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**To:** [Rule Making](#)  
**Subject:** Reference to financial assurance provisions in landfill rules  
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**Attachments:** [image001.png](#)

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Erik and all,

I meant to send this last week but you know how it is. 40 CFR 258.74 has a lot of useful language you can look at for many different types of financial assurance. The language I mentioned at the meeting last week related to trusts and, specifically, Kevin's Beaton's question on the proposed use of the word "institution." 258.74(a) uses the following: "The Trustee must be an entity which has the authority to act as a trustee and whose operations are regulated and examined by a Federal or State agency."

Best regards,



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