

Local governments may also obtain additional information from the EPA Regional financial responsibility contact:

Region 1 (CT, ME, MA, NH, RI, VT)
Tom Murphy (617) 565-3242

Region 2 (NJ, NY, PR, VI)
Lorraine Graves (212) 637-4099

Region 3 (DC, DE, MD, PA, VA, WV)
Jeff Alper (215) 566-3374

Region 4 (AL, FL, GA, KY, MS, NC, SC, TN)
Mark Davis (404) 562-8488

Region 5 (IL, IN, MI, MN, OH, WI)
Susan Mooney (312) 886-3585

Region 6 (AR, LA, NM, OK, TX)
Tracie Donaldson (214) 665-6633

Region 7 (IA, KS, MS, NE)
Marc Matthews (913) 551-7517

Region 8 (CO, MT, ND, SD, UT, WY)
Judy Wong (303) 312-6390

Region 9 (AS, AZ, CA, GU, HI, NV)
Susanna Trujillo (415) 744-2099

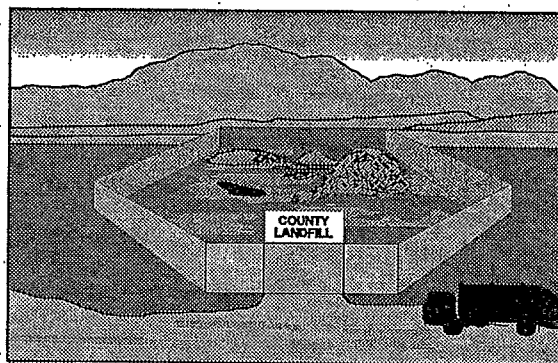
Region 10 (AK, ID, OR, WA)
Steve Sharp (206) 553-6517

EPA Headquarters
George Garland (703) 308-7272
Dale Ruhter (703) 308-8192



United States
Environmental Protection Agency
Solid Waste and Emergency Response (5306W)
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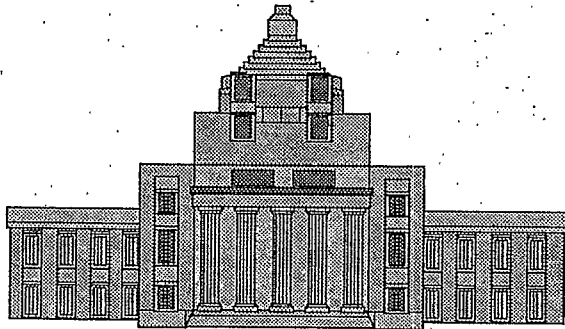
Financial Responsibility for Municipal Solid Waste Landfills:



AN INTRODUCTION FOR LOCAL GOVERNMENTS

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Beginning April 9, 1997, owners and operators of municipal solid waste landfills are required to demonstrate financial responsibility for certain costs associated with their solid waste landfills. These requirements have been established on a national basis by the U.S. Environmental Protection Agency (EPA). Individual States may implement the financial assurance requirements slightly differently.

This brochure provides affected local governments with a brief overview of the financial responsibility requirements.

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EFFECTIVE DATE

Owners and operators must comply with the requirements no later than April 9, 1997. States may waive the requirements for up to one year, until April 9, 1998, if an owner or operator demonstrates to the State's satisfaction that it cannot comply by April 9, 1997, and that the waiver will not adversely affect human health and the environment.

HOW TO LEARN MORE

Call your State solid waste agency for more information on requirements applicable in your State.

EPA's financial responsibility regulations for landfills are found in the U.S. Code of Federal Regulations (CFR) at 40 CFR 258.70-74 (1997 edition or later). Requirements for mechanisms are found at 40 CFR 258.74.

PURPOSE OF FINANCIAL RESPONSIBILITY

Financial responsibility requirements are designed to ensure that adequate funds are available whenever needed to pay for the costs of landfill closure, post-closure care, and (if applicable) corrective action for known releases.

WHO MUST COMPLY?

The requirements apply to all owners and operators, including local governments. Only State and Federal landfills are exempt.

HOW THE REQUIREMENTS WORK

Owners and operators assure the availability of funds by obtaining a financial mechanism that demonstrates sufficient funds will be available.

REQUIRED AMOUNT OF COVERAGE

Owners and operators are required to obtain coverage in an amount at least equal to their site-specific cost estimates for closure, post-closure care, and (if applicable) corrective action.

ALLOWABLE FINANCIAL MECHANISMS

Any of seven financial mechanisms may be used to demonstrate financial responsibility:

- Trust Funds
- Surety Bonds
- Letters of Credit
- Insurance
- Local Government Financial Test
- Local Government Guarantee
- State-Approved Mechanisms

These mechanisms only qualify as acceptable, however, if they satisfy specific EPA regulations (see below). Two of these mechanisms are designed specifically for local governments. The *local government financial test* is a low-cost alternative that governments may use to assure the costs of landfill closure, post-closure care, and corrective action for known releases if they possess sufficient financial strength and health. The *local government guarantee*, another low-cost mechanism, may be used by owners or operators whose landfill obligations a local government is willing to guarantee. (In this case, the local government guarantor must demonstrate the requisite financial health and strength.) See EPA's final rule on these mechanisms for additional detail (61 Federal Register 60328, November 27, 1996).