



MISSOURI DEPARTMENT OF NATURAL RESOURCES
 SOLID WASTE MANAGEMENT PROGRAM
IRREVOCABLE ESCROW AGREEMENT

NOTE: THIS IS AN ESCROW AGREEMENT FOR AN ESCROW ACCOUNT, AS SPECIFIED IN 10 CSR 80-8.050(7)(C)2.A.

In order to provide a financial assurance instrument in accordance with sections 260.200 to 260.345, RSMo and 10CSR 80-8.050(7)(C), Missouri Solid Waste Management Rules, to ensure that the closure requirements of the scrap tire processor permit issued by the Missouri Department of Natural Resources (hereafter, department), to

_____ of _____
(OWNER) (ADDRESS)

_____ of _____
(OPERATOR) (ADDRESS)

dated the _____ day of _____, 20____, and any amendments thereto will be completed with,
(DAY) (MONTH) (YEAR)

_____ as Owner and Operator, hereby enters into this Irrevocable Escrow Agreement
(OWNER/OPERATOR)

and hereby transfers to _____ of _____
(NAME) (ADDRESS)

a bank or financial institution which is examined and regulated by the State of Missouri or a federal agency, as Escrow Agent, the cash, certificates of deposit, U.S. government securities or Letters of Credit described on Schedule "A" (Form 780-2043) attached hereto, in escrow to be held subject to the terms and conditions set forth below. This escrow account is established this _____ day of _____, 20____, and shall continue until terminated as hereafter set forth.
(DAY) (MONTH) (YEAR)

The escrow account shall be named the "Closure Escrow Account for the _____"
(SCRAP TIRE PROCESSING FACILITY)

located in the _____, _____ County,
(SECTION, TOWNSHIP AND RANGE) (TOWN/CITY/VILLAGE AND COUNTY)

Missouri, operating permit no. _____

1. The Escrow Agent shall add to the principal of the escrow account additional cash, certificates of deposit, Letter of Credit, and U.S. government securities when they are transferred to the Escrow Agent over the estimated active site life of the scrap tire processing facility in compliance with the requirements of the approved operating permit and any amendments thereto. A total of no more than \$100,000 in cash shall be deposited into this escrow account and any other escrow or trust account established by the owner/operator in the same bank or financial institution for the purpose of providing a financial assurance instrument for the department. Certificates of deposit or U.S. government securities shall be used for amounts in such accounts in excess of \$100,000.
2. All interest, and other escrow account earnings and profits, shall be accumulated in the account. There shall be no withdrawals from the escrow account except as authorized in writing by the director of the department.
3. All or any part of the accumulated principal and income in the escrow account may be withdrawn by the department, upon written request of the director of the department, to be used to carry out the closure requirements of the approved scrap tire processing permit and any amendments thereto, if the owner/operator or any successor in interest fails to do so. The department shall mail notification of its intent to use funds for that purpose to the last known address of the owner/operator. The Escrow Agent shall disburse the escrow account funds as directed by the director of the department in accordance with section 260.275 RSMo.

