

(A) The owner or operator shall operate the industrial landfill in such a manner that noise, odors, and dust are strictly controlled so as not to cause a nuisance or a health hazard. The owner or operator shall take action necessary to comply with this paragraph.

(B) The owner or operator shall employ all reasonable measure to collect, properly contain, and dispose of scattered litter, including the use of portable wind screens where necessary and frequent policing of the industrial landfill.

(C) The owner or operator shall have adequate equipment, material, and services available at or near the industrial landfill to control fire. The owner or operator shall act immediately to control and extinguish any fire.

(D) At all times, the owner or operator shall maintain at least one back-up leachate pump at a location that is under control of the owner or operator and that can be able to be brought to the industrial facility upon immediate need.

(E) At least daily, the owner or operator shall inspect the industrial landfill for ponding, erosion, and leachate outbreaks. Written results of the inspections, including a discussion of any corrective actions taken, the date, and weather conditions, shall be recorded on the daily log forms required by rule 3745-525-650 of the Administrative Code.

(F) If ponding or erosion occurs on areas where industrial solid waste is being or has been disposed, the owner or operator shall undertake actions necessary to eliminate the ponding, repair the erosion, and to correct the conditions causing the ponding or erosion.

(G) At least weekly, the owner or operator shall inspect the sediment and storm water management basins and sediment and storm water management basin discharge structures, including pipes, ditches, and culverts for erosion, clogging, or failure. Written results of the inspections, including a discussion of any corrective actions taken, any water quality samples taken, the date, and weather conditions shall be recorded on the daily log forms required pursuant to rule 3745-525-650 of the Administrative Code.

(H) Sediment shall be removed from sediment and storm water management basins when the design capacity has been reduced by forty per cent or as necessary based on inspection results.

(I) The owner or operator shall treat and dispose of collected leachate in accordance with one of the following and with the applicable law:

(1) Treat and dispose of collected leachate on the site of the industrial landfill.

(2) Pretreat collected leachate on-site and dispose of collected leachate off the site of the industrial landfill.

(3) Treat and dispose of collected leachate off the site of the industrial landfill.

(J) At the written request of the owner or operator, the director may approve temporary storage of leachate within the limits of industrial waste placement until the leachate can be treated and disposed as outlined in the leachate contingency plan required in paragraph (K) of this rule.

(K) The owner or operator shall prepare and implement a contingency plan for the storage and disposal of leachate. The plan shall describe the immediate and long term steps, including identifying available land for construction and operation of an on-site treatment facility, to be used for leachate management in the event that collected leachate cannot be managed in accordance with the management option selected in paragraph (I) of this rule.

(L) The removable covers over the leachate management system cleanouts, sampling access points, and sump risers shall remain in place at all times except when accessing the cleanout, sampling access point, or sump riser.

(M) The owner or operator shall limit access to the industrial landfill by non-employees except during operating hours when operating personnel are present or as otherwise required by law. At all times, the owner or operator shall limit access to the industrial landfill as necessary to prevent scavenging and salvaging.

This paragraph shall not apply to the permitting authority, and to the licensing authority for an industrial solid waste landfill, who, upon proper identification, may enter the industrial landfill at any time to determine compliance with this chapter.

(N) For an industrial solid waste landfill with an authorized maximum daily waste receipt greater than two hundred tons per day, the owner or operator shall use scales as the sole means of determining gate receipts. All scales shall be inspected, tested, and approved by the county auditor or city sealer having jurisdiction where the scale is located and shall meet the specifications, tolerances, and regulatory requirements of section 1327.49 of the Revised Code. This paragraph shall not apply to an industrial solid waste landfill owned by a generator that exclusively disposes of industrial wastes generated at premises owned by the generator.

(O) Before accepting putrescible waste, as determined by rule 3745-525-602 of the Administrative Code, at an industrial landfill, the owner or operator shall do the following:

(1) Prepare and implement an explosive gas monitoring program in accordance with rules 3745-525-910 and 3745-525-915 of the Administrative Code which is capable of determining whether explosive gas is migrating from the industrial landfill.

(2) Prepare a methane emissions monitoring plan in accordance with rule 3745-525-920 of the Administrative Code which is capable of determining whether methane exceeding five hundred parts per million above background is being emitted by the industrial landfill. Not later than ninety days after accepting putrescible waste, the owner or operator shall implement the methane emissions monitoring plan.

(3) If not already incorporated in the cap system design, revise the cap system design in the permit to install to include a gas collection layer meeting the requirements in rule 3745-525-275 of the Administrative Code.

(P) The owner or operator shall not accept industrial waste into any new phase until the previous phase has been completely filled, except to the extent necessary for the proper operation of the industrial landfill.

(Q) Select waste layer.

(1) If an industrial solid waste landfill with a flexible membrane liner or geosynthetic clay liner will receive industrial waste capable of physically damaging the liner system, a select waste layer is required to be placed first.

(2) The owner or operator shall place select waste as the first layer of industrial waste in all areas within the limits of industrial waste placement or in contact with the leachate collection system to protect the flexible membrane or geosynthetic clay component of the liner system from the intrusion of objects during operation of the industrial solid waste landfill. The select waste layer shall meet the following criteria:

(a) Be spread but not compacted.

(b) Not contain items over two feet in length.

(c) Not restrict the flow of liquid to the leachate collection system.

(d) Not contain fines or small particles which can clog the leachate collection system.

(e) Be placed as a single lift above the leachate collection layer so that a minimum distance of five feet is created between the liner and general industrial waste placement.

(3) Not later than thirty days after placing the select waste material, the owner or operator shall verify the placement of the select waste layer by submitting written notification to Ohio EPA. This notification shall include the following information:

- (a) The dates on which select waste was placed.
- (b) The location of the cell or phase where the select waste was placed.
- (c) The thickness of the select waste layer.
- (d) The source of the select waste and a general description of the select waste used in the select waste layer.

(R) After placement of the initial lift of industrial solid waste, the owner or operator shall inspect the collection pipe network of the leachate collection system to ensure that the collection pipe has not been crushed and shall inspect the collection pipe network of the leachate collection system annually thereafter to ensure that clogging has not occurred.

(S) Daily cover.

(1) Daily cover shall be applied to all exposed industrial waste by the end of the working day to control fire hazards, blowing litter, odors, insects, vectors, and rodents. In no event shall industrial waste be exposed for more than twenty-four hours after unloading. Daily cover material shall not be putrescible, and shall not contain large objects in such quantities as may interfere with its application and intended purpose. Daily cover material shall not be industrial waste, unless the owner or operator has received prior, written authorization in accordance with paragraph (S)(3) of this rule.

(2) Daily cover shall consist of a soil layer which is at least six inches thick and which meets the following criteria:

(a) For an industrial landfill which has a leachate collection system, daily cover applied in an area served by the leachate collection system shall be removed or otherwise prepared as necessary so as not to impede the flow of leachate to the leachate collection system within the limits of industrial waste placement.

(b) For an industrial landfill without a leachate collection system, a six-inch thick soil layer, consisting of well-compacted loam, silty loam, clay loam, silty clay loam, silty clay, or some combination thereof, shall be used for daily cover.

(3) At the written request of the owner or operator, the director may approve use of industrial solid waste or industrial excluded waste as alternative material for daily cover if it meets the criteria in paragraph (S)(1) of this rule.

(4) At the written request of the owner or operator, the director may approve use of an alternative material or thickness for daily cover if the alternative material or thickness meets the criteria in paragraph (S)(1) of this rule.

(5) At the written request of the owner or operator, the director may approve use of an alternative frequency if the alternative frequency provides comparable and adequate protection.

(T) Intermediate cover.

(1) To minimize infiltration, intermediate cover shall be applied to all filled areas of an industrial landfill where additional industrial waste will not be deposited for at least thirty days. At the written request of the owner or operator, the director may approve use of an alternative time period if infiltration will not be increased.

(2) Intermediate cover material shall not be putrescible, shall have low hydraulic conductivity, good compactability, good cohesiveness, relatively uniform texture, and shall not contain large objects in such quantities as may interfere with its application and intended purpose. A layer twelve inches thick of soil, consisting of well-compacted loam, silty loam, clay loam, silty clay loam, silty clay, or some combination thereof, shall be used for intermediate cover. At the written request of the owner or operator, the director may approve use of an alternative material or thickness for intermediate cover if the proposed alternative material or thickness provides comparable and adequate protection.

(3) Intermediate cover which has been used in an area shall be removed or prepared prior to the placement of the next layer of industrial waste in that area so as not to impede the flow of leachate to the leachate collection system within the limits of industrial waste placement.

(4) The owner or operator shall perform measures to protect the intermediate cover from erosion.

(U) Cap system. Not later than seven days after reaching all the approved final elevations of industrial waste placement that are present within the phase, the owner or operator shall do either of the following:

(1) Begin construction of the cap system over all of the slopes that have reached the approved final elevations of industrial waste placement within the phase in accordance with the following:

(a) Construction of the cap system shall be completed not later than one year after reaching all the approved final elevations of industrial waste placement that are present within the phase.

(b) After completing construction of the cap system, the owner or operator shall submit a certification report to Ohio EPA in accordance with rule 3745-525-501 of the Administrative Code. The certification report shall be submitted not later than the date of submittal of the next annual

operational report required pursuant to rule 3745-525-660 of the Administrative Code. The owner or operator of an industrial solid waste landfill shall also submit the report to the approved board of health.

(2) Begin placement of transitional cover over all of the slopes that have reached the approved final elevations of industrial waste placement within the phase in accordance with the following:

(a) The owner or operator shall provide written notice to Ohio EPA identifying the phase where transitional cover shall be installed. The owner or operator shall submit the notification prior to beginning placement of transitional cover over the phase. The owner or operator of an industrial solid waste landfill shall also submit the notification to the approved board of health.

(b) Complete placement of transitional cover soil not later than sixty days after reaching all the approved final elevations of industrial waste placement that are present within the phase.

(c) After completing construction of transitional cover in the phase, the owner or operator shall submit a certification report to Ohio EPA in accordance with rule 3745-525-501 of the Administrative Code. The certification report shall be submitted not later than the date of submittal of the next annual operational report required pursuant to rule 3745-525-660 of the Administrative Code. The owner or operator of an industrial solid waste landfill shall also submit the report to the approved board of health.

(d) The transitional cover shall be seeded as soon as practicable. Healthy grasses or other vegetation shall form a complete and dense vegetative cover not later than one year after placement of transitional cover soil.

(e) When the industrial landfill in which the phase is located has reached approved final elevations of industrial solid waste placement, the owner or operator shall construct a cap system over all the slopes without a cap system.

(f) Notwithstanding any prior notification that transitional cover shall be installed, the owner or operator may choose to comply with paragraph (U)(1) of this rule. The owner or operator shall provide prior notice to Ohio EPA of any change from a previously submitted notification. The owner or operator of an industrial solid waste landfill shall also provide prior notice to the approved board of health.

(V) The owner or operator shall ensure that a copy of the approved permit to install, detail plans, specifications, and information is maintained at the industrial landfill during

normal business hours, and is available to be inspected by Ohio EPA upon request. The owner or operator of an industrial solid waste facility shall ensure that copies are available to be inspected by the approved board of health.

(W) Financial assurance.

(1) The owner or operator shall annually review, analyze, adjust, and submit the closure cost estimate and post-closure care cost estimate in accordance with paragraph (D) of rule 3745-503-05 and paragraph (D) of rule 3745-503-10 of the Administrative Code in the manner prescribed by rule 3745-525-435 of the Administrative Code.

(2) The owner or operator shall revise and submit the financial assurance instrument in accordance with paragraph (D) of rule 3745-503-05 and paragraph (D) of rule 3745-503-10 of the Administrative Code.

(X) The owner or operator of an industrial solid waste landfill shall comply with Chapter 3734. of the Revised Code, and rules adopted thereunder for the certification of persons responsible for the operation of solid waste facilities.