Guidance & Notes for Trust Fund and Standby Trust Fund Agreements

1. **Page 1:**
   - Required Action: Check the box for each Required Action (Closing, Long-term Care and/ or Corrective Action) covered by this trust.
   - The Grantor (owner or operator) name must match (including punctuation and abbreviations) the legal entity name as listed on the Florida Division of Corporations web page (Sunbiz.org). Use the Sunbiz link to verify the grantor is a legal business entity with “Active” status and that the name is entered exactly as listed. (The Grantor name does not, however, need to be written in all capital letters.) If Owner or Operator is a sole proprietor, name must match the FDEP permit application.
   - The Trustee name must match (including punctuations and abbreviations) the legal entity name. Use of fictitious or trademark names on our forms is not allowed. The Trustee name can often be verified on the FDIC website.
   - The Trustee entering into this agreement must be an entity which has the authority to act as a trustee and whose trust operations are regulated and examined by a Federal or State agency. This can usually be verified on the FDIC website - be sure to choose "Trust Powers Granted" in “Common Searches”.
2. **Page 4:**
   - Signatory for the Grantor (owner or operator) should be the president of a corporation, managing member of an LLC, or equivalent for entity type. If the name of the president (or equivalent) is not found on the Florida Division of Corporations website (Sunbiz), or if anyone else signs, additional documentation will be required. See Delegation of Authority Letter for more specific requirements. The signatory's title must match the title as given on the Sunbiz.org web site or other documentation.
   - The person who signs on behalf of the Trustee must be a trust officer or be authorized to sign as a trust officer for the bank or trust company.
   - All signatures must be original. Most Trustees (or applicants) create three (3) duplicate original agreements, all with original signatures, so that FDEP, the Trustee and the Grantor each have an original agreement.
3. **Schedule A:**
   - The FDEP I.D. number for solid waste facilities is the facility "WACS" number. Used oil facilities use an EPA I.D. number. For assistance, find appropriate Facility List link at bottom of Financial Assurance web pages or contact FDEP using the contacts on the Forms web page.
   - Facility name must match name submitted on the FDEP permit application.
   - The site address is the address of the physical location of the facility; this address cannot be a P.O. box.
   - The "Facility Cost Estimate" is the total of the closing, long-term care and corrective action cost estimates, as applicable. If the Owner/Operator is not sure of the amounts, contact FDEP using the contact list on the Forms web page. (Cost estimate information does not need to be adjusted on Schedule A on an annual basis except during the pay-in period when a pay-in period is being used.)

4. **Schedule B:**
    - Information about the initial payment into a trust fund [Form 62-701.900(5)(g)] is required. (There is no Schedule B for a standby trust fund agreement [Form 62-701.900(5)(h)], although some Trustees may want a copy of the bond, letter of credit or insurance certificate used for financial assurance.)
5. **Exhibit A:**
    - One or more authorized representatives of the Grantor (owner or operator) must be listed, and must include the name of the person who signed the agreement on behalf of the Grantor. Signatures are not required by FDEP in this section, but the Trustee may want "specimen signatures."