

**3745-513-350 Implementation requirements for modern and historic facilities.**

Any person engaging in Chapter 513 activities shall comply with the following:

- (A) Perform Chapter 513 activities in accordance with Chapters 3704., 3734., and 6111. of the Revised Code and the rules adopted thereunder.
- (B) Perform Chapter 513 activities in a manner that prevents migration of leachate, explosive gas, or toxic gas from the facility.
- (C) Excavation of waste.
  - (1) Excavation of waste shall not occur unless the waste is managed in accordance with any of the following:
    - (a) The waste is replaced within previously existing horizontal limits of waste placement.
    - (b) The waste is treated at a licensed or permitted treatment facility in accordance with Chapter 3734. of the Revised Code.
    - (c) The waste is disposed of at a licensed or permitted disposal facility in accordance with Chapter 3734. of the Revised Code.
  - (2) Solid waste or hazardous waste removed during the chapter 513 activities shall be stored in accordance with Chapters 3734. and 6111. of the Revised Code until such time as these materials are properly evaluated and treated or disposed in accordance with Chapters 3734. and 6111. of the Revised Code and the rules adopted thereunder.
  - (3) Liquid waste released during the chapter 513 activities shall be stored in accordance with Chapters 3734. and 6111. of the Revised Code until such time as the waste is properly evaluated and treated or disposed in accordance with Chapters 3734. and 6111. of the Revised Code and the rules adopted thereunder.
  - (4) If excavation occurs outside the limits of waste placement at the site, the material used to backfill the excavated areas shall not consist of solid or hazardous waste.
- (D) If solid waste or hazardous waste are to be removed from the facility, an evaluation of the material shall be performed and submitted to Ohio EPA prior to removal of the waste. The evaluation may include sample analysis results and shall include the following:
  - (1) The selected treatment or disposal method.
  - (2) A copy of a letter of acceptance from a treatment or disposal facility.
- (E) Upon completion of the chapter 513 activities, restore the facility cap to the condition specified in the provisions of Chapter 3734. of the Revised Code and the rules adopted thereunder as they were applicable at the time the owner or operator of the facility originally submitted certification of closure. If certification was never submitted, the facility cap shall be restored to the condition specified in the provisions of Chapter 3734. of the Revised Code and the rules adopted thereunder as effective at the time the facility was required to close, unless otherwise specified in the application or required by the director.

Replaces: 3745-27-13  
Effective: 1/1/2020  
Five Year Review (FYR) Dates: 01/01/2025

CERTIFIED ELECTRONICALLY

---

Certification

12/11/2019

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3734.02  
Rule Amplifies: 3734.01, 3734.02  
Prior Effective Dates: 11/17/1988 (Emer.), 03/09/1989, 06/12/1989,  
08/15/2003