

CITY OF ALGOMA  
COUNTY OF KEWAUNEE  
STATE OF WISCONSIN

COMMON COUNCIL  
RESOLUTION 760-2016

A RESOLUTION AUTHORIZING A \$506,000 LETTER OF CREDIT TO  
MAINTAIN FINANCIAL ASSURANCE PER THE 1993 AMENDED CONSENT DECREE  
COVERING THE ALGOMA MUNICIPAL LANDFILL

WHEREAS, The City of Algoma previously operated the Algoma Municipal Landfill (AMLF) that is now subject to a Consent Decree in the United States of America and State of Wisconsin v. City of Algoma, et al., Case No. 91-C-1303 (consolidated with 92-C-75); and

WHEREAS, The Amended Consent Decree and Amended SOW, executed by the United States on May 21, 1993, between the United States, the State of Wisconsin and the City of Algoma, Algoma Hardwoods, Inc., Algoma Lumber Co., Badger Northland, Inc., Massey-Ferguson, Inc., Champion International Corp., Olsonite Corp., and Wisconsin Label Corp., the City of Algoma, and the other Settling Defendants, all members of the Potentially Responsible Parties (PRP) group, and

WHEREAS, The Final Operation and Maintenance (O&M) Plan (Revision No. 1) specifies that the PRP Group will perform groundwater monitoring, gas monitoring and other related O&M activities for a period of 30 years, from 1994-2023, with nine years remaining; and

WHEREAS, The PRP Group is required to maintain financial assurance per the 1993 Amended Consent Decree; and

WHEREAS, TRC Solutions, the Settling Defendant's technical consultant, has prepared an updated Long Term Care Cost Estimate for the remaining OM&M period concluding in 2023 showing that the projected costs for the remaining nine years of O&M is \$506,000; and

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Algoma, duly assembled this 4<sup>th</sup> day of January 2016, hereby authorize the City Administrator/Clerk – Treasurer to obtain a letter of credit in an amount not to exceed \$506,000 to maintain financial assurance per the 1993 amended consent decree covering the Algoma Municipal Landfill.

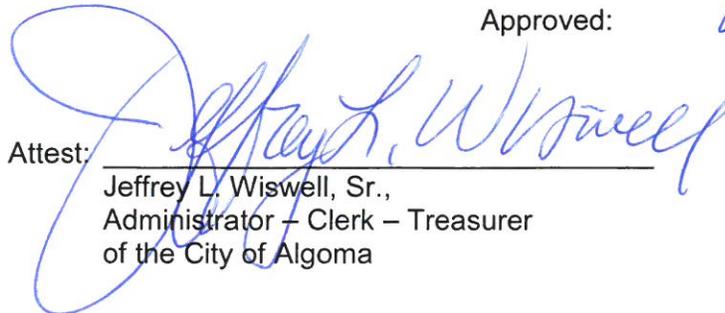
ADOPTED BY THE COMMON COUNCIL AT A REGULAR MEETING THEREOF ON THE 4<sup>TH</sup> DAY OF JANUARY, 2016, BY A VOTE OF 8 FOR AND 0 OPPOSED.

Approved:



Wayne R. Schmidt,  
Mayor of the City of Algoma

Attest:



Jeffrey L. Wiswell, Sr.,  
Administrator – Clerk – Treasurer  
of the City of Algoma