



**KAREN E. RUSHING**  
*Clerk of the Circuit Court and County Comptroller*

2000 Main Street • P.O. Box 3079 • Sarasota, FL 34230-3079 • Phone: 941-861-7400 • [www.SarasotaClerk.com](http://www.SarasotaClerk.com)

March 28, 2017

Tor Bejnar, Environmental Specialist  
Florida Department of Environmental Protection  
2600 Blair Stone Road MS 4565  
Tallahassee, FL 32399-2400

Re: Solid Waste Management Letter to Demonstrate Financial Assurance

Dear Mr. Bejnar:

Attached please find the requisite Independent Accountant's Report regarding the Solid Waste Management Facility Letter and the original signed copy of the Solid Waste Management Facility Letter from the Chief Financial Officer to demonstrate financial assurance for the year ended September 30, 2016.

This report addresses compliance with Section 62-701.630(5) of the Florida Administrative Code. Should have any questions, please contact Maxim Sak at (941) 861-5195 or [mask@scgov.net](mailto:mask@scgov.net).

Please find the County's Consolidated Annual Financial Report (CAFR) for the fiscal year ended September 30, 2016 at the following address:  
[http://www.sarasotaclerk.com/FileLib/2016\\_CAFR.pdf](http://www.sarasotaclerk.com/FileLib/2016_CAFR.pdf)

Sincerely,

Karen E. Rushing  
Clerk of the Circuit Court and County Comptroller

Nicole E. Jovanovski, CPA  
Director of Finance



## INDEPENDENT ACCOUNTANTS' REPORT ON APPLYING AGREED UPON PROCEDURES

Board of County Commissioners  
Sarasota County, Florida

We have performed the procedures enumerated below, which were agreed to by management of Sarasota County, Florida, through its Clerk of the Circuit Court and Comptroller (the "County"). These procedures were performed solely to assist the County with respect to compliance with the requirements of Chapter 62-701.630, *Solid Waste Management Facilities*, Sub-Chapter 62-701.630(6)(c)2., *Financial Assurance*, of the Florida Administrative Code ("FAC"), as authorized by Chapter 403.704(9), *Powers and Duties of the Department*, under Florida Statutes ("FS") Chapter 403.704, *Environmental Control*, and as reported by the County as of September 30, 2016 to the Florida Department of Environmental Protection through DEP Form 62-701.900(5)(e) (herein referred to as the "Letter").

Sarasota County's Clerk of the Circuit Court and Comptroller is responsible for the County's accounting records. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

Our procedures and findings are as follows:

1. We read and understand the requirement for the financial test as found in Title 40, *Protection of Environment*, Chapter 1, *Environmental Protection Agency*, Part 264 *Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities*, 40 CFR 264.143(f)(3) and (5), *Financial Assurance for Closure*, and 40 CFR 264.145(f)(3) and (5) *Financial Assurance for Post-Closure Care*;
2. We compared the data which the Letter, entitled *State of Florida Solid Waste Facility Financial Test (Letter from the Chief Financial Officer)* [DEP Form 62-701.900(5)(e)], specifies as having been derived from the independently audited year-end financial statements as of and for the year ended September 30, 2016 (the latest fiscal year) with the amounts in such financial statements. This letter is signed by Karen Rushing, Clerk of the Circuit Court and Comptroller, on March 28, 2017; and
3. In connection with procedure number 2, no matters came to our attention which caused us to believe that the specified data should be adjusted.

Board of County Commissioners  
Sarasota County, Florida

We were not engaged to, and did not conduct an audit of the Letter, the objective of which would be the expression of an opinion on the accompanying Letter. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you herein.

This report is intended solely for the information and use of management of Sarasota County, and the State of Florida Department of Environmental Protection, and is not intended to be and should not be used by anyone other than these specified parties.

*Shinn & Company, LLC*

**Shinn & Company LLC**  
Bradenton, Florida

*CliftonLarsonAllen LLP*

**CliftonLarsonAllen LLP**  
Tampa, Florida

March 28, 2017

**STATE OF FLORIDA  
SOLID WASTE FACILITY FINANCIAL TEST  
(LETTER FROM CHIEF FINANCIAL OFFICER)**

Director, Division of Waste Management  
Florida Department of Environmental Protection

The term "Required Action," as used in this document means closing, long-term care, or corrective action, or any combination of these, which is checked below. The term "Firm" shall mean the legal or government entity whose chief financial officer is completing this letter.

Check Appropriate Box(es):  Closing  Long-Term Care  Corrective Action

I am the chief financial officer of Sarasota County, Florida  
Name of Firm

1660 Ringling Boulevard, P.O. Box 8, Sarasota, Florida 34230  
Business Address

This letter is in support of this firm's use of the financial test to demonstrate financial assurance, as specified in Subpart H of 40 CFR Part 264, as adopted by reference in Rule 62-701.630, Florida Administrative Code (F.A.C.).

Fill out the following eight paragraphs regarding facilities and associated cost estimates. If your firm has no facilities that belong in a particular paragraph, write "NONE" in the space indicated. For each facility, include its FDEP identification number (WACS or EPA ID), facility name, site address and current facility amount. The facility amount will be the total of facility closing, long-term care and corrective action cost estimates (as applicable), or total of closure, post-closure, corrective action cost estimates and liability coverage (as applicable), or the total of plugging and abandonment cost estimates.

1. This firm is the owner or operator of the following solid waste management facilities in the State of Florida for which financial assurance for the "Required Action" is demonstrated through the financial test specified in Subpart H of 40 CFR Part 264, as adopted by reference in Rule 62-701.630, F.A.C.:

WACS 51614, Central County Solid Waste Disposal Complex 4000 Knights Trail Road, Nokomis, FL 34275	\$41,268,112.17
WACS 51611, Bee Ridge Landfill Site 8350 Bee Ridge Road, Sarasota, FL 34241	\$6,623,363.30

2. This firm guarantees, through the corporate guarantee specified in Subpart H of 40 CFR Part 264, as adopted by reference in Rule 62-701.630, F.A.C., the "Required Action" of the following solid waste management facilities in the State of Florida owned or operated by the guaranteed party: NONE

The firm identified above is [Check Appropriate Box] (Complete only when a Corporate Guarantee – Form 62-701.900(5)(f) – is being submitted.)

- (1) the direct or higher-tier parent corporation of the owner or operator;
- (2) owned by the same parent corporation as the parent corporation of the owner or operator and receiving the following value in consideration of this guarantee - \_\_\_\_\_; or  
Value received\*
- (3) engaged in the following substantial business relationship with the owner or operator - \_\_\_\_\_ -  
Business Relationship\*  
and receiving the following value in consideration of this guarantee - \_\_\_\_\_  
Value received\*

\* - (Attach a written description of the value received or business relationship or a copy of the contract establishing such relationship to this letter.)

3. In states other than Florida, this firm, as owner or operator or guarantor is demonstrating financial assurance for the closing, long-term care and/or corrective action (or equivalent terms) of the following solid waste management facilities through the use of a test equivalent or substantially equivalent to the financial test specified in Subpart H of 40 CFR Part 264, as adopted by reference in Rule 62-701.630, F.A.C.: NONE

4. This firm is the owner or operator or guarantor of the following solid waste management facilities for which financial assurance for the closing, long-term care and/or corrective action (or equivalent terms) is not demonstrated to the federal government or other state government through the financial test or any other financial assurance mechanism specified in Rule 62-701.630, F.A.C., or equivalent or substantially equivalent federal or state mechanisms: NONE

5. This firm is the owner or operator or guarantor of the following underground injection control (UIC) facilities for which financial assurance for plugging and abandonment is required under 40 CFR Part 144 and/or Rule 62-528.435(9), F.A.C.: NONE

6. This firm is the owner or operator or guarantor of the following hazardous waste facilities for which financial assurance for closure, post-closure care, corrective action and/or liability coverage is required under 40 CFR Parts 264 and 265, Subpart H and/or Rule 62-730.180, F.A.C.: NONE

7. This firm is the owner or operator or guarantor of the following underground storage tank (UST) and aboveground storage tank (AST) facility(ies) for which financial responsibility for liability coverage and corrective action is required under 40 CFR Parts 280 and 281 and/or Rule 62-761.400(3), and 62-762.401(3), F.A.C.: See attachment

8. This firm is the owner or operator or guarantor of the following phosphogypsum stack systems for which financial assurance for closure and post-closure care is required under Rule 62-673.640, F.A.C.: NONE

This firm is not required to file a Form 10K with the Securities and Exchange Commission (SEC) for the latest fiscal year. The fiscal year of this firm ends on September, 30. The figures for the following items marked with an asterisk (\*) are derived from this firm's independently audited, year-end financial statements and footnotes for the latest completed fiscal year, ended September 30, 2016.  
Date

**Complete either Alternative I or Alternative II**

Fill in Alternative I if the criteria of Rule 62-701.630 (6)(c) 1., F.A.C., are used.  
Fill in Alternative II if the criteria of Rule 62-701.630 (6)(c) 2., F.A.C., are used.

**ALTERNATIVE I**

**ALTERNATIVE II**

1. Sum of current facility amounts. \$ \_\_\_\_\_  
(Total of all costs listed in paragraphs 1-8 [above])

1. Sum of current facility amounts. \$ 47,891,475.47  
(Total of all costs listed in paragraphs 1-8 [above])

\*2. Total liabilities. \$ \_\_\_\_\_  
(If any portion of the current facility amounts is included in your total liabilities, you may deduct that portion from this line and add that amount to lines 3 and 4.)

2. Current investment grade bond: 803321  
A. CUSIP Number. \_\_\_\_\_  
(or attach copy of first page of bond)

\*3. Tangible net worth. \$ \_\_\_\_\_

B. Rating Service. Standard & Poor's  
(Moody's or Standard and Poor's)

\*4. Net worth. \$ \_\_\_\_\_

C. Bond rating. AA+  
(Rating must be Underlying or Senior Unsecured)

\*5. Current assets. \$ \_\_\_\_\_

D. Date of bond issuance. 6/21/2016

\*6. Current liabilities. \$ \_\_\_\_\_

E. Date of bond maturity. 10/01/2043

7. Net working capital. \$ \_\_\_\_\_  
(Line 5 minus line 6)

\*3. Tangible net worth. \$ 2,142,224,987.00  
(If any portion of the current facility amounts is included in "total liabilities" on your financial statements, you may add that portion to this line.)

\*8. The sum of net income plus depreciation, depletion, and amortization. \$ \_\_\_\_\_

\*4. Total assets in the U.S. \$ 3,213,832,419.00

\*9. Total assets in U.S. \$ \_\_\_\_\_

	YES	NO
10. Is line 3 minus line 1 at least \$10 million?	_____	_____
11. Is line 3 at least 3 times line 1?	_____	_____
12. Is line 7 at least 3 times line 1?	_____	_____
13. Is line 9 at least 3 times line 1?	_____	_____
14. Is line 2 divided by line 4 less than 1.5?	_____	_____
15. Is line 8 minus \$10 million divided by line 2 greater than 0.10?	_____	_____

	YES	NO
5. Is line 3 minus line 1 at least \$10 million?	<u>X</u>	_____
6. Is line 3 at least 3 times line 1?	<u>X</u>	_____
7. Is line 4 at least 3 times line 1?	<u>X</u>	_____

**CERTIFICATION**

The chief financial officer whose signature appears below hereby certifies that the wording of this letter is identical to the wording as adopted and incorporated by reference in Rule 62-701.630(6)(a), F.A.C.

Karen E. Rushing  
Signature

3/30/17  
Date

Karen E. Rushing  
Type Name

(941) 861-5195  
Telephone Number

Clerk of the Circuit Court & County Comptroller  
Title

msak@scgov.net  
E-mail Address



**Florida Department of Environmental Protection**  
Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

DEP Form # 62-761.900(3)
Form Title <u>Certification of Financial Responsibility</u>
Effective Date <u>July 13, 1998</u>
DEP Application# _____

## Certification of Financial Responsibility

Owners or operators of underground and aboveground storage tank systems regulated by Section 376.301, Florida Statutes shall use this form to demonstrate financial responsibility as required by Rule 62-761.400, F.A.C. Owners or operators shall keep this form at the facility where the storage tank system(s) is located or at their place of business. Records kept off-site shall be made available upon five working days notice.

### Certification

Sarasota County Government - BCC

*Name of owner or operator*

certifies that this facility is in compliance with the requirements of the federal financial responsibility rules as referenced in Rule 62-761.400, F.A.C. Compliance includes taking corrective action and compensating third parties for bodily injury and property damage caused by a discharge from the storage tank system(s) at this location.

### Financial Mechanism

The financial assurance mechanism(s) used to demonstrate financial responsibility specified in the Federal Register are as follows:

Name of Issuer	Amount of Coverage	Period of Coverage
<u>Commerce / Industry</u>	<u>1,000,000 / 2,000,000</u>	<u>10/1/2015 - 10/1/2016</u>

### General Certification Information

	<u>Safety Advisor</u>	<u>10/1/15</u>
<i>Signature of owner or operator</i>	<i>Title</i>	<i>Date</i>
	<u>Joe Kempf</u>	<u>10/1/15</u>
<i>Signature of witness or notary</i>	<i>Name of witness or notary</i>	<i>Date</i>

Facility Identification No.: 9700832

Facility Name: Central County Solid Waste

Facility Address: 4000 Knights Trail Rd.

Nokomis, FL

This certification must be updated whenever the financial insurance mechanism(s) used to demonstrate financial responsibility change(s). Please attach documentation to demonstrate the mechanism used to provide financial responsibility in accordance with federal rules 40 CFR Part 280 Subpart H.