

SCANNED AND ENTERED



LIBERTY BANK
OF ARKANSAS

AFIN: 16-00199
Pmt #: D254-SI-R4
REC'D
SCAN JUN 06 2013
Doc ID#: 64519
To: SS7 yule

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MEMORANDUM

To: Ms. Susan Speake
CC:
From: Agnes Kendall-Rand
Date: June 4, 2013
Re: Irrevocable Standby Letter of Credit #1578

Please find attached the Irrevocable Standby Letter of Credit #1578 issued to Craighead County Solid Waste Disposal Authority – Jonesboro, AR 72401.

If you have any questions, please contact Joe W Verser, SVP @ 870-268-1916.



May 17, 2013

Susan Speake
Programs Branch – Solid Waste Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

Dear Ms. Speake:

Please find attached an original Irrevocable Standby Letter of Credit to satisfy financial assurance requirements for the Craighead County Solid Waste Disposal Authority. In accordance with Regulations 22.1405 (b), this letter accompanies the letter of credit and presents the following information:

1. Issuing Institution:

Name:	Liberty Bank of Arkansas
Address:	P O Box 7514 Jonesboro, AR 72403
Contact Person/Title:	Joe W. Verser, SVP
Contact Phone Number:	870-268-1916
Letter of Credit Number:	1578
Letter of Credit Effective Date:	May 17, 2013
Amount of Funds secured by this Letter of Credit:	\$1,100,000.00

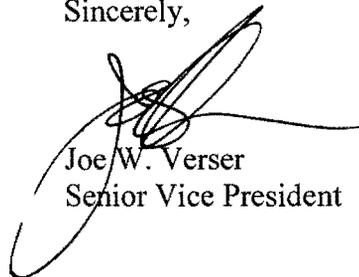
Page 2:

2. **Solid Waste Facility(ies) covered by this Letter of Credit:**

Name: Craighead County Solid Waste Disposal Authority
Address: P. O. Box 16777- Jonesboro, AR 72403
Contact Person/Title: Robert Hendrix, Executive Director
Contact Phone Number: 870-972-6353
Permit Number: 0254-S1-R4
AFIN: 16-00923
Closure Cost Estimate: \$2,445,488.00
Post Closure Cost Estimate: \$1,373,400.00
Corrective Action (if required):

Should you have any questions, please advise.

Sincerely,



Joe W. Verser
Senior Vice President

FINANCIAL ASSURANCE CHECKLIST

Letter of Credit

Company Name: Craighead County Solid Waste Disposal Authority Permit No.: _____

YES NO QUESTION

<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the issuing institution an entity which has the authority to issue letters of credit and whose letter-of-credit operations are regulated and examined by a Federal or State agency? [Reg.22.1405 (c)(1)]
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has the owner or operator submitted a letter referring to the letter of credit by number, issuing institution, and date, and providing the following information: name, and address of the facility, and the amount of funds assured? [Reg.22.1405 (c)(2)]
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the letter of credit irrevocable and issued for a period of at least one year in an amount at least equal to the current cost estimate for closure, post-closure care or corrective action? [Reg.22.1405 (c)(3)]
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the letter of credit provide that the expiration date will be automatically extended for a period of at least one year unless the issuing institution has canceled the letter of credit by sending notice of cancellation by certified mail to the owner and operator and to the Director one hundred twenty (12) days in advance of cancellation? [Reg.22.1405 (c)(3)]
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has the owner or operator provided the original letter of credit and company letterhead to the Director for approval? [Reg.22.1405 (c)(2)]
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has the letter of credit been executed on forms developed and provided by the Department? [Reg.22.1405]
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has the owner or operator provided the initial and updated cost estimates for closure and post-closure care to the Director? [Reg.22.1405 (a) and Reg.22.1405 (b)]

Comments: Letter of Credit plus restricted CDs
comply with required financial assurance.

Reviewed by: Robert D. Herdby

Date: 5-17-13

LEGACY LANDFILL

P.O. Box 16777 • Jonesboro, AR 72403

870-972-6353 • fax: 870-972-0495

June 4, 2013

Ms. Susan Speake
Programs Branch – Solid Waste Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

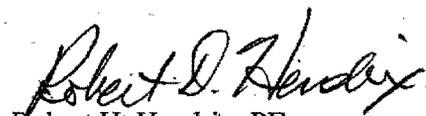
RE: Financial Assurance for Landfill Permit No. 0254-S1-R4 AFIN: 16-00923

Dear Susan:

Enclosed please find Liberty Bank Letter of Credit #1578 dated 5/17/2013 in the amount of \$1,100,000.00. This, along with the restricted CDs totaling \$1,788,000.00 (#1000072943, #100020667, #100019250, #100028874, #100009520, and #100019530) which ADEQ holds, will satisfy the Financial Assurance obligation of Craighead County Solid Waste Disposal Authority "Legacy Landfill". According to our AEIR, the closure cost estimate is \$2,445,488 and the post-closure case cost estimate is 1,373,400.

Thank you,

CRAIGHEAD COUNTY SOLID WASTE DISPOSAL AUTHORITY



Robert H. Hendrix, PE
Executive Director

Enclosures



May 17, 2013

Susan Speake
Programs Branch – Solid Waste Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

Dear Ms. Speake :

We hereby establish our Irrevocable Standby Letter of Credit No. 1578 in your favor, at the request and for the account of Craighead County Solid Waste Disposal Authority, P O Box 16777, Jonesboro, AR. 72403 up to the aggregate amount of (One Million One Hundred Thousand and 00/100) U.S. dollars \$1,100,000.00, available upon presentation of

- (1) Your sight draft, bearing reference to this letter of credit No. 1578, and
- (2) Your signed statement reading as follows: “I certify that the amount of the draft is payable pursuant to regulations issued under authority of the Arkansas Solid Waste Management At (Act 237 of 1971 as amended).”

This letter of credit is effective as of May 17, 2013 and shall expire on May 17, 2014, but such expiration date shall be automatically extended for a period of at least one year on May 17, 2014 and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify both you and Craighead County Solid Waste Disposal Authority by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. In the event you are so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by both you and Craighead County Solid Waste Disposal, as shown on the signed return receipts.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall forfeit the amount of the draft to the Arkansas Department of Environmental Quality in accordance with your instructions.

Page 2:

We certify that the wording of this letter of credit is identical to the wording specified in Section 12 of the Arkansas Solid Waste Disposal Code as such regulations were constituted on the date shown immediately below.

Issuing Bank or Institution:

Liberty Bank of Arkansas
P O Box 7513
Jonesboro, AR 72403-7514

Effective Date:

May 17, 2013

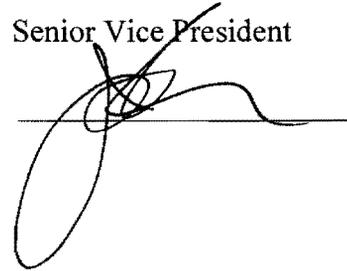
Name of Officer:

Joe W. Verser

Title:

Senior Vice President

Signature:

A handwritten signature in black ink, appearing to read "Joe W. Verser", is written over a horizontal line. The signature is stylized with a large loop at the end.