

STATE OF CALIFORNIA

LANDFILL CLOSURE LOAN PROGRAM

APPLICATION AND INSTRUCTIONS

FY 2010-2011



**DEPARTMENT
OF
RESOURCES RECYCLING AND RECOVERY**

PRIVACY NOTICE

The information requested in this loan application will be used by the Department of Resources Recycling and Recovery (CalRecycle) for the purpose of determining the eligibility and creditworthiness of the loan Applicant and the Applicant's ability to secure and repay the loan. In the event of sale or securitization of loans, public-rating agencies, prospective investors or purchasers, or their agents will review information. Such review will be subject to a confidentiality agreement.

Portions of the information in the application may be transferred to members of CalRecycle's loan committee and to other state agencies assisting CalRecycle with administration and maintenance of this program including, but not limited to the Office of the State Controller, Department of General Services, Department of Real Estate, Department of Finance, California Pollution Control Financing Authority, Bureau of State Audits and the California State Attorney General. Designated items provided in this application may also be entered into CalRecycle's Business Intake Database which will be accessible to the public.

This notice is required by Section 1798.17 of the Information Practices Act of 1977 (California Civil Code Sections 1798 through 1798.78) whenever an agency requests personal information from an individual.

The information requested in this application is mandatory for all applicants. Failure to provide the information may result in an Applicant not receiving a loan from CalRecycle.

Applicants have the right to review their loan application files. The official responsible for maintenance of the loan application files is: Loan Administrator, Landfill Closure Loan Program, CalRecycle, P.O. Box 4025, M.S. 10A-18, Sacramento, California 95812 or 1001 I Street, M.S. 10A-18, Sacramento, California 95814.

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LOAN APPLICATION SUBMITTAL CHECKLIST

For All Loan Applicants:

- Loan Application (Exhibit A)
- Detailed Work Plan (Exhibit B)
- Completed Scoring Criteria Sheet (Exhibit C)
- Attach documentation from Organization's Financial Officer/Auditor/Controller or similar position clearly providing evidence of a financial mechanism or ability sufficient for repayment of Landfill Closure Loan
- If there are approved Final Closure and Postclosure Maintenance Plans, attach proof of approval from Regional Water Quality Control Board, Local Enforcement Agency, and CalRecycle.

For Local Government Applicants Only:

- Approved Local Governing Body Resolution granting authority to make an application to CalRecycle for a Landfill Closure Loan (Exhibit D)

For Private Business Applicants Only:

- Business Financial Statements
- Personal Financial Statement Form (Exhibit E)
- Credit Check Authorization Form (Exhibit F)
- Personal and Business Tax Returns
- Lease Purchase Agreement
- Present Debt Obligations (see Exhibit G)
- Articles of Incorporation, By-Laws, Partnership Agreement, etc.
- Business License and Fictitious Business Name Statement

LANDFILL CLOSURE LOAN PROGRAM APPLICATION AND INSTRUCTIONS

A. Introduction

Assembly Bill 467 (Strom-Martin, Chapter 58, Statutes 2002) established the Landfill Closure Loan Program (LCLP) within the California Integrated Waste Management Board (Now the Department of Resources Recycling and Recovery - CalRecycle) to assist operators of unlined, older-technology solid waste landfills with the early closure of these sites. CalRecycle will give priority to operators of landfills that, if not closed, would represent the most serious potential threat to public health and safety or the environment. (The statute and regulations governing LCLP may be found at: Public Resources Code at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=48001-49000&file=48200-48207> and regulations at <http://www.calrecycle.ca.gov/Regulations/Title27/Chapter8/default.htm#Article1>, respectively.)

B. CalRecycle Contact

For further information on LCLP or additional copies of the application and/or instructions, contact:

Michael Wochnick
E-mail: michael.wochnick@calrecycle.ca.gov
Phone: (916) 341-6318
FAX: (916) 319-7334

Landfill Closure Loan Program
Cleanup, Closure, and Financial Assurance Division
CalRecycle
P.O. Box 4025, M.S. 10A-18 or 1001 I Street, M.S. 10A-18
Sacramento, CA 95812 Sacramento, CA 95814

C. Landfill Closure Loan Program

CalRecycle is offering up to approximately \$640,000 in competitive loans for the 2010/2011 funding cycle pending budget approval. Awards of LCLP funds are limited to operators of permitted, unlined, older-technology solid waste landfills within the State of California. Priority will be given to operators of small, rural landfills that, if not closed, would represent the most serious potential threat to public health and safety or the environment. The maximum loan amount allowed under LCLP is \$500,000 per each landfill closure project and cannot exceed the difference between the closure cost estimate and the current amount in the landfill closure financial assurance mechanism. CalRecycle shall determine the interest rate set for each loan. The interest rate may be

set at zero (0) percent per year. Each loan must be repaid within ten years; the exact loan term will be determined by CalRecycle.

Applicants must demonstrate the ability to repay the loan. Applicants must also demonstrate the ability to promptly and properly close the site with monetary assistance from the LCLP.

D. Definitions

1. **Applicant** means the entity applying for a loan.
2. **Application** means the information an applicant must provide CalRecycle when applying for a loan.
3. **Borrower** means an applicant who has received a Program loan.
4. **CalRecycle** means Department of Resources Recycling and Recovery.
5. **Closure** means the process during which a waste management unit (Unit), or portion thereof, that is no longer receiving waste, is undergoing all activities necessary to prepare the Unit (or portion thereof, as appropriate) for postclosure maintenance in accordance with an approved plan for final closure or partial final closure as appropriate.
6. **Early Closure** means the process during which a landfill is no longer receiving waste and is undergoing all activities necessary to prepare the landfill for premature closure in accordance with an approved closure and postclosure plan prior to reaching final capacity.
7. **Full Closure** means the closure of an entire disposal site consistent with approved final closure and postclosure maintenance plans.
8. **Loan** means a loan from the Landfill Closure Loan Program.
9. **Older Technology** means an unlined landfill as defined in (14) below.
10. **Partial Final Closure** means the closure of a portion of a landfill consistent with approved final closure and postclosure maintenance plans.
11. **Rural Area** means any of the following:
 - (a) An incorporated city that has a population density of **less than** 1,500 people per square mile;
 - (b) Any county that has a population of 200,000 or less; or
 - (c) Counties and cities located in agricultural, desert, or mountainous areas of the state and located outside the Department of Finance's Primary Metropolitan Statistical Areas.
12. **Serious Potential Threat** means a serious threat to the public health and safety, or the environment as determined by CalRecycle.
13. **Small** means a landfill that has received an average of less than 100 tons of municipal solid waste per operating day during its operating life.
14. **Unlined Landfill** means a landfill that does not have a liner as defined in 27 CCR20164.

E. Eligibility Criteria

To be eligible for a loan, the landfill must be an unlined, solid waste landfill as defined in PRC §40195.1(a) and must have a current solid waste facilities permit issued by the

applicable enforcement agency. The landfill must be using trust fund(s) or enterprise fund(s) as financial assurance mechanism(s) to fund landfill closure and such mechanism(s) shall be adequately funded and meet all other requirements provided in 27 CCR 22200 et seq.

The operator must demonstrate the ability to repay the loan in a timely manner and to satisfy all other requirements imposed on the operator in the loan agreement. The operator must also demonstrate the ability to promptly and properly close the site with monetary assistance from LCLP and adequately maintain the closed facility (i.e., a currently acceptable postclosure maintenance financial assurance mechanism). The postclosure maintenance financial assurance mechanism must be funded to the level required by the pertinent regulations. Further, loans shall not exceed the difference between the closure cost estimate and the current amount in the closure financial assurance mechanism.

F. Priority Criteria

Priority will be given to small, rural landfills that demonstrate the highest degree of risk to public health and safety or the environment that can be prevented or mitigated by closure of the landfill. In addition, priority will also be given to landfills that propose complete closure of the site and have approved final closure and postclosure maintenance plans.

G. Application Requirements

All applicants must submit a completed and signed original LCLP loan application (Exhibit A) and **three copies, including all required attachments**. Open application cycles will be held approximately once each year. There will be an initial deadline during the open application cycle, and applications submitted before this initial deadline will be evaluated concurrently. If loan funds remain after CalRecycle awards the initial loans, additional applications may be submitted for consideration on a first-come, first-served basis. To the extent practical, all applications, including attachments, should be submitted on two-sided paper.

Applications that are substantially incomplete will not be considered for funding. However, approved resolutions or letters of authorization, if applicable, may be submitted at the earliest practical time after the submission of the application.

In addition to the application (Exhibit A), each applicant must submit the following attachments:

1. **For all loan applicants:**
 - (a) A detailed work plan (Exhibit B) indicating all tasks required to complete the project along with estimated costs and dates of completion for each task.
 - (b) Documentation from the organization's financial officer/auditor/controller or official in a similar position clearly providing evidence of a financial

- mechanism or ability to repay the loan. In lieu of collateral, the applicant must identify a guaranteed revenue source that will be dedicated to repay the loan.
- (c) If there are approved final closure and postclosure maintenance plans, attach proof of final approval from the Regional Water Quality Control Board, Local Enforcement Agency, and CalRecycle.
 - (d) A completed scoring sheet (Exhibit C) including supporting documentation.

2. For local government applicants only:

- (a) Approved Local Governing Body resolution granting authority to make an application to CalRecycle for a landfill closure loan (Exhibit D).

3. For private business applicants only:

- (a) Business Financial Statements – Attach applicant’s annual financial operating statements for the last three years and interim (within 90 days) independent audits and/or other evidence of financial condition.
- (b) Owner’s Personal Financial Statement Form (Exhibit E).
- (c) Credit Check Authorization Form (Exhibit F).
- (d) Owner’s personal and business tax returns for the last three years.
- (e) Lease purchase agreement.
- (f) Present Debt Obligations (see Exhibit G).
- (g) Articles of Incorporation, By-Laws, Partnership Agreement, etc.
- (h) Business License and Fictitious Business Name Statement.

NOTE: It shall be the responsibility of the applicant to immediately notify CalRecycle in writing of any change in financial conditions that would make the applicant either financially able to close the landfill without Integrated Waste Management Account (IWMA) funds or unable to repay the loan. This notification shall be required both during the application process and after the Loan Agreement has been signed. Such conditions may negate eligibility for use of IWMA funds.

H. Initial Application Deadline and Possible Subsequent Continuous Filing

Applications must be postmarked or hand-delivered to CalRecycle’s Sacramento office by 4:00 p.m. on the initial deadline date to be considered for the initial CalRecycle evaluation of applications. Applications submitted after the initial deadline date may be considered on a first-come, first-served basis if there are remaining loan funds available after CalRecycle awards the initial loans.

I. Financial Standards

The source of funds for loans is IWMA. CalRecycle may approve loans from IWMA for eligible landfill closure costs for prioritized landfills ranked high enough to be eligible for available funds.

Applicants must fund all landfill closure costs that exceed the loan amount and provide evidence of a financial mechanism to repay the loan. Loans shall not exceed maximum

amounts or program limitations established by CalRecycle Funds cannot be used for other improvements to the landfill or for uses not identified in the loan agreement.

J. Eligible and Ineligible Costs

Eligible costs for landfill closure assistance include, but are not limited to:

1. Planning and design costs necessary to prepare the final closure and postclosure maintenance plans,
2. Preparation of environmental documents associated with the final closure and postclosure maintenance plans or closure,
3. Construction costs consistent with the landfill's approved final closure plan,
4. Governmental fees associated with the final closure and postclosure maintenance plans or closure, and
5. Other costs necessary to prepare the landfill for closure.

Ineligible costs for landfill closure assistance include, but are not limited to:

1. Normal daily landfill operations,
2. Cleanup of hazardous wastes, and
3. Other work not related to closure deemed ineligible by CalRecycle.

K. Application Review

A review team consisting of at least two (2) CalRecycle staff will review applications for adequacy and eligibility. CalRecycle Loan Committee may evaluate applications to determine the applicant's ability to repay the loan. Those applications that meet eligibility criteria are eligible for funding consideration. Priority points will then be determined for each eligible application using the Scoring Criteria identified in Section O. In evaluating the applications, CalRecycle staff will review the completed scoring sheet (Exhibit C) that is to be part of the application and independently score the applications. Loans will be awarded for projects based on the scoring results.

L. Loan Agreement

When a loan is approved, a Loan Agreement is prepared and sent to the applicant for signature and returned to CalRecycle staff. Authorized CalRecycle staff sign the Agreement and return a fully executed copy to the Borrower. The loan agreement must be executed within 60 days of CalRecycle approval. Upon request of the loan applicant, the CalRecycle Waste Compliance and Mitigation Program Director may extend this deadline at his/her discretion.

M. Management of Landfill Closure

The Borrower shall comply fully with all applicable federal, state, and local laws, ordinances, regulations, and permits in the procurement and management of consultant services and contracts related to landfill closure.

1. CalRecycle staff and the local enforcement agency (LEA) may conduct field management reviews during the project to verify compliance with the approved plans and specifications and terms of the Loan Agreement.
2. The Borrower shall provide CalRecycle staff quarterly reports identifying all project expenditures for which LCLP funds have been approved until the project is completed. The Borrower shall also provide CalRecycle staff quarterly reports identifying all progress made toward completion of the project until the project is completed.
3. The Borrower shall maintain records in accordance with accepted government accounting standards and shall include as a minimum:
 - (a) A special Landfill Closure Account for all project receipts and disbursements.
 - (b) Accurate and complete accounting of all project financial transactions.
 - (c) Supporting documents showing source of receipts and to whom payments were made.
 - (d) Control and accountability for all project funds, property, and other assets including assurance that all funds were solely for authorized purposes.
 - (e) Procedures to ensure prompt disbursements of accounts payable.
 - (f) Procedures to determine and segregate allowable costs.
4. The Borrower shall allow CalRecycle, the State Controller's Office, the Bureau of State Audits, and the State Department of Finance, or their designated representatives, absolute right of access to all of Borrower's records pertaining to the Agreement, or any part thereof requested. Records shall be retained for at least three (3) years after expiration of the Agreement or until completion of actions and resolution of all issues which may arise as a result of any litigation, claim, negotiation, or audit, whichever is later.

N. Loan Disbursement, Servicing, and Restrictions

1. Loan funds shall be disbursed at a rate determined by CalRecycle. Disbursement will take place after the Loan Agreement has been fully executed and as specified in the Loan Agreement.
2. Repayment:
 - (a) Loans shall be repayable over a maximum of ten years. Payments shall be made monthly or as otherwise determined by CalRecycle and commence one full year from the date of the loan closing in amounts as determined by CalRecycle. Loan repayments shall be from a guaranteed revenue source approved by CalRecycle.
 - (b) Repayment may be made, either in full or in part, in advance.
 - (c) CalRecycle may require other collateral and/or covenants from Borrower to assure repayment of the loan.
3. The Borrower shall establish a Landfill Closure Account into which all loan amounts received shall be deposited and disbursed. Expenditures from the Landfill Closure Account shall be made only after the applicant's existing financial assurances (i.e., trust or enterprise fund) have been exhausted and only for eligible project costs as defined in these guidelines or as otherwise approved by CalRecycle. All funds remaining in the account after final payment of eligible

project costs shall be repaid to CalRecycle at the next regularly scheduled payment.

4. Any closing costs related to a LCLP loan will be paid by the Borrower (e.g., title insurance, recording fees).

O. Scoring Criteria

Applicants will be ranked based upon the scoring criteria listed below. Proposals with the highest scores will be considered for funding first. If applicants receive equal scores, the applicant with the highest score in the risk to public health category will be ranked higher. If applicants receive equal scores and the scores in the risk to public health category are equal, the available funds will be split between them based on an equal percentage of their loan request. Projects that do not meet all Minimum Requirements will be disqualified. **Applications that are substantially incomplete will not be considered for funding.**

Maximum Score	Description
	Minimum Requirements
Pass/Fail	Solid waste landfill (as defined in PRC §40195.1[a])
Pass/Fail	Current solid waste facilities permit
Pass/Fail	Unlined landfill
Pass/Fail	Trust fund(s) or enterprise funds(s) used as financial assurance mechanism for closure
Pass/Fail	Trust fund(s) or enterprise funds(s) mechanisms for closure in compliance with the current required level of funding and all other requirements provided in §22200 et seq.
Pass/Fail	Proposed loan amount is not more than the difference between the closure cost estimate and the current amount in the landfill closure financial assurance mechanism.
Pass/Fail	Ability to repay loan in a timely manner and to satisfy all other requirements imposed on the operator in the loan agreement.
Pass/Fail	Ability to promptly and properly close site with monetary assistance from LCLP
Pass/Fail	Currently acceptable postclosure maintenance financial assurance mechanism
	Priority Points
20	Landfill meets definition of <i>small</i> as defined in 27CCR 23002(k)
20	Landfill meets definition of <i>rural</i> as defined in 27CCR 23002(i)
20	Approved Final Closure and Postclosure Maintenance Plans
20	Landfill demonstrates a high degree of risk to public health and safety or the environment which can be prevented or mitigated by closure
20	Propose complete closure of landfill

Exhibit A

**LANDFILL CLOSURE LOAN PROGRAM
LOAN APPLICATION**

Please refer to the "Application Instructions" when completing this application.

Part 1. Landfill Information	
Landfill name:	SWIS number:
Landfill address or location:	
Name of entity owning landfill:	Title:
Mailing address:	Telephone number:
E-mail address:	Fax:
Name of applicant:	Title:
Mailing address:	Telephone number:
E-mail address:	Fax:
Unlined landfill: <input type="checkbox"/> Yes <input type="checkbox"/> No	Current solid waste facility permit: <input type="checkbox"/> Yes <input type="checkbox"/> No
Facility currently accepting waste: <input type="checkbox"/> Yes <input type="checkbox"/> No	If currently accepting waste, estimated date facility will no longer accept waste:
Facility is located in a rural area: <input type="checkbox"/> Yes <input type="checkbox"/> No	Facility is a small facility: <input type="checkbox"/> Yes <input type="checkbox"/> No
Anticipated date of closure construction completion: _____	Approved final closure/postclosure plans: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach proof of approval from RWQCB, LEA, and CalRecycle
Landfill closure status (see <i>closure</i> definitions beginning on page 2 of this application): <input type="checkbox"/> Full final closure <input type="checkbox"/> Partial final closure	

Does the landfill pose any risks to public health and safety or the environment that can be prevented or mitigated by closure?

Yes No

If yes, identify:

Part 2. Project Information

How will the loan funds be used? Check all eligible costs that apply:

Planning and design costs necessary to prepare the final closure and/or postclosure maintenance plans:

Yes No

Costs for preparation of environmental documents associated with the final closure plan, postclosure maintenance plan, and/or closure:

Yes No

Construction costs consistent with the landfill's approved final closure plan:

Yes No

Governmental fees associated with the final closure plan, postclosure maintenance plan, and/or closure:

Yes No

Other _____

Clearly explain exactly how Landfill Closure Loan Program funds are to be used:

Part 3. Financial Information

Estimated total closure costs:	Financial assurance amount	Requested loan amount:
--------------------------------	----------------------------	------------------------

Federal tax I.D. number:

Financial assurance mechanism:

Trust Fund: Yes No

Enterprise Fund: Yes No

Estimated source(s) of funds for loan repayment:

Part 4. Application Agreement and Signature

I certify that all information in this application and that all information provided in support of this application is true and complete to the best of my knowledge and belief. I authorize the Department of Resources Recycling and Recovery to obtain business credit reports and conduct any other inquiries deemed necessary to determine the creditworthiness of the applicant. I certify that I am signing on behalf of the applicant in the capacity indicated next to my name below and that I am authorized to execute this application on behalf of the applicant.

I certify that the jurisdiction is in compliance with all local, State, and Federal laws, regulations, requirements and rules, including the California Environmental Quality Act found in Public Resources Code §21000 et. seq.

I understand that information contained in this application and clearly marked as "trade secrets" or "confidential/proprietary information" (such as business financial information) will be handled by CalRecycle pursuant to 14 CCR 17041 through 17046. I further understand that CalRecycle is subject to the California Public Records Act (Govt. Code section 6250 et seq.) and that any loan agreement that I may sign and its attachments will be public information.

Note: If you are submitting documents to CalRecycle that you assert are trade secrets or confidential or proprietary, provide the name address, telephone number, and e-mail address of the individual to be contacted if CalRecycle receives a request for disclosure of or seeks to disclose information claimed to be confidential.

Authorized signature:

Title:

Print name:

Date:

**Exhibit B
Work Plan**

Project Description:

Task Number	Task Description	Cost	Estimated Completion Date
Task #1			
Task #2			
Task #3			
Task #4			
Task #5			
Task #6			
Total Cost			

Note: The Work Plan should include enough detail to demonstrate to the reviewers that all funds will be used efficiently and that the project will be completed promptly and properly with monetary assistance from LCLP.

Exhibit C
LANDFILL CLOSURE LOAN PROGRAM
SCORING CRITERIA

Applicants are to indicate compliance with minimum requirements and to include priority points based on detailed criteria described on the reverse page.

Score		Description¹
Applicant Use	CalRecycle Use	Minimum Requirements
<input type="checkbox"/>	<input type="checkbox"/>	Solid waste landfill (as defined in PRC §40195.1[a])
<input type="checkbox"/>	<input type="checkbox"/>	Current solid waste facilities permit
<input type="checkbox"/>	<input type="checkbox"/>	Unlined landfill
<input type="checkbox"/>	<input type="checkbox"/>	Trust fund(s) or enterprise funds(s) used as financial assurance mechanism
<input type="checkbox"/>	<input type="checkbox"/>	Trust fund(s) or enterprise funds(s) mechanisms for closure in compliance with the current required level of funding and all other requirements provided in §22200 et seq.
<input type="checkbox"/>	<input type="checkbox"/>	Proposed loan amount requested is not more than the difference between the closure cost estimate and the current amount in the landfill closure financial assurance mechanism.
<input type="checkbox"/>	<input type="checkbox"/>	Ability to repay loan in a timely manner and to satisfy all other requirements imposed in the loan agreement
<input type="checkbox"/>	<input type="checkbox"/>	Ability to promptly and properly close site with monetary assistance from LCLP
<input type="checkbox"/>	<input type="checkbox"/>	Currently acceptable postclosure maintenance financial assurance mechanism
		Priority Points
		Landfill meets definition of small (as defined in 27 CCR 23002[k])
		Landfill meets definition of rural (as defined in 27 CCR 23002[i])
		Approved Final Closure and Postclosure Maintenance Plans
		Landfill demonstrates a high degree of risk to public health and safety or the environment which can be prevented or mitigated by closure
		Propose <u>complete</u> closure of landfill
		Total Points

¹ See reverse page for description of scoring criteria and documentation needed.

Minimum Requirements

Applications that do not demonstrate compliance with the minimum requirements will be disqualified.

Solid waste landfill (as defined in PRC §40195.1[a]) – a disposal facility that accepts solid waste for land disposal but does not include a facility which receives only wastes generated by the facility owner or operator in the extraction, beneficiation, or processing of ores and minerals or a cemetery which disposes on site only the grass clippings, floral wastes, or soil resulting from activities on the grounds of that cemetery. Include description of landfill.

Current Solid Waste Facility Permit – Include copy of current permit

Unlined landfill – Include documentation that site is unlined.

Trust or Enterprise Fund used for closure financial assurance – Include evidence of financial assurance mechanism.

Trust or Enterprise Fund used in compliance with required level of funding and 27 CCR 22200 et seq. – Include evidence that financial assurance mechanism is funded to the level as required pursuant to the pertinent regulations and meets all requirements.

Proposed loan amount – Include evidence of closure cost estimate and current amount in the closure financial assurance mechanism.

Ability to repay loan in timely manner – Include evidence of financial ability including source of repayment funds.

Ability to promptly and properly close site with monetary assistance from LCLP – Provide evidence of sufficient funds for closure if loan is approved.

Currently acceptable postclosure maintenance financial assurance mechanism – Provide evidence of fully funded postclosure maintenance financial assurance.

Priority Points

Small Landfill – (as defined in 27 CCR 23002[k]) means a landfill that has received an average of less than 100 tons of municipal solid waste per operating day during its operating life. Provide evidence that landfill meets definition of small landfill. Meets criteria = 20 points Does not meet criteria = 0 points.

Rural Landfill – (as defined in 27 CCR 23002[i]) includes (a) an incorporated city that has a population density of less than 1,500 people per square mile; (b) any county that has a population of 200,000 or less; or (c) counties and cities located in agricultural, desert, or mountainous areas of the state and located outside the Department of Finance's Primary Metropolitan Statistical Areas. Meets criteria = 20 points. Does not meet criteria = 0 points.

Approved Final Closure and Postclosure Maintenance Plans – Scoring for this item is as follows: Plans not submitted = 0 points; Plans submitted and accepted (i.e., deemed complete per 27 CCR 21860) = 5 points; Plans approval by regulatory agencies (CalRecycle, RWQCB, LEA) = 5 points per each agency approval. Evidence of submittal of plans should be submitted. Evidence of agency approvals (e.g., approval letters) shall be included.

High degree of risk to public health and safety or the environment – Scoring for this item is as follows: No known violations of state standards = 0 points; Known violations of state standards but no formal or informal enforcement action taken = 5 points; Notice of Violation issued = 10 points; Enforcement Order issued and landfill closure is chosen remediation = 15 points; Enforcement order issued requiring landfill closure = 20 points. Copy(ies) of enforcement orders and other supporting documents shall be included.

Complete closure of landfill – Scoring for this item is as follows: Closure of <25% of the previously unclosed used footprint acreage = 0 points; Closure of ≥25% but <50% of the previously unclosed used footprint acreage = 5 points; Closure of ≥50% but < 75% of the previously unclosed used footprint acreage; =15 points; Closure of ≥75% of the previously unclosed used footprint acreage = 20 points.

Exhibit D. SAMPLE RESOLUTION

Resolution Number: _____

RESOLUTION OF THE _____
(Title of Governing Body/City Council/ Board of Supervisors)

OF _____ APPROVING THE APPLICATION FOR A LOAN
(City, County)

FROM THE INTEGRATED WASTE MANAGEMENT ACCOUNT for the following landfill closure project:

WHEREAS, Assembly Bill 467 (Strom-Martin, Chapter 58, Statutes 2002) established the Landfill Closure Loan Program within the California Integrated Waste Management Board (now the Department of Resources Recycling and Recovery – “CalRecycle”) to provide a maximum loan amount of \$ 500,000 per landfill closure project to assist operators of unlined, older technology solid waste landfills with early closure; and

WHEREAS, said procedures established by CalRecycle require the applicant to certify by resolution the approval of application before submission of said application to CalRecycle; and

WHEREAS, if CalRecycle approves the loan application, the applicant will enter into an agreement with CalRecycle for a landfill closure loan;

NOW, THEREFORE, BE IT RESOLVED that the _____
_____ HEREBY:
(Title of Governing Body/City Council/Board of Supervisors)

- 1. Approves the filing of an application for a landfill closure loan for the project specified above; and
- 2. Certifies that said applicant has or will have sufficient funds in addition to funds provided by the loan to operate, maintain, and complete the project; and
- 3. Appoints the _____ as agent of the _____
(Title - Not Name) *(Title of Governing Body/City Council/Board of Supervisors)*

to conduct all negotiations and execute and submit all documents including, but not limited to, applications, agreements, amendments, and so on which may be necessary for the completion of the aforementioned project.

Approved and Adopted this _____ day of _____, _____.

I the undersigned, hereby certify that the foregoing Resolution Number _____ was duly adopted by the _____ following
(Title of Governing Body/City Council, Board of Supervisors)

roll call vote:

Ayes:

Noes:

Absent:

Clerk

**Exhibit E.
PERSONAL FINANCIAL STATEMENT FORM**

As of _____ (date)

Complete this form for: (1) each proprietor, (2) each limited partner who owns 20% or more interest and each general partner, (3) each stockholder owning 20% or more of voting stock and each corporate officer and director, or (4) any other person or entity providing a guaranty on the loan.

Name	Business Phone:
Residence Address	Residence Phone:
City, State & Zip Code	
Business Name of Applicant/Borrower	

ASSETS	(Omit Cents)	LIABILITIES	(Omit Cents)
Cash on Hand and in Banks	\$	Accounts Payable	\$
Savings Account in Banks	\$	Notes Payable to Banks and Others (Describe in Section 2)	\$
IRA or Other Retirement Account	\$	Installment Account (Auto) Monthly Payments \$ _____	\$
Accounts & Notes Receivable	\$	Loans on Life Insurance	\$
Life Ins. Cash Surrender Value Only (Complete Section 8)	\$	Mortgages on Real Estate (Describe in Section 4)	\$
Stocks and Bonds (Describe in Section 3)	\$	Unpaid Taxes (Describe in Section 6)	\$
Real Estate (Describe in Section 4)	\$	Other Liabilities (Describe in Section 7)	\$
Automobile-Present Value	\$	Total Liabilities	\$
Other Personal Property (Describe in Section 5)	\$	Net Worth	\$
Other Assets (Describe in Section 5)	\$		
Total	\$	Total	\$
<u>Section 1. Source of Income</u>		<u>Contingent Liabilities</u>	
Salary	\$	As Endorser or Co-Maker	\$
Net Investment Income	\$	Legal Claims and Judgments	\$
Real Estate Income	\$	Provision for Federal Income Tax	\$
Other Income (Describe)	\$	Other Special Debt	\$

Description of Other Income in Section 1 (Alimony or child support payments need not be disclosed in "Other Income" unless it is desired to have such payments counted toward total income.)

Section 2. Notes Payable to Bank and Others (Use attachments if necessary. Each attachment must be identified as a part of this statement and signed.)

Name and Address of Noteholder(s)	Original Balance	Current Balance	Payment Amount	Frequency (Monthly, etc.)	How Secured or Endorsed / Type of Collateral

Section 3. Stocks and Bonds. (Use attachments if necessary. Each attachment must be identified as a part of this statement and signed.)

Number of Shares	Name of Securities	Cost	Market Value Quotation/Exchange	Date of Quotation/Exchange	Total Value

Section 4. Real Estate Owned. (List each parcel separately. Use attachments if necessary. Each attachment must be identified as a part of this statement and signed.)

	Property A	Property B	Property C
Type of Property			
Name & Address of Title Holder			
Date Purchased / Original Cost			
Present Market Value			
Name & Address of Mortgage			
Mortgage Balance			
Amount of Payment per Month			
Status of Mortgage			

Section 5. Other Personal Property and Other Assets. (Describe and, if any is pledged as security, state name and address of lien holder, amount of lien, and terms of payment and, if delinquent, describe delinquency.)

Section 6. Unpaid Taxes (Describe in detail as to type, to whom payable, when due, amount, and to what property, if any, a tax lien attaches.)

Section 7. Other Liabilities (Describe in detail.)

Section 8. Life Insurance Held. (Give face amount and cash surrender value of policies, name of insurance company, and beneficiaries).

If the answer to any of the following questions is yes, attach a written explanation.

Have you ever declared personal bankruptcy? Yes No
 If yes: Chapter Filed _____ Date Filed: _____ Case Number: _____
 Present Status: Case Dismissed Payment Plan Debts Discharged Pending

Have you ever experienced foreclosure, repossession, debt judgment, or criminal penalty within the last seven years? Yes No

Are there any legal actions (claims, lawsuits, etc.) pending against you? Yes No

I authorize the Department of Resources Recycling and Recovery to make inquiries as necessary to verify the accuracy of the statements made and to determine my creditworthiness. I certify the above and the statements contained in the attachments are true and accurate as of the stated date(s). These statements are made for the purpose of either obtaining a loan or guaranteeing a loan.

Signature: _____ Date: _____ Social Security Number: _____

Exhibit F.
CREDIT CHECK AUTHORIZATION FORM

Applicant: _____

Department of Resources Recycling and Recovery
Attn: Landfill Closure Loan Program

P.O. Box 4025, M.S. 10A-18 or 1001 I Street, M.S. 10A-18
Sacramento, CA 95812 Sacramento, CA 95814

RE: Credit Check Authorization

To Whom It May Concern:

This letter gives authorization for the Department of Resources Recycling and Recovery to initiate a credit check on my personal credit history in conjunction with the application for a Landfill Closure Loan Program loan for _____.
(Business Applicant)

With this certification, you are authorized to check my credit references. You are also authorized to verify information with various taxing entities, including, but not limited to, the State of California Franchise Tax Board and Board of Equalization and the Federal Internal Revenue Service.

A photocopy of this authorization may be deemed to be the equivalent of the original and may be used as a duplicate original.

Sincerely,

Original Signature	Date	Printed Name
Street Address		Social Security Number
City, State, Zip		Date of Birth

Exhibit G. PRESENT DEBT OBLIGATIONS

As of

Complete the following for all present debt obligations of the business. Do not include proposed debt pertaining to this project.

Loan Number	Creditor Name and Address	Original Date	Original Amount	Present Balance	Interest Rate	Maturity Date	Monthly Payment	P & I Annual Debt Service	Collateral	Current or Delinquent
			\$	\$			\$	\$		
			\$	\$			\$	\$		
			\$	\$			\$	\$		
			\$	\$			\$	\$		
			\$	\$			\$	\$		
			\$	\$			\$	\$		
TOTAL PRESENT BALANCE				\$						