

3745-400-17

Procedures for issuance of an order extending the post-closure care period.

(A) The post-closure care period may be extended by order of the approved board of health, the director, or a court of competent jurisdiction if conditions at a construction and demolition debris facility are impacting public health or safety or the environment or if ground water assessment and ground water corrective measures are required to be conducted at the facility in accordance with rules adopted under section 3714. of the Revised Code. The requirement to maintain financial assurance for post-closure care may be extended if the post-closure care period is extended pursuant to this rule.

(B) An order of the director or approved board of health extending the post-closure care period shall contain at a minimum the following information:

(1) The identification and location of the facility for which the post-closure care period is extended.

(2) The effective date of the order.

(3) A description of the conditions at the facility that are impacting public health or safety or the environment or whether ground water assessment or ground water corrective measures are required to be conducted at the facility in accordance with rules adopted under section 3714. of the Revised Code.

(4) The length of the extended post-closure care period established by the order.

(5) Any extension of the length of time that financial assurance for post-closure care is required to be maintained.

(6) A timeframe of at least forty-five days for the submittal of the revised cost estimate and a timeframe of at least ninety days for re-establishment of financial assurance.

(7) Any terms or conditions established by the order.

(8) A termination date or termination provisions.

(9) A description of the post-closure care activities required by paragraph (E) of rule 3745-400-16 of the Administrative Code that are to be continued during the extended post-closure care period.

(C) When issuing an order extending the post-closure care period, the director shall act in accordance with Chapters 119., 3714., 3734., and 3745. of the Revised Code, as applicable.

(D) When issuing an order extending the post-closure care period, an approved board of health shall act in accordance with Chapter 3714. and section 3709.20 of the

Revised Code.

(E) Upon issuance of an order extending the post-closure care period, a copy of the order shall be retained by the licensing authority and a copy of the order shall be distributed by certified mail or other form of mail accompanied by a receipt to the owner and operator.

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	3714.02
Rule Amplifies:	3714.02, 3734.03