

**3745-27-82 Issuing and denying a permit to install; extending and reauthorizing an authorization to stabilize waste through bulk liquid addition.**

- (A) The director shall issue or deny an application for a permit to install to stabilize waste through bulk liquid addition.
- (B) The director may choose to extend the termination date of an authorization to stabilize waste through bulk liquid addition.
- (C) The director may choose to reauthorize bulk liquid addition and establish a new termination date.
- (D) The director shall not grant a variance or exemption request made with the application from any of the following:
  - (1) The location restriction demonstrations established in paragraph (C) of rule 3745-27-20 of the Administrative Code.
  - (2) The requirement to conduct ground water monitoring or any selected corrective measures pursuant to rule 3745-27-10 of the Administrative Code.
  - (3) The requirement to maintain financial assurance as established in rules 3745-27-15 to 3745-27-18 of the Administrative Code.
  - (4) The hazardous waste prohibition established in paragraph (E)(8)(c) of rule 3745-27-19 of the Administrative Code.
  - (5) The requirement to abate or minimize explosive gas migration as established in rule 3745-27-12 of the Administrative Code.
  - (6) The requirement to limit the depth of leachate to not more than one foot on the composite liner system as established in paragraph (C)(3)(c) of rule 3745-27-08 of the Administrative Code.
  - (7) The park siting criterion as established in paragraph (H)(1) of rule 3745-27-07 of the Administrative Code.
- (E) The director shall not issue a permit to install, choose to extend the termination date, or reauthorize bulk liquid addition and establish a new termination date unless the director determines the following:
  - (1) The construction, operation, closure activities, and post-closure care activities of the sanitary landfill facility, in the manner approved by the permit to install and any terms or conditions imposed as part of the permit to install, will not create a nuisance or a hazard to public health or safety or the environment and are unlikely to result in a violation of any other requirements of Chapters 3704., 3734., and 6111. of the Revised Code and any rules adopted thereunder.
  - (2) The designated area where bulk liquid addition will occur meets the following criteria:
    - (a) The ground water aquifer system protection siting criteria established in paragraph (H)(2) of rule 3745-27-07 of the Administrative Code.

[Comment: If the designated area is in a location that was previously authorized by issuance of a variance or exemption, or was deemed acceptable by the director, for any of the siting criteria in paragraph (H)(2) of rule 3745-27-07 of the Administrative Code, then the area does not meet the criterion established by paragraph (E)(2)(a) of this rule.]

- (b) A composite liner system is present. If the flexible membrane liner has not yet been installed, a liner integrity survey shall be conducted on the installed flexible membrane liner after the leachate collection drainage layer is placed.
  - (c) A dedicated leachate transfer point is present, or an alternative acceptable to the director, which ensures that leachate generated within the designated area can be accurately measured and a representative sample of leachate collected.
  - (d) The surrounding areas are sloped or separated by a berm to ensure that leachate generated outside the designated area is diverted from the designated area.
  - (e) A leachate collection system is present that is designed and constructed to maintain the depth of leachate to not more than one foot on the composite liner system. At a minimum, the leachate collection system drainage layer shall meet the following criteria:
    - (i) Consist of aggregate or shredded scrap tires. Shredded scrap tires shall not be placed above a flexible membrane liner that has not yet been installed unless the shredded scrap tires will not interfere with the ability of the leak location survey to detect defects.
    - (ii) Have a permeability exceeding one centimeter per second.
- (3) The liquids including leachate, water, and bulk liquids will be evenly distributed.
- (4) Liquid addition shall not occur within fifty feet of the following:
- (a) The boundary of the designated research, development, or demonstration project area.
  - (b) External slopes of the facility.
- (5) The leachate collection and management system has the capacity to manage the anticipated increase in leachate production.
- (6) The landfill gas generated within the research, development, or demonstration project area is adequately controlled and managed, including at a minimum the following:
- (a) The design of the gas management system conforms to rule 3745-27-89 of the Administrative Code.
  - (b) The gas management system has the capacity to manage the anticipated increase in landfill gas production rates.
  - (c) The gas management system for the area does not vent the landfill gas to the atmosphere but conveys the landfill gas to one or more gas control devices.
  - (d) Landfill gas collection commences prior to introduction of liquids to the area.
  - (e) The operation of the gas management system is capable of conforming to rule 3745-27-83 of the Administrative Code.
- (7) The slopes in the research, development, or demonstration project area are stable with the piezometric surface at the top of waste.
- (8) The bulk liquid addition is unlikely to cause an exothermic reaction resulting in a surface or subsurface fire.

- (9) The research, development, or demonstration project will result in development of useful information related to optimizing waste stabilization. The addition of bulk liquid must be necessary to accelerate or enhance the stabilization of the solid waste and is not being used by the owner or operator merely as a means to dispose of the liquid.
- (10) The closure cost estimate includes a separate item to address closure contingencies. The cost estimate for closure contingencies shall be at minimum twenty per cent of the non-contingency closure cost estimate items.
- (11) The owner and operator are in substantial compliance at the facility with all applicable provisions of Chapters 3704., 3714., 3734., and 6111. of the Revised Code and any rules, permits, registrations, or other authorizations issued thereunder, and has maintained compliance with all applicable orders issued by the director or an approved board of health, the environmental review appeals commission, or courts having competent jurisdiction, in the course of such previous or current management or operations.
- (12) The owner or operator is in compliance with the ground water monitoring program requirements in rule 3745-27-10 of the Administrative Code and there has been no known ground water contamination from the designated research, development, or demonstration project area or, in the event there has been known contamination from the designated research, development, or demonstration project area, the director has approved the certification that corrective measures were completed.
- (F) The permit to install application, request to extend the termination date of the authorization to stabilize waste through bulk liquid addition, or request to reauthorize bulk liquid addition and establish a new termination date, notwithstanding any deficiencies, may be considered and acted upon if sufficient information is provided in the application or request for the director to determine whether the criteria in paragraphs (D) and (E) of this rule were met.
- (G) The valid term shall not exceed three years for any authorization to stabilize waste through bulk liquid addition, reauthorization to stabilize waste through bulk liquid addition, or extension of the termination date of an authorization. The director shall determine that the total term of all authorizations issued for research, development, or demonstration projects to accept bulk liquids at the facility shall not exceed twenty-one years. Only the time the authorization is in effect is counted for the purpose of this rule.

[Comment: Time during which there is no authorization to add bulk liquids, or the authorization is terminated, does not count toward the twenty-one year limit in paragraph (G) of this rule. However, the twenty-one year limit applies to the entire facility and issuance of another permit to install to stabilize waste through bulk liquid addition at the same facility does not reset the time limits.]

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CERTIFIED ELECTRONICALLY

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Certification

01/27/2017

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Date

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