alliance	
Beatrice Area SW Agency	Beatrice	MSWDA	07/12/00	\$	7,117,018	\$	7,117,018	Financial Test	City of Beatrice	
Butler County Landfill	David City	MSWDA	10/03/08	\$	15,399,228	\$	7,225,859	Trust Fund	US Bank	
Douglas County Landfill	Bennington	MSWDA	03/28/00	\$	13,716,404	\$	13,716,404	Surety Bond	Evergreen Ntl. Indemnity Co.	
G & P Dev Landfill	Milford	MSWDA	10/03/08	\$	12,704,158	\$	3,387,276	Trust Fund	US Bank	
Gering Landfill	Gering	MSWDA	02/13/96	\$	2,392,692	\$	2,025,121	Enterprise Fund	City of Gering	
L.P. Gill Landfill	Jackson	MSWDA	04/09/96	\$	13,740,211	\$	13,740,211	Surety Bond	Travelers Casualty & Surety	
Grand Island Landfill	Grand Island	MSWDA	03/31/96	\$	10,724,846	\$	10,724,846	Financial Test	City of Grand Island	
Hastings Area Landfill	Hastings	MSWDA	03/18/13	\$	6,261,374	\$	3,912,622	Enterprise Fund	City of Hastings	
Hastings Landfill	Hastings	Sanitary LF	10/01/97	\$	147,645	\$	33,073	Faith & Credit	City of Hastings	
Holdrege Landfill	Holdrege	MSWDA	07/29/96	\$	3,276,700	\$	2,240,159	Enterprise Fund	City of Holdrege	
J-Bar-J Landfill	Ogallala	MSWDA	03/28/00	\$	6,527,412	\$	6,527,412	Performance Bond	Evergreen Ntl. Indemnity Co.	
Kearney Landfill	Kearney	MSWDA	03/31/94	\$	8,513,611	\$	4,317,535	Trust Fund	Union Bank & Trust	
Kimball Landfill	Kimball	MSWDA	05/10/96	\$	1,845,115	\$	1,233,283	Enterprise Fund	City of Kimball	
Lexington Landfill	Lexington	Sanitary LF	07/25/96	\$	289,903	\$	255,209	Faith & Credit	City of Lexington	
Lexington Area Agency	Lexington	MSWDA	01/19/97	\$	2,985,793	\$	2,479,047	Enterprise Fund	Lexington Area SW Agency	
Lincoln Bluff Road Landfill	Lincoln	MSWDA	04/01/96	\$	26,722,571	\$	26,722,571	Financial Test	City of Lincoln	
Loup Central Landfill	Elba	MSWDA	04/09/96	\$	2,752,871	\$	1,201,003	Trust Fund	Citizens Bank & Tr St. Paul	
McCook Landfill	McCook	Sanitary LF	03/04/96	\$	341,160	\$	85,290	Faith & Credit	City of McCook	
NE Ecology Landfill	Geneva	MSWDA	10/03/08	\$	3,309,365	\$	1,152,157	Trust Fund	US Bank	
NNSWC Landfill	Clarkson	MSWDA	04/09/96	\$	20,282,003	\$	9,562,341	Enterprise Fund	NNSWC	
Pheasant Point Landfill	Bennington	MSWDA	08/01/03	\$	30,674,171	\$	30,674,171	Surety Bond	Evergreen Ntl. Indemnity Co.	
Sarpy County Landfill	Papillion	MSWDA	03/31/96	\$	3,597,174	\$	3,937,989	Enterprise Fund	Sarpy County	
Sidney Landfill	Sidney	MSWDA	02/11/97	\$	2,568,807	\$	1,144,881	Enterprise Fund	City of Sidney	
SWANN Landfill	Chadron	MSWDA	09/25/97	\$	2,393,983	\$	857,275	Enterprise Fund	SWANN	
Valentine Landfill	Valentine	MSWDA	04/09/96	\$	2,193,468	\$	924,859	Enterprise Fund	City of Valentine	
York Landfill	York	Sanitary LF	05/14/96	\$	130,207	\$	12,037	Faith & Credit	City of York	
York Area SW Landfill	York	MSWDA	05/14/96	\$	5,541,146	\$	2,452,241	Enterprise Fund	City of York	

^{*}MSWDAs are landfills that are operating under current solid waste management regulations.

^{**}Sanitary LFs are closed facilities that have post-closure monitoring and maintenance.

İ			Construction	/Dem	olition Land	fills	;		
Abe's Trash Service C & D	Blair	Const./Demol.	03/30/98	\$	284,565	\$	284,565	Escrow Account	Bank of Bennington
Alliance C & D Landfill	Alliance	Const./Demol.	12/02/99	\$	421,267	\$	120,015	Enterprise Fund	City of Alliance
Anderson Excavating C & D	Omaha	Const./Demol.	11/15/12	\$	1,008,241	\$	1,008,241	Letter of Credit	Availa Bank
Arnold C & D Landfill	Arnold	Const./Demol.	07/24/00	\$	50,454	\$	51,530	Enterprise Fund	Village of Arnold
Beatrice Area SW Agency	Beatrice	Const./Demol.	10/15/12	\$	1,089,296	\$	1,089,296	Financial Test	City of Beatrice
Benkelman C & D Landfill	Benkelman	Const/Demol.	10/15/06	\$	70,286	\$	26,178	Enterprise Fund	City of Benkelman
Broken Bow C & D Landfill	Broken Bow	Const/Demol.	11/23/07	\$	133,404	\$	47,178	Enterprise Fund	City of Broken Bow
Bud's Sanitary Service C & D	Newman Grove	e Const./Demol.	06/01/97	\$	39,204	\$	39,204	Letter of Credit	First Natl. Bank Newman Gr
Eco-Storage C & D Landfill	Omaha	Const./Demol.	06/03/10	\$	42,344	\$	42,344	Surety Bond	Evergreen Ntl Indemnity Co.
Franklin C&D Landfill	Franklin	Const./Demol.	11/08/10	\$	67,838	\$	26,561	Enterprise Fund	City of Franklin
Gage County C & D Landfill	Beatrice	Const./Demol.	02/23/98	\$	174,852	\$	200,000	Letter of Credit	Security First Bank
Hawkins Construction C & D	Omaha	Const./Demol.	02/11/21	\$	413,499	\$	413,499	Surety Bond	Western Surety Co.
Holdrege C & D Landfill	Holdrege	Const/Demol.	05/01/09	\$	327,615	\$	84,541	Enterprise Fund	City of Holdrege
Imperial C&D Landfill	Imperial	Const./Demol.	06/01/01	\$	157,325	\$	83,651	Enterprise Fund	City of Imperial
KGP Services C & D	Norfolk	Const/Demol.	11/06/03	\$	102,014	\$	102,014	Escrow Account	Elkhorn Valley Bank & Trust
Kimball C & D Landfill	Kimball	Const./Demol.	04/01/01	\$	189,026	\$	68,325	Enterprise Fund	City of Kimball
Lead Waste Mgmt C&D Landfill	Waterbury	Const./Demol.	05/28/14	\$	75,965	\$	75,965	Letter of Credit	Adrian State Bank
L.P. Gill Landfill C & D	Jackson	Const/Demol.	04/09/96	\$	777,920	\$	777,920	Surety Bond	Travelers Casualty & Surety
Lexington C & D Landfill	Lexington	Const./Demol.	09/30/98	\$	349,611	\$	177,637	Enterprise Fund	Lexington Area SW Agency
Lincoln North 48th St. C & D	Lincoln	Const./Demol.	04/01/96	\$	3,676,342	\$	3,676,342	Financial Test	City of Lincoln
Loup Central C & D Landfill#2	Elba	Const./Demol.	01/28/01	\$	182,496	\$	64,349	Trust Fund	Citizens Bank & Tr. St. Paul
NPPD Gerald Gentleman	Sutherland	Const./Demol.	04/01/95	\$	272,234	\$	272,234	Financial Test	NPPD
O'Neill C & D Landfill	O'Neill	Const./Demol.	06/01/01	\$	236,917	\$	57,486	Enterprise Fund	City of O'Neill
O'Neill Wood Resources C & D	Grand Island	Const./Demol.	10/10/18	\$	481,674	\$	35,419	Trust Fund	Minden State Bank & Trust
PAD LLC C & D Landfill	Hastings	Const./Demol.	06/05/02	\$	211,536	\$	212,472	Escrow Account	Five Points Bank
Plainview C & D Landfill	Plainview	Const./Demol.	09/26/00	\$	89,245	\$	78,050	Enterprise Fund	City of Plainview
12221 Rainwood Road C & D	Omaha	Const/Demol.	08/10/21	\$	217,620	\$	217,620	Surety Bond	North American Specialty Ins.
Red Cloud C&D Landfill	Red Cloud	Const/Demol.	04/04/17	\$	101,843	\$	15,194	Enterprise Fund	City of Red Cloud
Schmader C & D Landfill	West Point	Const/Demol.	07/27/12	\$	207,646	\$	196,150	Letter of Credit	Charter West Ntl Bank
Sidney C & D Landfill	Sidney	Const./Demol.	11/23/99	\$	280,190	\$	60,368	Enterprise Fund	City of Sidney
Three Valleys C & D Landfill	Indianola	Const./Demol.	02/24/10	\$	174,715	\$	174,715	Letter of Credit	McCook Ntl Bank
York C & D Landfill	York	Const/Demol.	12/01/07	\$	846,734	\$	172,874	Enterprise Fund	City of York
	Fossi	l Fuel Combusti	on Ash (FFCA), Ind	ustrial Wast	e La	andfills, Mor	nofills	
Ash Grove Cement Co.	Louisville	Indus. Waste	03/01/03	\$	4,793,726	\$	4,793,726	Insurance Policy	Great American E&S Ins. Co.
Clean Harbors Technology	Kimball	Monofill	07/31/20	\$	2,953,236	\$	2,953,236	Insurance Policy	Great American Ins. Co.

Fremont Utilities	Fremont	FFCA	05/28/96	\$	5,379,262	\$	886,457	Enterprise Fund	City of Fremont
Hastings Utilities	Hastings	FFCA	02/01//01	\$	13,981,400	\$		Enterprise Fund	City of Hastings & PPGA
NPPD Gerald Gentleman 4	Sutherland	FFCA	04/01/95	\$	7,538,595	\$	7,538,595	Financial Test	NPPD
NPPD Sheldon Station 4	Sheldon	FFCA	07/01/01	\$	2,402,188	\$		Financial Test	NPPD
OPPD NE City 1	NE City	FFCA	04/04/95	\$	2,351,389	\$	2,351,389	Financial Test	OPPD
OPPD NE City 2	NE City	FFCA	06/30/09	\$	6,308,033	\$	6,308,033	Financial Test	OPPD
OPPD North Omaha	Omaha	FFCA	04/04/95	\$	9,293,844	\$	9,293,844	Financial Test	OPPD
Platte Generation	Grand Island	FFCA	03/18/14	\$	2,334,900	\$	1,803,802	Financial Test	City of Grand Island
Waste Management of NE	Bennington	Indus. Waste	02/19/04	\$	1,501,606	\$	1,501,606	Surety Bond	Lexon Insurance Co.
		Transfer Station	ne Matorial P	000	ony Facilities		omnost Sita	e	
AltEn LLC	Mead	Compost	04/01/07	\$	188,508	\$		Escrow Account	American Ntl Bank
Bud's Sanitary Service	Newman Gr.	Transfer Station	05/19/17	\$	2,970	-		Letter of Credit	First Natl. Bank, NG
Custer Transfer Station	Broken Bow	Transfer Station	11/08/16	\$	10,339	\$		Letter of Credit	Nebraska State Bank
Doernemann Const. Co.	Clarkson	Compost	12/15/99	\$	10,539	\$		Letter of Credit	Clarkson Bank
Eco-Storage Inc.	Omaha	Mat. Recovery	12/13/99	\$	70,017	\$		Surety Bond	Federal Ins. Co.
Edgetown Properties LLC	Madison	Transfer Station	06/27/12	\$	7,500	\$	· · · · · · · · · · · · · · · · · · ·	Escrow Account	Frontier Bank
Fremont CRD, Inc.	Fremont	Transfer Station	07/02/03	\$	13,125	\$	13,125		Capitol Indemnity Corp
King Transfer Station	Walthill	Transfer Station	04/02/03	\$	1,187	\$		Escrow Account	First Natl. Bank, Walthill
Medi-Waste Disposal	Lincoln	Processing Fac	04/02/90	\$	36,036	\$	36,036		Cincinnati Ins. Co.
Prairieland Dairy LLC	Firth	Compost	08/01/15	\$	313,830	\$	313,830	Letter of Credit	First State Bank Nebraska
River City Recycling	Omaha	Mat. Recovery	01/01/01	\$	55,920	\$			US Bank Ntl Assoc
Sarpy County	Papillion	Transfer Station	04/17/12	\$	98,643	\$	98,643		Travelers Surety Co. of Amer.
Seneca Sanitation	Dubois	Transfer Station	09/27/17	\$	4,012	· ·	· · · · · · · · · · · · · · · · · · ·	Letter of Credit	First Heritage Bank
Stericycle	Lincoln	Processing Fac	07/01/12	\$	56,873	\$	56,873		Westchester Fire Ins. Co.
Waste Connections of NE	Central City	Transfer Station	05/30/13	\$	9,223	\$	9,223	Surety Bond	Platte River Ins Co.
Waste Connections of NE	Gering	Transfer Station	08/15/03	\$	25,831	\$	25,831	•	Evergreen Ntl. Indemnity Co.
Waste Connections of NE	Ord	Transfer Station	07/02/03	\$	8,387	\$	8,387	•	Capitol Indemnity Corp
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Loveland Products	Fairbury	RCRA PC	12/10/15	\$	630,697	\$	<u>'</u>	Letter of Credit	Bank of Nova Scotia
Bosch Security Systems	Lincoln	RCRA PC	06/02/09	\$	10,344	\$	10,344	Letter of Credit	Bank of Montreal
Clean Harbors Technology	Kimball	RCRA Closure	07/31/20	\$	34,524,662	\$	34,524,662		Great American Insurance Co.
Douglas County Landfill	Omaha	RCRA PC	03/08/85	\$	44,679	\$		Trust Fund	First Natl Bank of Omaha
Eaton Corporation	Omaha	RCRA PC	06/08/09	\$	4,463,158	\$		Letter of Credit	JP Morgan/Chase Bank
Safety Kleen	Grand Island	RCRA Closure	07/31/20	\$	156,574	· ·	156,574		Great American Insurance Co.
Jaicty Meen	Orana Islana	ACKA CIOSUIE	01/31/20	٦	130,374	٦	130,374	mourance Folicy	Great American mourance Co.

Safety Kleen	Omaha	RCRA Closure	07/31/20	\$	414,851	\$	414,851	Insurance Policy	Great American Insurance Co.
Tenneco Automotive Inc.	Cozad	RCRA PC	09/17/97	\$	52,366	\$	52,366	Letter of Credit	Canadian Imperial Bank
Van Diest Supply Liquid Plant	McCook	RCRA PC	02/16/06	\$	1,712,398	\$	1,712,398	Letter of Credit	1st State Bank Webster Cty IA
Douglas County Landfill	Omaha	RCRA Cor Act	08/20/18	\$	1,852,903	\$	1,852,903	Financial Test	Douglas County
		Unc	lerground Inje	ctio	n Control (UI	C)			
Crow Butte Resources, Inc.	Crawford	UIC		\$	51,383,364	\$	51,383,364	Letter of Credit	Royal Bank of Canada
			Waste	Tire	Haulers				
ABC Tire LLC	Kansas C, KS	Waste Tire	06/24/13	\$	10,000	\$	10,000	Surety Bond	Nationwide Mutual Ins.
Abe's Trash Service Inc.	Omaha	Waste Tire	02/08/19	\$	5,000	\$	5,000	Letter of Credit	Bank of Bennington
B-Rose Transportation	Alvo	Waste Tire	04/16/15	\$	100,000	\$	100,000	Surety Bond	Merchants Bonding Co.
Butler County Landfill	David City	Waste Tire	05/16/97	\$	50,000	\$	50,000	Surety Bond	Travelers Casualty & Surety
Champlin Tire Recycling Inc	Concordia KS	Waste Tire	10/04/96	\$	10,000	\$	10,000	Letter of Credit	United Bank & Trust
Don's Used Tires	Lincoln	Waste Tire	03/13/03	\$	5,000	\$	5,000	Surety Bond	Old Republic Surety Co.
Gill Hauling Inc.	Jackson	Waste Tire	02/04/09	\$	10,000	\$	10,000	Letter of Credit	Dakota County State Bank
Hoke Transport LLC	Gering	Waste Tire	04/04/12	\$	5,000	\$	5,000	Surety Bond	Old Republic Surety Co.
Intrawest LLC	Fountain CO	Waste Tire	09/15/15	\$	5,000	\$	5,000	Surety Bond	U.S. Specialty Ins. Co.
J & M Steel	Hastings	Waste Tire	01/15/15	\$	5,000	\$	5,000	Letter of Credit	Five Points Bank
Kenny Frazier	Edmond OK	Waste Tire	05/26/04	\$	5,000	\$	5,000	Escrow Account	Bank of America, Inc.
LAL Enterprise, LLC	Alvo	Waste Tire	04/16/15	\$	100,000	\$	100,000	Surety Bond	Merchants Bonding Co.
Leo Porter	Oshkosh	Waste Tire	02/21/08	\$	15,000	\$	15,000	Escrow Account	Nebraska State Bank
Liberty Tire Services of Ohio	Savage, MN	Waste Tire	03/09/09	\$	10,000	\$	10,000	Surety Bond	Evergreen Ntl. Indemnity Co.
Million Tire Disposal	Sarcoxie,MO	Waste Tire	09/16/16	\$	5,000	\$	5,000	Surety Bond	Great American Ins.Co.
New Horizons Enterprises LLC	Lincoln	Waste Tire	05/11/12	\$	5,000	\$	5,000	Surety Bond	Granite Re, Inc.
Omaha Casing Co. Inc	Omaha	Waste Tire	12/05/14	\$	5,000	\$	5,000	Letter of Credit	Security Natl. Bank
Resource Management Co	Brownell, KS	Waste Tire	01/17/06	\$	10,000	\$	10,000	Letter of Credit	First State Bank, Ness Cy,KS
River City Recycling	Omaha	Waste Tire	04/22/16	\$	43,750	\$	43,750	Letter of Credit	Access Bank
Shockley Trucking	Octavia	Waste Tire	02/24/16	\$	10,000	\$	10,000	Surety Bond	Universal Surety Co.
Southwick Liquid Waste Inc.	Hickman	Waste Tire	12/16/20	\$	20,000	\$	20,000	Surety Bond	Atlantic Specialty Ins. Co.
Tire Cutters	Centralia KS	Waste Tire	05/13/06	\$	5,000	\$	5,000	Letter of Credit	First Heritage Bank
Tire Town, Inc.	Leavenworth,K	Waste Tire	06/11/15	\$	10,000	\$	10,000	Letter of Credit	Bank of the Prairie
Uribe Scrap Tires, LLC	Lincoln	Waste Tire	01/06/14	\$	5,000	-	5,000	Surety Bond	Ohio Casualty Ins. Co.