

3745-27-14 Post-closure care of sanitary landfill facilities.

- (A) Following completion of final closure activities in accordance with rule 3745-27-11 of the Administrative Code or following closure activities in accordance with paragraph (C) of rule 3745-27-10 of the Administrative Code, as effective July 29, 1976 and completed on or after the date three years prior March 1, 1990, the owner, operator, or permittee shall conduct post-closure care activities at the sanitary landfill facility for a minimum of thirty years in accordance with the final closure/post-closure care plan and this rule. The post-closure care period begins when the certification pursuant to paragraph (J) of rule 3745-27-11 of the Administrative Code has been submitted for all units of a sanitary landfill facility. Post-closure care activities for a sanitary landfill facility shall include but are not limited to the following:
- (1) Continuing operation and maintenance of the surface water management system, any explosive gas extraction or control system, any explosive gas monitoring system, and the ground water monitoring system.
 - (2) Maintaining the integrity and effectiveness of the access road and blocking of entrances, the cap system, and stability of the landfill, including making repairs to the cap system as necessary to correct the effects of slope failure, settling, subsidence, ponding, erosion, leachate outbreaks, or other events, and preventing run-on and runoff from eroding or otherwise damaging the access road or cap system. If vegetative cover is established on less than seventy-five per cent of the cap system, the owner or operator shall reseed and if appropriate, amend the soil.
 - (3) Maintaining signs stating that the sanitary landfill facility no longer accepts solid waste for two years after final closure activities have been completed.
 - (4) Continuing operation and maintenance of the leachate management system including the following:
 - (a) Replacing or repairing the lift station pump within twenty-four hours of discontinued operation.
 - (b) If leachate generation suddenly decreases, visually or physically inspecting the collection pipe network of the leachate management system to ensure that clogging has not occurred.
 - (c) For a sump serving a leachate collection system across the bottom of the landfill, maintaining leachate no more than one foot above the top elevation of the sump. Leachate may be stored within the limits of waste placement if authorized in writing by the director.
 - (5) Repairing any leachate outbreaks detected at the sanitary landfill facility through completion of the following:
 - (a) Containing and properly managing the leachate at the sanitary landfill facility.
 - (b) If necessary, collecting, treating, and disposing of the leachate including following the contingency plan for leachate storage and disposal prepared pursuant to rule 3745-27-19 of the Administrative Code.
 - (c) Taking action to minimize, control, or eliminate the conditions that contribute to the production of leachate.
 - (6) Quarterly inspection of the sanitary landfill facility during each year of the post-closure care period and submittal of a written summary to the appropriate Ohio EPA district office and approved board of health not later than fifteen days after the inspection date detailing the results of the inspection and a schedule of any actions to be taken to maintain compliance with paragraphs (A)(1) to (A)(5) of this rule. At a minimum, the quarterly inspection shall assess the condition and operation of the following:

- (a) The surface water management system.
 - (b) The gas management system.
 - (c) The access road and access controls.
 - (d) For the initial three years of post-closure care, signage.
 - (e) The cap system and vegetative cover including any occurrences of settling, subsidence or other effects of slope failure, ponding, erosion, or leachate outbreaks.
 - (f) The leachate management system including leachate depth in the sump.
- (7) Fulfilling the monitoring and reporting requirements in accordance with rule 3745-27-10 of the Administrative Code for ground water, rule 3745-27-12 of the Administrative Code for explosive gas, Chapter 3745-76 of the Administrative Code for landfill emissions, and any monitoring and reporting requirements in accordance with any orders or authorizing documents. The frequency of ground water detection monitoring sampling and analysis may be changed in accordance with paragraph (D)(6) of rule 3745-27-10 of the Administrative Code.
- (8) If a substantial threat of water pollution exists from leachate entering surface waters, monitoring of the surface water as required by the director or health commissioner.
- (9) Submitting a report to the appropriate Ohio EPA district office and approved board of health and placing a copy into the operating record not later than the first day of April of each year. At a minimum, the report shall contain the following:
- (a) If a leachate collection system exists, a summary of the quantity of leachate collected for treatment and disposal on a monthly basis during the year, the location of leachate treatment or disposal, and copies of all testing results performed for disposal.
 - (b) If a leachate collection system exists, results of analytical testing of an annual grab sample of leachate for the parameters specified in appendix I to rule 3745-27-10 of the Administrative Code. The grab sample shall be obtained from the leachate management system.
 - (c) A summary of the conditions and operation of the leachate management system, ground water monitoring system, explosive gas monitoring system, and any other monitoring and control system installed at the sanitary landfill facility.
 - (d) The most recent updated post-closure care cost estimate adjusted for inflation and for any change in the post-closure cost estimate pursuant to rule 3745-27-16 of the Administrative Code.
 - (e) The occurrence of any of the following:
 - (i) Construction of occupied structures within one thousand feet of the limits of waste placement.
 - (ii) Installation of water wells within one thousand feet of the limits of waste placement.
 - (iii) Surface mining within three hundred feet of the limits of waste placement.
 - (f) A statement that, to the best of the knowledge of the owner, operator, or permittee, the information contained in the annual report is true and accurate.
- (10) Maintaining records and reports generated by paragraphs (A)(6), (A)(7), and (A)(9) of this rule that shall

be kept for the duration of the post-closure care period at a location where the records and reports are available for inspection by Ohio EPA, or the approved board of health or their authorized representative, during normal working hours. If the owner or operator has established an operating record, the records and reports shall be kept in the operating record in accordance with rule 3745-27-09 of the Administrative Code.

- (B) Upon completion of the post-closure care period, the owner, operator, or permittee shall submit to the director written certification that the sanitary landfill facility has completed post-closure care activities in accordance with this rule and the final closure/post-closure plan. The certification shall be accompanied by documentation that demonstrates the post-closure care activities have been completed and be signed and sealed by a professional engineer registered in Ohio. The documentation shall include the following:
- (1) A summary of changes to leachate quality and quantity.
 - (2) Rate of leachate generation and quantity of leachate in the sanitary landfill facility, with an explanation of how these figures were derived.
 - (3) A summary of any on-going ground water assessment or corrective measures.
 - (4) A summary of explosive gas migration and generation by the sanitary landfill facility.
 - (5) An assessment of the integrity and stability of the cap system if post-closure care activities cease.
- (C) The owner or operator may request to discontinue or revise any of the activities contained in paragraph (A) of this rule at any time during the post-closure care period by submitting a performance-based and risk-based demonstration that is based on such factors as the inspection or monitoring results or reports pursuant to this rule and whether human health or safety of the environment is or will be protected. If the director determines that discontinuance or revision of the post-closure care requirements is unlikely to adversely impact human health, safety, and the environment, the director may grant the request.
- [Comment: A release by the director from any post-closure care obligations in accordance with this rule does not relieve the owner or operator from any applicable obligations under Chapter 3704., 3734., or 6111. of the Revised Code or any other state or federal rules and laws.]
- (D) The post-closure care period may be extended by order of the director or a court of competent jurisdiction if conditions at a sanitary landfill facility are impacting human health, safety, or the environment or if ground water assessment or ground water corrective measures are required to be conducted at the sanitary landfill facility in accordance with rules adopted under Chapter 3734. of the Revised Code.
- (E) Upon written request by the owner or operator of a noncontiguous unit of a sanitary landfill facility, the director may authorize discontinuance of the ground water detection monitoring requirements of paragraph (A)(6) of this rule at the noncontiguous unit prior to the end of the post-closure care period for the sanitary landfill facility, provided the owner or operator meets the following:
- (1) Has completed a minimum of thirty years of ground water detection monitoring in accordance with rule 3745-27-10 of the Administrative Code from the date the owner or operator submitted the written certification report pursuant to paragraph (J) of rule 3745-27-11 of the Administrative Code.
 - (2) Is not implementing a ground water quality assessment program or a corrective measures program pursuant to rule 3745-27-10 of the Administrative Code.

- (3) Is monitoring the noncontiguous unit separately for the purpose of ground water detection monitoring.
- (F) The health commissioner and the director, or their authorized representatives, upon proper identification, may enter any closed sanitary landfill facility or closed noncontiguous unit at any time during the post-closure care period for the purpose of determining compliance with this rule.

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CERTIFIED ELECTRONICALLY

Certification

11/02/2020

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