

## TO BE RESCINDED

3745-27-24

**Final closure of solid waste transfer facilities.**

~~(A) Final closure is mandatory for solid waste transfer facilities when any of the following occur:~~

~~(1) The owner or operator declares the facility will cease accepting waste. Except for transfer facilities that accept exclusively yard waste for transfer, final closure shall be completed in accordance with paragraphs (B) to (E) of this rule. Transfer facilities accepting exclusively yard waste shall complete final closure in accordance with paragraphs (B) and (C) of this rule.~~

~~(2) A solid waste facility license held by the solid waste transfer facility expires, and no further license has been applied for in the manner prescribed in Chapter 3745-37 of the Administrative Code. Final closure shall be completed in accordance with paragraphs (B) to (E) of this rule.~~

~~(3) A solid waste facility license held by the solid waste facility expires, no further license has been applied for in the manner prescribed in Chapter 3745-37 of the Administrative Code, and the owner or operator can document that the facility is a legitimate recycling facility as defined by rule 3745-27-01 of the Administrative Code. Final closure shall be completed in accordance with paragraph (F) of this rule.~~

~~(4) A solid waste facility license held by the transfer facility has expired, a further license has been applied for and denied, and all remedies for such denial have either been exhausted, or waived by failure to pursue such remedies in a timely manner. Final closure shall be completed in accordance with paragraph (C) to (E) of this rule.~~

~~(5) A solid waste facility license held by the facility has been suspended or revoked, and all remedies for such revocation or suspension have either been exhausted or waived by failure to pursue such remedies in a timely manner. Final closure shall be completed in accordance with paragraphs (C) to (E) of this rule.~~

~~(6) Detail plans, specifications, and information submitted as required by division (A)(5) of section 3734.05 of the Revised Code are disapproved, and all remedies for such disapproval have either been exhausted or waived by failure to pursue such remedies in a timely manner. Final closure shall be completed in accordance with paragraphs (C) to (E) of this rule.~~

~~(B) The owner or operator shall provide notice by certified mail of the anticipated date on which the solid waste transfer facility will cease to accept solid waste to the board of health having jurisdiction, to the single or joint county solid waste planning district in which the facility is located, and to the director. Such notice shall be provided not less than ninety days prior to the anticipated date on which solid waste~~

~~will cease to be accepted. Concurrently, the owner or operator shall commence publishing, at three week intervals, prominent notice of the anticipated date on which waste will cease to be accepted at the solid waste transfer facility. Such notice shall be published in the county in which the facility is located and in any other county which has been the source of twenty five per cent or more of the solid wastes transferred through the facility over the previous twelve months. Notice shall be provided by certified mail to the director and to the board of health having jurisdiction that affirms the notices have been published in accordance with this paragraph. Not less than thirty days prior to the anticipated date on which the facility will cease to accept solid waste, notice shall be provided by certified mail to the director of any changes to the information that identifies the facility's final closure contact person.~~

~~(C) Not later than thirty days after a transfer facility has ceased to accept solid waste for transfer, the owner or operator shall:~~

~~(1) Thoroughly clean all waste handling facilities, equipment, and areas on the premises. For purposes of this rule, final cleaning of a solid waste transfer facility, at a minimum, must include the following actions:~~

~~(a) All solid wastes shall be removed from the facility and disposed properly.~~

~~(b) All areas of the facility and any appurtenances, including, but not limited to, containers, equipment, machines, floors and facility surfaces that were in contact with solid wastes at any time during the operation of the facility and that are not to be removed during the final cleaning, shall be washed or otherwise subjected to procedures that substantially reduce or eliminate any remaining constituents or contaminants derived from contact with solid wastes.~~

~~(c) All leachate remaining on the site shall be removed and disposed properly. The leachate collection system shall be thoroughly flushed of all materials derived from or that have contacted solid wastes.~~

~~(2) Post signs in such a manner as to be easily visible at all access gates leading into the facility, stating that the facility is closed for all solid waste transfer activities. These signs shall be maintained in legible condition for not less than six months after closing the facility.~~

~~(D) Not later than sixty days after a transfer facility has ceased to accept solid waste for transfer, the owner or operator shall complete the following actions:~~

~~(1) The leachate collection system shall be modified, removed or sealed, as necessary, to prevent filing or overflow of leachate conveyance and storage structures or to prevent discharges from the system to waters of the state unless such discharges are otherwise regulated in accordance with Chapter 6111. of the Revised Code.~~

- ~~(2) The closed facility shall be baited for rodents and treated for other vectors, as necessary.~~
- ~~(E) Within thirty days of completing the requirements as outlined in paragraphs (C) and (D) of this rule or before the closed facility may be converted to other uses, whichever occurs first, the owner or operator shall certify to the licensing board of health, or, if the director has assumed the licensing function pursuant to section 3734.08 of the Revised Code, to the director, that the facility has been thoroughly cleaned and closed pursuant to paragraphs (C) and (D) of this rule.~~
- ~~(F) The owner or operator shall provide, by certified mail, written notice of intent to close the solid waste facility and documentation of the facility's status as a legitimate recycling facility, to the board of health, if the board has the licensing function, and to the director not less than sixty days prior to the anticipated date on which the facility will cease to operate as a solid waste transfer facility. Final closure will be completed when, not later than ninety days after the date on which the facility ceases to operate as a solid waste transfer facility, the licensing board of health, and the director have received the following:~~
- ~~(1) Documentation that the facility meets the exemption requirements of a legitimate recycling facility described in rule 3745-27-03 of the Administrative Code.~~
  - ~~(2) Documentation that all areas previously used for solid waste transfer activities which will not be used for legitimate recycling activities have been closed in accordance with paragraph (C) and (D) of this rule.~~
- ~~(G) The health commissioner or the director, upon presenting proper identification, may enter any closed solid waste transfer facility at any reasonable time for the purpose of determining compliance with this rule.~~

Effective:

Five Year Review (FYR) Dates: 05/04/2016

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Certification

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Date

Promulgated Under: 119.03  
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