

[New] 2.18. When applying for a construction compliance certificate as set forth previously in section 2.7 and/or for a variance set forth previously in section 2.15, the applicant shall also submit a decommissioning plan. which shall include the following: (1) the anticipated life of the project; (2) the estimated decommissioning cost in current dollars; (3) how the estimate was determined; (4) the manner in which the project will be decommissioned; and (5) a surety, in a form acceptable to the County Attorney, sufficient to cover the cost of decommissioning. A surety agreement and surety in a form acceptable to the County Attorney shall be submitted at the time of approval for the construction compliance certificate and/or variance. The surety and surety agreement shall list the County and the landowner(s) as the beneficiaries of the surety.

- a. Decommissioning, which shall be completed within 180 days, shall include removal of all structural components, buildings, cabling, electrical components, security barriers, fencing, roads, foundations, pilings, and any other associated facilities, so that any agricultural ground upon which the facility and/or system was located is again tillable and suitable for agricultural uses. Disturbed earth shall be graded and re-seeded unless the land owner requests in writing that the access roads or other land surface areas not be restored. Hazardous material from the property shall be disposed of in accordance with federal and state law.
- b. Every decommissioning plan, including the surety amount, shall be reviewed every five years. The Administrative Officer may adjust the amount of the surety according to inflation at the time of review.
- c. All applicants granted a construction compliance certificate as set forth previously in section 2.7 and/or for a variance set forth previously in section 2.15 shall properly maintain the structure(s). At the time of review of the decommissioning plan, the Administrative Officer may require an inspection of the structure with a report provided to the applicant and the Administrative Officer. All applicants shall promptly address any deficiencies noted in the inspection report. Failure to address any deficiency within 180 days of the inspection report may result in the Administrative Officer declaring that the structure is abandoned.
- d. In the event the use of the structure has been discontinued for a period of 180 consecutive days, the structure shall be deemed to be abandoned. If the structure is declared abandoned by the Administrative Officer, then the Administrative Officer may advise the Board of Supervisors to file a claim on the bond to decommission the structure. Any cost of decommissioning not covered by the surety may be completed by the county, and the county shall assess the costs against the property for collection in the same manner as a property tax, pursuant to Iowa Code 331.384.