

# FINAL

**SUBJECT:** Solid Waste Guidance: Use of Alternate  
Parameter Lists [OAC 3745-30-08(D)(2)]

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**PURPOSE:** To clarify and describe how the permittee of a residual waste landfill facility (RWLF) may request to use an alternate parameter list under 3745-30-08(D)(2) of the Ohio Administrative Code. This document provides guidance concerning the information that needs to be submitted with the request for use of alternate parameters.

**BACKGROUND:** The residual waste rules (OAC 3745-30) regulate the disposal of industrial waste in Class II, III and IV landfills in Ohio. Ground water monitoring is required for Class II and III landfills under OAC 3745-30-08. RWLFs must analyze ground water samples for the parameters listed in Appendix III of OAC 3745-27-08. If an entity desires to use an alternate ground water analysis parameter list, they must request one under OAC 3745-30-08(D)(2). OAC 3745-30-08(D)(2) requires that the alternate list be presented and that the waste be analyzed and the results from that analysis be submitted.

This guidance document will describe:

- a. When a request for using an alternate parameter list may be made;
- b. If this regulation allows for an alternate sampling schedule;
- c. What information is required to be submitted in the request; and
- d. When an application is incomplete and unreviewable.

**GUIDANCE:** **When can the permittee of a RWLF make a request under OAC 3745-30-08(D)(2)?**

A permittee of an RWLF may request permission to use an alternate parameter list under OAC 3745-30-08(D)(2) at any time during either the permit application process or during the active and post-closure care periods of the facility. This request can only be made for facilities conducting a detection monitoring program. Facilities conducting a ground water quality assessment program (GWQAP) or a corrective measures program (CMP) cannot use this rule to apply for an alternate parameter list for those parts of their facilities currently operating under a GWQAP or a CMP. The alternate list cannot be used until the Director approves the request.

**Does this regulation allow an alternate sampling schedule?**

OAC 3745-30-08(D)(2) does not allow facilities to alter their sampling schedule, only the constituents analyzed for in ground water samples under that schedule. Facilities must, unless given a separate waiver under 3734.02(G) of the Ohio Revised Code, follow the schedule required in OAC 3745-30-08(D).

**What information is required to be submitted in a request under OAC 3745-30-08(D)(2)?**

Any request made under OAC 3745-30-08(D)(2) must contain seven (7) types of information including:

- a. **OAC 3745-30-08(D)(2)(a) requires a list of parameters to be analyzed for in ground water samples during the first year of ground water monitoring.**

This list should include all the parameters which will be analyzed for in ground water samples on a semi-annual and annual basis. It should also include at least one quarter of analysis for the volatile organic compounds (VOCs) specified in Appendix I of OAC 3745-30-08. The purpose of the first year of ground water monitoring is to establish background concentrations for the approved monitoring parameters in the ground water flowing under and around the facility. This background data will be used after the initial year of sampling to determine if the facility has released contaminants to the ground water.

- b. **OAC 3745-30-08(D)(2)(b) requires a list of parameters to be analyzed for in ground water samples on a semi-annual basis.**

This list should, at a minimum, be identical to the indicator parameter list required by OAC 3745-30-08(D)(2)(d).

- c. **OAC 3745-30-08(D)(2)(c) requires a list of parameters to be analyzed for on an annual basis.**

This list should include all of the major parameters or soluble constituents contained within or indicative of the wastes to be disposed of at the facility. Parameters which would be considered indicative of the waste include total dissolved solids, total organic carbon, pH, specific conductance, etc.

- d. **OAC 3745-30-08(D)(2)(d) requires that the facility identify the parameters to be used as indicator parameters.**

These parameters must be included on the list of parameters to be analyzed at least semi-annually. They should be soluble and should be parameters which provide the best indication of whether a release has occurred from the facility. Ideally, they should be the parameters for which a significant increase in the ground water would indicate that the facility is the cause of the change and therefore is contaminating the ground water.

- e. **OAC 3745-30-08(D)(2)(e) requires that the facility specify the chemical composition of the waste(s) that have been or will be deposited at the facility.**

The applicant should provide as complete an analysis of the waste(s) as practical. This analysis should at least include all of the constituents (elements and compounds) listed in Appendix III of OAC 3745-30-08. The analysis of the waste should reflect the chemical composition of the waste itself. Submittal of analysis results from the EP toxicity or the TCLP tests shall not be considered acceptable to meet the provisions of this rule as they do not represent the actual chemical composition of the waste.

- f. **OAC 3745-30-08(D)(2)(f) requires that the facility specify the chemical composition of the leachate that is or will be generated from the facility.**

The leachate chemical analysis for new or proposed facilities can be derived from leachate from another RWLF where a similar waste stream is being or has been disposed. This chemical analysis should include all of the constituents (elements and compounds) listed in Appendix III of OAC 3745-30-08. Analytical results submitted under this provision should be from samples of leachate gathered from a closed or operating RWLF. Submittal of analysis results from the EP toxicity or the TCLP tests shall not be considered acceptable to meet the provisions of this rule. EP toxicity and TCLP test results do not represent the leachate that a facility will generate, but the hypothetical composition of leachate contaminated ground water in a well one hundred (100) feet from the landfill. These tests are usually used to classify waste and it has been Ohio EPA's experience that these tests underestimate the true concentrations of constituents in the leachate. The purpose of this rule is to determine the actual concentration of constituents in leachate from a closed or existing RWLF where similar waste constituents are being disposed. As such, the use of EP toxicity or TCLP tests shall not meet the provisions of this rule.

- g. **OAC 3745-30-08(D)(2)(g) allows the director or his authorized representative to require additional information as necessary.**

If the Division of Drinking and Ground Waters - Ground Water Program (DDAGW-GWP) staff requests information not specifically required in this regulation, they shall be specific as to the information they need and the reasons for why the information is needed.

#### **When is an application incomplete?**

An OAC 3745-30-08(D)(2) request is incomplete if it does not contain the information required by OAC 3745-30-08(D)(2)(a) through (f). The only exception is when the information requested under OAC 3745-30-08(D)(2)(f) is impossible or impractical to acquire as no leachate sample can be obtained that will be satisfactory for the purposes of that regulation. If that is the case, the request must contain an explanation for why a leachate sample could not be obtained for analysis. If the request does not contain all the information required by OAC 3745-30-08(D)(2), it should be considered incomplete and should be returned to the Division of Solid and Infectious Waste Management district office management by the DDAGW-GWP district office supervisor.

