

Trust Fund as Financial Assurance Comparison															
	Mining												Coal Mining	Municipal Landfill (RCRA D)	Hazardous Waste Facility (RCRA C)
Issue	Alaska	Arizona	Montana	Nevada	New Mexico	Oregon	Pennsylvania	South Dakota	Utah	Washington	Wyoming	BLM	OSM	EPA	EPA
Who is the joint party on the trust?	N/A	Owner or Operator	N/A	Operator	Permittee	N/A	Permittee	N/A	N/A	N/A	Operator or Guarantor	Operator	N/A	Owner or Operator	Owner or Operator
Reference		R11-2-806.A		NAC 519A.350(2)(a)	NMAC 19.10.12.1208.E.2.f		PAC 86.158(g)				020-0007.6 (5)(a)(ii)(A)	43 CFR 3809.552(c)		40 CFR 258.74(a)(1)	40 CFR 264-143(a)(1)
Does trustee have to be regulated and examined by a federal or state agency?	N/A	Yes	N/A	No	Yes	N/A	Yes	N/A	N/A	N/A	Yes	No	N/A	Yes	Yes
Reference		R11-2-806.A		NAC 519A.350	NMAC 19.10.12.1208.E.1		PAC 86.158(f)(3)				020-0007.6 (5)(a)(ii)(B)	43 CFR 3809.552 and H-3809-1		40 CFR 258.74(a)(1)	40 CFR 264-143(a)(1)
Investments Approved by Agency?	N/A	No	N/A	No	Yes	N/A	Yes	N/A	N/A	N/A	Yes	Yes	N/A	No	No
Reference		R11-2-806		NAC 519A.350	NMAC 19.10.12.1208.E.2.c		PAC 86.158(f)(2)(ii)				020-0007.6 (5)(a)(ii)	H-3809-1 (6.3.4.4 and 6.3.4.5)		40 CFR 258.74(a)	40 CFR 264-143(a)
Initial funding equal to current cost of reclamation?	N/A	Yes	N/A	Yes	Yes	N/A	Yes	N/A	N/A	N/A	Yes	N/A, only used for post-closure issues	N/A	No	No
Reference		R11-2-806.D		NAC 519A.350(2)(c)	NMAC 19.10.12.1208.E.2.c; Chapter 69, Article 36, subsection 7(Q)		PAC 86.158(f)(1)				020-0007.6 (5)(a)(ii)(C)	43 CFR 3809.552(c)		40 CFR 258.74(a)(3)	40 CFR 264-143(a)(3)