

**STATE OF CALIFORNIA**

**LANDFILL CLOSURE LOAN PROGRAM**

**APPLICATION AND INSTRUCTIONS**

FY 2008-2009



**INTEGRATED  
WASTE  
MANAGEMENT  
BOARD**

---

## **PRIVACY NOTICE**

The information requested in this loan application will be used by the California Integrated Waste Management Board (Board) 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 CIWMB's loan committee and to other state agencies assisting CIWMB 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 CIWMB'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 CIWMB.

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, California Integrated Waste Management Board, P.O. Box 4025, M.S. 10A-18, Sacramento, California 95812.

## TABLE OF CONTENTS

Section Number	Section Title	Page
	Loan Application Submittal Checklist	iii
A	Introduction	1
B	Board Contact	1
C	Landfill Closure Loan Program	1
D	Definitions	2
E	Eligibility Criteria	2
F	Priority Criteria	3
G	Application Requirements	3
H	Initial Application Deadline and Possible Subsequent Continuous Filing	4
I	Financial Standards	4
J	Eligible and Ineligible Costs	5
K	Application Review	5
L	Loan Agreement	5
M	Management of Landfill Closure	6
N	Loan Servicing and Restrictions	6
O	Scoring Criteria	8
	Exhibit A, Landfill Closure Loan Program Application, (all applicants)	A-1
	Exhibit B, Work Plan, (all applicants)	B-1
	Exhibit C, Scoring Criteria Form (all applicants)	C-1
	Exhibit D, Sample Resolution, (local governments only)	D-1
	Exhibit E, Personal Financial Statement Form, (private businesses only)	E-1
	Exhibit F, Credit Check Authorization Form (private businesses only)	F-1
	Exhibit G, Present Debt Obligations Form, (private businesses only)	G-1

## 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 California Integrated Waste Management Board.

### **For Local Government Applicants Only:**

- Approved Local Governing Body Resolution granting authority to make an application to CIWMB 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 (CIWMB) to assist operators of unlined, older-technology solid waste landfills with the early closure of these sites. CIWMB will give priority to operators of landfills that, if not closed, would represent the most serious potential threat to the public health and safety or the environment. (The statute and regulations governing the LCLP may be found at: <http://www.ciwmb.ca.gov/Regulations/Title27/Chapter8/default.htm#Article1>)

## B. Board Contact

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

JoAnne Byrne  
E-mail: [jbyrne@ciwmb.ca.gov](mailto:jbyrne@ciwmb.ca.gov)  
Phone: (916) 341-6397  
FAX: (916) 319-7184

Landfill Closure Loan Program  
Cleanup, Closure, and Financial Assurance Division  
California Integrated Waste Management Board  
P.O. Box 4025, M.S. 10A-18  
Sacramento, CA 95812

## C. Landfill Closure Loan Program

**Pending approval of the fiscal year 2008/2009 state budget**, CIWMB will offer approximately \$640,000 in competitive loans for the 2008/2009 funding cycle. 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 the LCLP is \$500,000 per each landfill closure project. CIWMB 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 CIWMB.

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 CIWMB when applying for a loan.
3. “**Borrower**” means an applicant who has received a Program loan.
4. “**CIWMB**” means California Integrated Waste Management Board.
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 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 the approved 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 (11) below.
10. “**Partial Final Closure**” means the closure of discrete units of a site consistent with the approved 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 CIWMB.
13. “**Small**” means a landfill that has received an average of less than 100 tons of municipal solid waste per day during its operating life.
14. “**Unlined Landfill**” means a landfill that does not have a liner as defined in Title 27, §20164.

## E. Eligibility Criteria

To be eligible for a loan, the landfill must be an unlined, solid waste landfill, as defined in PRC Section 40195.1(a) and must have a current solid waste facilities permit issued by the applicable enforcement agency. The landfill must be using a 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 Title 27, Section 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 the 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.

## **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 which can be prevented or mitigated by closure of the landfill. In addition, priority will also be given to landfills which propose complete closure of the site and have approved closure and postclosure maintenance plans.

## **G. Application Requirements**

All applicants must submit a completed and signed original LCLP loan application (Exhibit A) and **five 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 CIWMB 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 California Integrated Waste Management Board.
- (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 CIWMB 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 CIWMB 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 CIWMB’s Sacramento office by 4:00 p.m. on the initial deadline date to be considered for the initial Board 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 CIWMB awards the initial loans.

**I. Financial Standards**

The source of funds for loans is the IWMA. CIWMB may approve loans from the 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 CIWMB. 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 CIWMB.

## **K. Application Review**

A review team consisting of at least three (3) Board staff will review applications for adequacy and eligibility. CIWMB 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, Board 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 Board staff. Authorized Board staff sign the Agreement and return a fully executed copy to the Borrower. The loan agreement must be executed within 60 days of Board approval. Upon request of the loan applicant, the CIWMB Program Director may extend this deadline at his 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. Board 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 Board staff quarterly reports identifying all project expenditures for which LCLP funds have been approved until the project is

- completed. The Borrower shall also provide Board 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 CIWMB, 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 Servicing and Restrictions**

1. Loan funds shall be disbursed at a rate determined by CIWMB. 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 CIWMB and commence one full year from the date of the loan closing in amounts as determined by CIWMB. Loan repayments shall be from a guaranteed revenue source approved by CIWMB.
  - b. Repayment may be made, either in full or in part, in advance.
  - c. CIWMB 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 for eligible project costs as defined in these guidelines or as otherwise approved by CIWMB. All funds remaining in the account after final payment of eligible project costs shall be repaid to CIWMB 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
	<b>Minimum Requirements</b>
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	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 the LCLP
Pass/Fail	Currently acceptable postclosure maintenance financial assurance mechanism
	<b>Priority Points</b>
20	Landfill meets definition of “small” as defined in 27CCR §23002(k)
20	Landfill meets definition of “rural” 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 closure date: _____	Approved final closure/post-closure plans: <input type="checkbox"/> Yes <input type="checkbox"/> No  If yes, attach proof of approval from RWQCB, LEA and CIWMB
Landfill closure status (see "closure" 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 & design costs necessary to prepare the final closure and/or postclosure maintenance plan:       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:	Requested loan amount:
Federal tax I.D. number:	Financial assurance mechanism: Trust Fund: <input type="checkbox"/> Yes <input type="checkbox"/> No Enterprise Fund: <input type="checkbox"/> Yes <input type="checkbox"/> 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 California Integrated Waste Management Board to obtain business credit reports and conduct any other inquires 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 Section 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 CIWMB pursuant to 14 CCR sections 17041 through 17046. I further understand that CIWMB 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.

If you are submitting documents to CIWMB 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 CIWMB 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:

<b>Task Number</b>	<b>Task Description</b>	<b>Cost</b>	<b>Estimated Completion Date</b>
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 the 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.

<b>Score</b>		<b>Description<sup>1</sup></b>
<b>Applicant Use</b>	<b>CIWMB Use</b>	<b>Minimum Requirements</b>
<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"/>	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 the LCLP
<input type="checkbox"/>	<input type="checkbox"/>	Currently acceptable postclosure maintenance financial assurance mechanism
		<b>Priority Points</b>
		Landfill meets definition of “small” as defined on page 2 of the application instructions
		Landfill meets definition of “rural” as defined on page 2 of the application instructions
		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

<sup>1</sup> See reverse page for description of scoring criteria and documentation needed.

## Minimum Requirements

Applications which 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 onsite 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.

*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 the 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* –means a landfill that has received an average of less than 100 tons of municipal solid waste per 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* – 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 (CIWMB, RWQCB, LEA) = 5 points per each agency approval. Evidence of submittal of plans should be submitted. Evidence of agency approvals (e.g., copy(ies) of 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 permitted acreage = 0 points; Closure of ≥25% but <50% of the previously unclosed permitted acreage = 5 points; Closure of ≥50% but < 75% of the previously unclosed permitted acreage; =15 points; Closure of ≥75% of the previously unclosed permitted 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 (the "Board") 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 CIWMB require the applicant to certify by resolution the approval of application before submission of said application to CIWMB; and

WHEREAS, if CIWMB approves the loan application, the applicant will enter into an agreement with CIWMB 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, 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, or (2) each limited partner who owns 20% or more interest and each general partner, or (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)	\$		\$
<b>Total</b>	<b>\$</b>	<b>Total</b>	<b>\$</b>
<b><u>Section 1. Source of Income</u></b>		<b><u>Contingent Liabilities</u></b>	
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, 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 California Integrated Waste Management Board 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: \_\_\_\_\_

California Integrated Waste Management Board  
Attn: Landfill Closure Loan Program

P.O. Box 4025, M.S. 10A-18  
Sacramento, CA 95812

RE: Credit Check Authorization

To Whom It May Concern:

This letter gives authorization for the California Integrated Waste Management Board 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, 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
			\$	\$			\$	\$		
			\$	\$			\$	\$		
			\$	\$			\$	\$		
			\$	\$			\$	\$		
			\$	\$			\$	\$		
			\$	\$			\$	\$		
<b>TOTAL PRESENT BALANCE</b> √√				\$						