

3745-30-10

Post-closure care of residual waste landfill facilities.

(A) Following completion of final closure activities in accordance with rule 3745-30-09 of the Administrative Code the owner, operator, or permittee shall conduct post-closure care activities at the residual waste landfill facility for the following applicable time period:

- (1) Thirty years if the facility is a class I residual waste landfill.
- (2) Twenty years if the facility is a class II residual waste landfill.
- (3) Fifteen years if the facility is a class III residual waste landfill.

The post-closure care period begins when the certification required by paragraph (H) of rule 3745-30-09 of the Administrative Code has been submitted for the residual waste landfill facility.

(B) Any time during the post-closure period, based on such factors as the inspection or monitoring results required by paragraphs (C)(4) and (C)(5) of this rule and whether human health or safety or the environment is or will be protected, or whether a nuisance is or will be created, the director may do either of the following:

- (1) Shorten the post-closure care period required by paragraph (A) of this rule, if a variance has been requested pursuant to rule 3745-30-15 of the Administrative Code and the director finds that the reduced period is sufficient to protect human health and the environment, based on such factors as the inspection and monitoring results required by paragraphs (C)(4) and (C)(5) of this rule.
- (2) Extend the post-closure care period required by paragraph (A) of this rule, if the director finds that the extended period is necessary to protect human health and the environment, based on such factors as the inspection and monitoring results required by paragraphs (C)(4) and (C)(5) of this rule.

[Comment: If the landfill shows an improvement to leachate quality, the quantity of leachate generated will not cause an outbreak or slope failure, that ground water monitoring is no longer needed, that it is not generating explosive gas which has the potential to migrate underground, and that the cap system will maintain its integrity and stability if post-closure care activities cease, the director may release the owner, operator, or permittee from continuing post-closure care activities.]

(C) Post-closure care activities for all residual waste landfill facilities shall include, but are not limited to the following:

- (1) Continuing operation and maintenance of the leachate management system, the surface water management system, any explosive gas extraction and/or control system, any explosive gas monitoring system, and the ground water monitoring system.
- (2) Maintaining the integrity and effectiveness of the cap system, including making repairs to the cap system as necessary to correct the effects of settling, dead vegetation, subsidence, ponding, erosion, or other events, and preventing run-on and runoff from eroding or otherwise damaging the cap system.
- (3) Repairing any leachate outbreaks detected at the residual waste landfill facility by doing the following:
 - (a) Contain and properly manage the leachate at the residual waste landfill facility.
 - (b) If necessary, collect, treat, and dispose of the leachate, including, if necessary, following the contingency plan for leachate storage and disposal prepared pursuant to rule 3745-30-14 of the Administrative Code.
 - (c) Take action to minimize, control, or eliminate the conditions which contribute to the production of leachate.
- (4) Quarterly inspection of the residual waste landfill facility during each year of the post-closure care period and submittal of a written summary to the appropriate Ohio EPA district office not later than fifteen days after the inspection date detailing the results of the inspection and a schedule of any actions to be taken to maintain compliance with paragraphs (C)(1), (C)(2), and (C)(3) of this rule. The director may either increase the frequency of inspections, or, upon the request of the permittee, decrease the frequency of inspections if the results of past inspections justify either action.
- (5) Fulfilling all monitoring and reporting requirements in accordance with rule 3745-30-08 of the Administrative Code for ground water, and, if necessary, with rule 3745-27-12 of the Administrative Code for explosive gas, and with any monitoring required by any orders or authorizing documents. The post-closure care period may be shortened for explosive gas monitoring, as outlined in paragraph ~~(L)~~(G) of rule 3745-27-12 of the Administrative Code.
- (6) Submitting a report to the appropriate Ohio EPA district office and approved health department not later than the first day of April of each year, which

contains the following:

- (a) A summary of the quantity of leachate collected for treatment and disposal on a monthly basis during the year, and the location of leachate treatment and/or disposal.
 - (b) Results of analytical testing of an annual grab sample of leachate for the parameters specified in paragraph (A) of rule 3745-30-03 of the Administrative Code. The grab sample shall be obtained from the leachate management system.
 - (c) The most recent updated post-closure cost estimate adjusted for inflation and for any change in the post-closure cost estimate required by rule 3745-27-16 of the Administrative Code.
- (7) Records and reports generated by paragraphs (C)(4) to (C)(6) of this rule are to be kept for the duration of the post-closure care period at a location where the records and reports are available for inspection by Ohio EPA or the approved health department during normal working hours.
- (D) Upon completion of the post-closure care period, the owner, operator, or permittee shall submit to the director written certification that the residual waste landfill facility has completed post-closure activities in accordance with this rule and the "final closure/post-closure plan." This certification shall be accompanied by documentation which demonstrates that all post-closure care activities have been completed. The certification shall be signed and sealed by a professional engineer registered in Ohio.
- (E) The health commissioner and the director, or their authorized representatives, upon proper identification, may enter any closed residual waste landfill facility at any time during the post-closure care period for the purpose of determining compliance with this rule.

Effective:

Five Year Review (FYR) Dates: 01/29/2015

Certification

Date

Promulgated Under: 119.03
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