

CONTRACT IN LIEU OF PERFORMANCE BOND (City)
Department of Environment and Conservation, Division of Solid Waste Management

PURSUANT TO T.C.A. 68-211-116 and THE RULES AND REGULATIONS OF THE STATE OF TENNESSEE, the City of _____ (hereinafter referred to as "The City"), and the Tennessee Department of Environment and Conservation do hereby contract and agree as follows:

1. This agreement applies to the following solid waste processing and/or disposal facility(s):

2. The City shall properly operate the described solid waste processing and/or disposal facility(s) and perform closure of each facility listed above, in accordance with all requirements of the permit and any applicable closure/post-closure plan, as such plan and permit may be amended, and pursuant to all applicable laws, statutes, rules, and regulations, as such laws, statutes, rules, and regulations may be amended.

3. The Total penal sum of this agreement is (per facility):

4. In the event that the City fails to perform as specified in paragraph 2, above, after giving the City notice and opportunity to cure the violation, the Commissioner of the Department of Environment and Conservation may collect any amount up to the total penal sum from any funds that otherwise would be disbursed from the State of Tennessee to the City and this agreement shall act as an assignment of any such forfeited funds from the City to the Tennessee Department of Environment and Conservation.

5. This contract shall be filed with the Commissioner of Finance and Administration who shall distribute any funds forfeited pursuant to this contract upon written notice from the Commissioner of Environment and Conservation.

This _____ day of _____, 20__.

Title: _____
For the City of: _____

Commissioner,
Department of Environment and Conservation

Commissioner,
Department of Finance and Administration

(City Only Form) Please Submit 4 Signed Originals