

MEMORANDUM



MONTGOMERY WATSON
Mining Group

Date: 12/28/00

To: Stephanie Kruse

From: Suzi Warner

Subject: **Part A and B Application for the Triassic Park Waste Disposal Facility
(Revised October 2000)**

I have enclosed a missing page from Volume I of the Part A and B Permit Application for the Triassic Park Waste Disposal Facility (Revised October 2000) Section 8 (page 8-18). This final page of Section 8 was accidentally left out of the document. Please include this page in your Volume I. I apologize for any inconvenience that this may cause you.

Thank you



8.8.2 Financial Assurance for Post-Closure Care

Similar to the financial assurance requirements for closure activities, the Facility is required to provide assurances for the post-closure care of the Facility. Upon receipt of the final permit, and 60 days prior to the initial receipt of waste, the owner/operators will provide the appropriate financial instrument to fulfill this requirement. Selection of the instrument to be used will be based upon economic and performance considerations. The financial instruments allowed by this subpart of the regulations are listed in Section 8.8.1.

8.8.3 Liability Requirements

As stated in 40 CFR 264.147, an owner or operator of a hazardous waste treatment, storage, or disposal facility must demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences which arise from the operation of the facility. This section of the regulations requires that the owner/operator of such a facility provide the administrator one of the following instruments at least 60 days prior to the initial receipt of waste;

1. Liability insurance
2. Financial test
3. Letter of credit
4. Surety bond
5. Trust fund
6. Combination of the above

GMI will submit required documentation demonstrating financial assurance to meet the liability requirements at least 60 days prior to receiving the first hazardous waste at the Facility. The financial assurance mechanism will comply with requirements in 40 CFR Part 264.147.