

## RESOLUTION 21 – 8569

### A RESOLUTION AMENDING RESOLUTION 20-8519 “FINANCIAL ASSURANCE FOR CORRECTIVE ACTION OF THE CHESTER LANDFILL”

WHEREAS, it has come to the attention of the Board of Supervisors of the County of Plumas that certain language should be clarified within Resolution 20-8519.

WHEREAS, Public Resources Code sections 43500 through 43610.1 and Title 27, California Code of Regulations (Regulations), Division 2, Subdivision 1, Chapter 6, require operators of solid waste landfills to demonstrate the availability of financial resources to conduct closure, post closure maintenance, and corrective action activities; and

WHEREAS, sections 22228 and 22245 of the Regulations specify a Pledge of Revenue as an acceptable mechanism to demonstrate financial responsibility for financing corrective action costs of a solid waste landfill.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Plumas that:

1. The County of Plumas operates the Chester Landfill, a solid waste landfill, in conformance with the findings, conditions, prohibitions and requirements contained in Solid Waste Facilities Permit No. 32-AA-0009 issued by, Plumas County LEA serving as Local Enforcement Agency for the California Department of Resources Recycling and Recovery (CalRecycle).
2. The County of Plumas shall establish a Pledge of Revenue to demonstrate financial responsibility for corrective action of the Chester Landfill in accordance with sections 22228 and 22245 of the Regulations.
3. Disbursement of funds for corrective action shall be in accordance with the final Corrective Action Plan, as approved by CalRecycle.
4. In the event that CalRecycle determines that the County of Plumas has failed, or is failing, to perform corrective action as required by law, CalRecycle may direct the Plumas County Auditor-Controller to pay to the Chief Engineer from the pledged revenues sufficient funds to ensure corrective action, who then shall be obligated to use such funds for corrective action in accordance with the directives of CalRecycle.
5. The Chief Engineer is directed to produce an Annual Certification Report for transmittal to CalRecycle (form CalRecycle 114) as required by Section 22233(b)(4)(B) of the Regulations to demonstrate that the pledge of revenue continues to be available when needed and will cover the cost estimate identified in the updated Annual Inflation Report required by Section 22236 of the Regulations. It is understood that copies of the Resolution and Pledge of Revenue Agreement for Chester Landfill are not required annually, unless amended.
6. In conjunction with this Resolution, attached is a copy of the revised “Pledge of revenue agreement Between Plumas County and the California Department of Resources Recycling and Recovery (CalRecycle) for Corrective Action Chester Landfill”

