

IRREVOCABLE LETTER OF CREDIT

(The Letter of Credit as specified in, California Code of Regulations shall preferably be on Bank Safety Paper and shall be worded as follows:)

Date _____

Letter of Credit No. _____

Executive Director
Department of Resources Recycling and Recovery (CalRecycle)1001 I Street
P.O. Box 4025
Sacramento, CA 95812-4025

Attention:

Dear Sir or Madam:

We hereby establish our Irrevocable Letter of Credit in your favor, at the request and for the account of

_____ (Operator's name) _____ (address) _____ in the aggregate

amount of \$ _____, _____ (Spell out amount in United States dollars) available upon presentation by you of:

- (1) Your sight draft(s) on us bearing reference to this Letter of Credit No. _____ and
- (2) Your signed and dated statement reading as follows:

"We certify that the amount of our draft drawn under _____ (Name of issuing institution)
Letter of Credit No. _____ is payable pursuant to regulations issued under authority of the California Solid Waste Management Act of 1989.

Partial drawings are permitted.

Each draft must be marked "Drawn under _____ (Name of issuing institution)

Letter of Credit No. _____ dated _____."

Each draft must also be accompanied by the original of this Letter of Credit upon which we may endorse our payment.

We hereby agree with you that each draft drawn and presented to us at our above office in _____ (City/State) in compliance with the terms of the Letter of Credit shall be duly honored upon presentation to us, and we shall deposit the amount of the draft directly in to the depository trust fund of _____ (Operator) in accordance with your instructions. We also hereby agree to establish a depository trust fund in accordance with your instructions if the operator fails to establish a depository trust fund when required to do so under Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 6.

Special instructions:

This Letter of Credit is valid until _____ and shall thereafter be automatically renewed for a one-year period upon such date and upon each successive anniversary of such date, unless at least one hundred twenty (120) days prior to such expiration date or each successive anniversary of such date we notify you and the operator, in writing by either registered or certified mail that we elect not to renew the Letter of Credit for such additional period. In the event of such notification, any unused portion of the credit shall be available upon presentation to us of your clean sight draft on or before the then current expiration date.

This credit is subject to _____ (The most recent edition of the Uniform Customs and Practices for Documentary Credits,

Published by the International Chamber of Commerce, or "The Uniform Commercial Code.")

(Signature(s) of Official(s) of Issuing Institution)

(Title(s) of Official(s) of Issuing Institution)

(Address of Official(s) of Issuing Institution)

(Phone Number of Official(s) of Issuing Institution)

(Date Official(s) of Issuing Institution Signs)

PRIVACY STATEMENT

The Information Practices Act (California Civil Code Section 1798.17) and the Federal Privacy Act (5 U.S.C. 552a(e)(3)) require that this notice be provided when collecting personal information from individuals.

AGENCY REQUESTING INFORMATION: California Department of Resources Recycling and Recovery (CalRecycle)..

UNIT RESPONSIBLE FOR MAINTENANCE OF FORM: Financial Assurances Section, California Department of Resources Recycling and Recovery (CalRecycle), 1001 I Street, P.O. Box 4025, Sacramento, California 95812-4025. Contact the Manager, Financial Assurances Section, at (916) 341-6000.

AUTHORITY: Public Resources Code section 43600 et seq.

PURPOSE: The information provided will be used to verify adequate financial assurance of solid waste disposal facilities listed.

REQUIREMENT: Completion of this form is mandatory. The consequence of not completing this form is denial or revocation of a permit to operate a solid waste disposal facility.

OTHER INFORMATION: After review of this document, you may be requested to provide additional information regarding the acceptability of this mechanism.

ACCESS: Information provided in this form may be provided to the U.S. Environmental Protection Agency, State Attorney General, Air Resources Board, California Department of Toxic Substances Control, Energy Resources Conservation and Development Commission, Water Resources Control Board, and California Regional Water Quality Control Boards. For more information or access to your records, contact the California Department of Resources Recycling and Recovery (CalRecycle), 1001 I Street, P.O. Box 4025, Sacramento, California 95812-4025, (916) 341-6000.