



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

801 K STREET, MS 19-01, SACRAMENTO, CALIFORNIA 95814 • (916) 322-4027 • WWW.CALRECYCLE.CA.GOV

July 6, 2011

TO ALL OWNERS OF ACTIVE SOLID WASTE LANDFILLS

Assembly Bill 274 (Portantino), Chapter 318, Statutes of 2009, as amended by Assembly Bill 1004 (Portantino), Chapter 417, Statutes of 2010, establishes the State Solid Waste Postclosure and Corrective Action Trust Fund (State Trust Fund). The new statute authorizes solid waste disposal facility operators to elect to participate in the State Trust Fund by paying a quarterly fee of \$0.12 per ton of waste disposed. The fee does not become operative unless the Department of Resources Recycling and Recovery (CalRecycle) receives Letters of Participation, on or before January 1, 2012, from landfill owners representing at least 50% of the total annual waste disposal tonnage in 2010.

On January 28, 2010, and on March 29, 2011, CalRecycle conducted public workshops to solicit feedback from stakeholders on the implementation and administration of the AB 274 / AB 1004 State Trust Fund. As identified, a required milestone for establishment of the State Trust Fund is the submittal of final, binding and irrevocable written notice (Letter of Participation) to CalRecycle. Enclosed with today's notice to all owners of active landfills is a sample of a Letter of Interest to participate in the State Trust Fund. **This Letter of Interest is not the final, binding, or irrevocable written notice to CalRecycle as described in PRC § 48010.** CalRecycle solicits this response from all owners to identify the interest in the State Trust Fund at this time. Please send your response to; California Department of Resources Recovery and Recycling, Financial Assurances Unit, P.O. Box 4025, Sacramento, CA 95812-4025, Attention: Richard Castle.

CalRecycle intends to follow-up prior to September 2011 with an additional notice requesting Letters of Intent to participate from owners of active landfills. Upon receipt of Letters of Intent to participate in the State Trust Fund from landfill owners representing at least 50% the total annual waste disposal tonnage in 2010, CalRecycle will initiate informal rulemaking discussions for any incentives to participate determined in the State's financial interest.

The discussion paper developed for the March 29, 2011 workshop is also enclosed with this notice.

If you have any questions regarding this notice, please contact Richard Castle of the Financial Assurances Unit at (916) 341-6343, or via email at richard.castle@calrecycle.ca.gov. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Garth C. Adams".

Garth C. Adams, Manager
Financial Assurances Unit
Permitting and Assistance Branch



