

First Notice

JCAR350807-2505773r01

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER i: SOLID WASTE AND SPECIAL WASTE HAULING

PART 807
SOLID WASTE

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104 807.700 Cretex Pressure Pipe, Inc. Concrete Waste Disposal Site

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106 807.APPENDIX A Financial Assurance Forms

107 807.ILLUSTRATION A Trust Agreement

108 807.ILLUSTRATION B Certificate of Acknowledgment

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111 807.ILLUSTRATION E Irrevocable Standby Letter of Credit

112 807.ILLUSTRATION F Certificate of Insurance for Closure and/or Post-closure
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114 807.ILLUSTRATION G Owner's or Operator's Bond Without Surety

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116 807.ILLUSTRATION I Letter from Chief Financial Officer

117 807.APPENDIX B Old Rule Numbers Referenced

118

119 AUTHORITY: Implementing Sections 5, 21.1 and 22 and authorized by Section 27 of the
120 Environmental Protection Act [415 ILCS 5/5, 21.1, 22, and 27].

121

122 SOURCE: Adopted as an emergency rule and filed with the Secretary of State July 27, 1973;
123 amended at 2 Ill. Reg. 16, p. 3, effective April 10, 1978; codified at 7 Ill. Reg. 13636; recodified
124 from Subchapter h to Subchapter i at 8 Ill. Reg. 13198; emergency amendment in R84-22A at 9
125 Ill. Reg. 741, effective January 3, 1985, for a maximum of 150 days; amended in R84-22B at 9
126 Ill. Reg. 6722, effective April 29, 1985; amended in R84-22C at 9 Ill. Reg. 18942, effective
127 November 25, 1985; amended in R84-45 at 12 Ill. Reg. 15566, effective September 14, 1988;
128 amended in R88-7 at 14 Ill. Reg. 15832, effective September 18, 1990; emergency amendment in
129 R93-25 at 17 Ill. Reg. 17268, effective September 24, 1993, for a maximum of 150 days;

amended in R90-26 at 18 Ill. Reg. 12451, effective August 1, 1994; amended in R96-1 at 20 Ill. Reg. 12459, effective August 15, 1996; amended in R10-9 at 35 Ill. Reg. 10784, effective June 22, 2011; amended in R10-09(A) at 35 Ill. Reg. 18867, effective October 24, 2011; amended in R25-23 at 49 Ill. Reg. _____, effective _____.

Section 807.APPENDIX A Financial Assurance Forms

Section 807.ILLUSTRATION E Irrevocable Standby Letter of Credit

IRREVOCABLE STANDBY LETTER OF CREDIT

Director
Illinois Environmental Protection Agency
C/O Bureau of Land #24
Financial Assurance Program
[the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website]
~~1021 North Grand Avenue East~~
~~Post Office Box 19276~~
~~Springfield, Illinois 62794-9276~~

Dear Sir or Madam:

We have authority to issue letters of credit. Our letter-of-credit operations are regulated by the Illinois Department of Financial and Professional Regulation or our deposits are insured by the Federal Deposit Insurance Corporation. (Omit language that does not apply.)

We hereby establish our Irrevocable Standby Letter of Credit No. _____ in your favor, at the request and for the account of _____ up to the aggregate amount of _____ U.S. dollars (\$_____), available upon presentation of:

1. your sight draft, bearing reference to this letter of credit No. _____; and
2. your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to regulations issued under authority of the Environmental Protection Act [415 ILCS 5] and 35 Ill. Adm. Code 807.664(e)."

This letter of credit is effective as of _____ [date] and shall expire on _____ [date at least one year later], but, such expiration date shall be automatically extended for a period of _____ [at least one year] on _____ [date] and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify both you and [owner's or operator's name] by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. The 120 days will begin on the date when both _____ [owner's or operator's name] and the IEPA have received the notice, as evidenced by the return receipts.

In the event you are so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by both you and _____ [owner's or operator's name], as shown on the signed return receipts.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall deposit the amount of the draft directly into the State of Illinois Landfill Closure and Post-Closure Fund in accordance with your instructions.

We certify that the wording of this letter of credit is identical to the wording specified in 35 Ill. Adm. Code 807.Appendix A, Illustration E as such regulations were constituted on the date shown below.

Signature

Typed Name

Title

Date

Name and address of issuing institution

This credit is subject to [insert "the most recent edition of the Uniform Customs and Practice for Documentary Credits, published and copyrighted by the International Chamber of Commerce," or "the Uniform Commercial Code"].

(Source: Amended at 49 Ill. Reg. _____, effective _____)