

3745-560-135 Closure and termination requirements for class I composting facilities.

- (A) The owner or operator of a composting facility shall perform closure as specified in this rule if any of the following occur:
- (1) The composting facility ceases to be an active composting facility.
 - (2) The director revokes the facility permit to install pursuant to paragraph (B) of rule 3745-560-101 of the Administrative Code.
 - (3) A solid waste facility license held by the owner or operator of the composting facility expires and no license renewal has been applied for in the manner prescribed in Chapter 3745-501 of the Administrative Code.
 - (4) A solid waste facility license held by the owner or operator of the composting facility expires and a license renewal has been applied for and denied as a final action of the licensing authority.
 - (5) A solid waste facility license held by the owner or operator of the composting facility has been revoked as a final action of the licensing authority.
 - (6) The director issues a final action addressing the following:
 - (a) The owner or operator sells or offers for sale at retail or wholesale, uses, distributes for use, or gives away any compost that does not comply with the applicable quality standards established in this chapter.
 - (b) Waste materials were accepted at the facility prior to obtaining a license in accordance with Chapter 3745-501 of the Administrative Code.
 - (c) The establishment or operation of the composting facility has violated Chapter 3704., 3714., 3734., or 6111. of the Revised Code or rules adopted thereunder.
- (B) The owner or operator of a facility required to perform closure in accordance with this rule shall do the following:
- (1) If the facility is closing pursuant to paragraph (A)(1) of this rule, send a written notification to Ohio EPA, the approved board of health, and the solid waste management district indicating the date on which the facility will cease acceptance of the waste materials.
 - (2) Not later than seven days after closure is required under paragraph (A) of this rule, the owner or operator of a composting facility that allowed public access shall post signs, stating in letters not less than three inches high that the facility is closed. The signs shall be posted in such a manner as to be easily visible at all access points into the facility and shall be maintained in legible condition for not less than one year, or until the facility re-opens as a registered composting facility or is converted to an alternative use. The text of the signs shall be the following:

"This facility is closed for all composting activities and all receipt of waste materials. Depositing solid wastes at this site constitutes open dumping which is a violation of Chapter 3734. of the Revised Code."
 - (3) Conduct the facility closure requirements in accordance with paragraph (C) of this rule.
 - (4) Send written notification to Ohio EPA or approved board of health certifying that the facility closure requirements have been completed in accordance with this rule.

- (5) Comply with rule 3745-560-110 of the Administrative Code until receipt of a letter of concurrence from Ohio EPA or the approved board of health stating that the facility is in compliance with the closure requirements of this rule.

(C) Closure requirements. The owner or operator shall perform the following closure activities:

- (1) Remove compost products and solid wastes from the composting facility.
- (2) Remove and properly dispose of leachate remaining on the site in accordance with applicable laws and regulations.
- (3) Modify, remove, or seal the leachate collection system to prevent discharges from the system to surface waters of the state or ground water unless such discharges are otherwise regulated in accordance with Chapter 6111. of the Revised Code.
- (4) Clean containers, equipment, machines, and materials placement area surfaces that were in contact with solid wastes at any time during the operation of the facility using procedures that substantially reduce or eliminate any remaining constituents or contaminants. This paragraph does not apply to materials placement area surfaces composed of soil, gravel, slag, or other permeable material.

(D) Termination of a class I composting facility permit to install.

- (1) A class I composting facility permit to install shall terminate in accordance with rule 3745-500-130 of the Administrative Code.
- (2) A permit to install for a facility that completed closure shall terminate upon receipt of a letter of concurrence by Ohio EPA or the approved board of health stating that the facility is in compliance with the closure requirements contained in this rule.

(E) An owner or operator who requests the termination of the composting facility permit after the composting facility ceases to be an active composting facility, for the purpose of a change to a class II, III, or IV composting facility, or to change to a yard waste only transfer facility in accordance with Chapter 3745-555 of the Administrative Code, may submit a written request to Ohio EPA or the approved board of health for alternative closure requirements. Ohio EPA or the approved board of health may approve alternative closure requirements provided the requirements are protective of public health, safety, and the environment.

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Certification

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Date

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