

Howard N. Dashiell
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Road Commissioner
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FUNCTIONS

Administration & Business Services
Airports
Engineering
Land Improvement
Roads and Bridges
Landfills

COUNTY OF MENDOCINO
DEPARTMENT OF TRANSPORTATION
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March 7, 2017

Mendocino County Board of Supervisors
501 Low Gap Road, Room 1010
Ukiah, CA 95482

RE: ADOPTION OF RESOLUTION ESTABLISHING THE SOUTH COAST LANDFILL CLOSURE ACCOUNT AS THE FINANCIAL ASSURANCE MECHANISM FOR CLOSURE OF THE SOUTH COAST LANDFILL (GUALALA AREA)

Honorable Board of Members:

Public Resources Code sections 43500 through 43610.1 and Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 6 (Regulations), require operators of solid waste landfills to demonstrate the availability of financial resources to conduct closure, post-closure maintenance, and corrective action activities. By Resolution Number 05-052 (adopted April 12, 2005) the Board of Supervisors approved a Pledge of Revenue Agreement between the County of Mendocino and the California Integrated Waste Management Board (now California Department of Resources Recycling and Recovery), which provides an acceptable financial assurance mechanism for financing the post-closure maintenance and corrective action for the Laytonville, South Coast and Caspar Landfills. The California Department of Resources Recycling and Recovery (CalRecycle) has approved the Pledge of Revenue Agreement but has also notified the County it has not provided a closure cost financial assurance demonstration for South Coast Landfill. This requirement must be completed prior to final approval of plans for construction of improvements to close the landfill, which is now anticipated to take place in 2018. Caspar and Laytonville Landfills are certified closed.

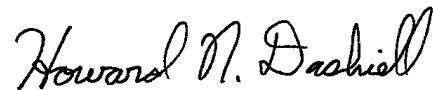
Sections 22228 and 22241 of the Regulations specify an enterprise fund as an acceptable mechanism to demonstrate financial responsibility for financing the closure of a solid waste landfill. The County of Mendocino has established and maintains an enterprise fund known as the "Landfill Closure Fund" for closure, post-closure maintenance and/or corrective action of the Laytonville, South Coast, and Caspar Landfills, and currently deposits in the fund seven percent of the revenue generated from Mendocino County curbside hauling operations. A separate account within that fund must be established, to be known as the South Coast Landfill Closure Account, and funds deposited to it from the Landfill Closure Fund, to be used exclusively for the closure of South Coast Landfill. The amount of funds deposited must be sufficient to cover closure activities as required by section 22225 and 22241 of the Regulations.

By establishing and maintaining an account within the Landfill Closure Fund and depositing funds for closure of the South Coast Landfill, the Board of Supervisors will enable the County to demonstrate the availability of financial resources to conduct closure activities at South Coast Landfill, therefore meeting the requirements of the Regulations.

I recommend and request the Board establish the South Coast Landfill Closure Account as the financial assurance mechanism for the closure of the South Coast Landfill. Department of Transportation staff has prepared a draft Resolution, which has also been reviewed and approved by CalRecycle, for the Board's consideration and adoption.

I will, of course, respond to any questions the Board may have.

Respectfully submitted,

A handwritten signature in black ink, reading "Howard N. Dashiell". The signature is written in a cursive, flowing style.

HOWARD N. DASHIELL
Director of Transportation