

3745-66-17 Post-closure care and use of property.**(A)**

- (1) Post-closure care for each hazardous waste management unit subject to the requirements of rules 3745-66-17 to 3745-66-20 of the Administrative Code must begin after completion of closure of the unit and continue for thirty years after that date. It must consist of at least the following:
 - (a) Monitoring and reporting in accordance with the requirements of rules 3745-65-90 to 3745-65-94, 3745-67-20 to 3745-67-30, 3745-67-50 to 3745-67-60, 3745-67-70 to 3745-67-82, and 3745-68-01 to 3745-68-16 of the Administrative Code; and
 - (b) Maintenance and monitoring of waste containment systems in accordance with the requirements of rules 3745-65-90 to 3745-65-94, 3745-67-20 to 3745-67-30, 3745-67-50 to 3745-67-60, 3745-67-70 to 3745-67-82, and 3745-68-01 to 3745-68-16 of the Administrative Code.
- (2) Any time preceding closure of a hazardous waste management unit subject to post-closure care requirements or final closure, or any time during the post-closure period for a particular hazardous waste disposal unit, the director may:
 - (a) Shorten the post-closure care period applicable to the hazardous waste management unit, or facility, if all disposal units have been closed, if he finds that the reduced period is sufficient to protect human health and the environment (e.g., leachate or ground water monitoring results, characteristic of the hazardous waste, application of advanced technology, or alternative disposal, treatment, or re-use techniques indicate that the hazardous waste management unit or facility is secure); or
 - (b) Extend the post-closure care period applicable to the hazardous waste management unit or facility, if he finds that the extended period is necessary to protect human health and the environment (e.g., leachate or ground water monitoring results indicate a potential for migration of hazardous wastes at levels which may be harmful to human health and the environment).

(B) The director may require, at partial or final closure, continuation of any of the security requirements of rule 3745-65-14 of the Administrative Code during part or all of the post-closure period when:

- (1) Hazardous wastes may remain exposed after completion of partial or final closure; or
- (2) Access by the public or domestic livestock may pose a hazard to human health.

- (C) Post-closure use of property on or in which hazardous wastes remain after partial or final closure must never be allowed to disturb the integrity of the final cover, liner(s), or any other components of the containment system, or the function of the facility's monitoring systems, unless the director finds that the disturbance:
- (1) Is necessary to the proposed use of the property, and will not increase the potential hazard to human health or the environment; or
 - (2) Is necessary to reduce a threat to human health or the environment.
- (D) All post-closure care activities must be in accordance with the provisions of the approved post-closure plan as specified in rule 3745-66-18 of the Administrative Code.

Effective: 12/07/2004

119.032 review dates: Exempt

Promulgated under: 119.03

Statutory authority: 3734.12

Rule amplifies: 3734.12

Prior effective dates: 04/15/1981, 01/07/1983, 11/13/1987