

3745-27-73

Final closure of a scrap tire monofill facility.

- (A) **Applicability.** The owner or operator of a scrap tire monofill facility shall comply with the requirements of this rule.
- (B) **Final closure/post-closure care plan.** The final closure/post-closure care plan for a scrap tire monofill facility, which shall, at a minimum, contain all of the following:
- (1) The name and location of the facility in the final closure/post-closure care plan and a schedule.
 - (2) Any variances or exemptions from the requirements of this rule or rule 3745-27-74 of the Administrative Code or any alternative schedule for completing final closure activities.

[Comment: If a variance, exemption, or alternative schedule is identified, the request must be submitted to the director and must receive prior approval; otherwise, the rule requirements are applicable and enforceable.]
 - (3) The name, address, and telephone number of the person or office to contact regarding the scrap tire monofill facility during the final closure and post-closure care period.
 - (4) The following information to be presented in the same manner as outlined in rule 3745-27-72 of the Administrative Code:
 - (a) Plan drawings of the horizontal limits and top elevations of waste and the cap system; and surface water control structures including permanent ditches to control run-on and runoff; and sedimentation ponds including the inlet and outlet.
 - (b) Establish a grid system with northings and eastings not more than five hundred feet apart.
 - (c) Detail drawings of the composite cap system including but not limited to the key trench, any penetrations, cap drainage structures and surface water run-on and runoff control structures.
 - (d) Detail drawings of sedimentation pond and discharge structures and surface water run-on and runoff control structures.
 - (e) Static and seismic stability analysis.

- (f) The financial assurance information in accordance with rules 3745-27-15 and 3745-27-16 of the Administrative Code.
 - (5) Description of availability and suitability of cap material.
 - (6) Quality assurance/quality control plan for cap system construction in accordance with paragraph (F) of rule 3745-27-72 of the Administrative Code.
 - (7) Description of anticipated measures to control erosion.
 - (8) Contingency plans for ground water contamination, leachate, fire, differential settling.
- (C) Mandatory closure. The owner or operator shall begin final closure activities in accordance with the final closure/post-closure care plan and paragraph (F) of this rule no later than seven days after any of the occurrences specified in this paragraph. Approval of the final closure/post-closure care plan does not affect the owner's or operator's obligations to begin and complete final closure activities in accordance with paragraphs (G) and (H) of this rule. It is mandatory to begin closure activities for a scrap tire monofill facility upon the occurrence of any of the following:
- (1) A solid waste license issued for the scrap tire monofill facility has expired, and a renewal license has not been applied for in the manner prescribed in Chapter 3745-37 of the Administrative Code.
 - (2) A solid waste license issued for the scrap tire monofill facility has expired, and another license has been applied for and been denied as a final action.
 - (3) A solid waste license issued for the scrap tire monofill facility has been revoked as a final action.
 - (4) A solid waste license issued for the scrap tire monofill facility has been suspended as a final action.
 - (5) The owner or operator declares that the facility will cease acceptance of scrap tires for disposal by a date certain.
 - (6) All approved limits of solid waste placement for the facility have been reached,

as specified in the plan approval, operation report, approved permit(s) to install, or other authorization of the director.

(D) Notification of anticipated date to cease acceptance of scrap tires.

- (1) The owner or operator shall provide notice by certified mail or any other form of mail accompanied by a receipt of the anticipated date on which the scrap tire monofill will cease to accept scrap tires if final closure is or will be triggered by paragraph (C)(1) or (C)(5) or (C)(6) of this rule. Such notice shall be provided not less than ninety days prior to the anticipated date on which scrap tires will cease to be accepted.
 - (2) The owner or operator shall send a copy of the notice specified in paragraph (D)(1) of this rule to the following:
 - (a) The board of health having jurisdiction.
 - (b) The single or joint county solid waste planning district in which the monofill is located.
 - (c) The director.
 - (3) Concurrently with the submission of the notice required by paragraph (D)(1) of this rule, the owner or operator shall commence publishing at three-week intervals, prominent notice of the anticipated date on which scrap tires will cease to be accepted at the scrap tire monofill. Such notice shall be published in the county in which the scrap tire monofill facility is located and in any other county which has been a source of at least twenty-five per cent of the scrap tires deposited at the scrap tire monofill facility over the previous twelve months of operation. Notice shall be provided to the director and the board of health having jurisdiction that affirms the notices have been published in accordance with this paragraph.
 - (4) Not less than thirty days prior to the anticipated date on which the facility will cease to accept scrap tires, notice shall be provided by certified mail or any other form of mail accompanied by a receipt to the director of any changes to the information that identifies the facility's final closure contact person.
- (E) The owner or operator shall send notification by certified mail or any other form of mail accompanied by a receipt to the director and to the board of health having jurisdiction of the actual date that the scrap tire monofill facility ceased to accept

scrap tires. Notification shall be sent to the director and the board of health having jurisdiction not later than seven days after the date specified in the notification.

(F) The owner or operator shall begin final closure activities at the scrap tire monofill facility not later than seven days after any of the occurrences in paragraph (C) of this rule. Final closure activities for all of a scrap tire monofill facility shall include, at a minimum, the items specified in the final closure/post-closure care plan and paragraphs (G) and (H) of this rule.

(G) Composite cap system. The owner or operator shall construct a composite cap system in accordance with 3745-27-72 of the Administrative Code, consisting of a geotextile fabric, a soil barrier layer, a granular drainage layer and cap protection layer.

(H) Other closure activities.

(1) The owner or operator shall continue to comply with rule 3745-27-75 of the Administrative Code and all monitoring and reporting activities required during the operating life of the scrap tire monofill facility until the closure certification is submitted and the post-closure care period begins.

(2) The owner or operator shall install the required surface water control structures including permanent ditches to control run-on and runoff and sedimentation pond(s), as shown in the final closure/post-closure plan, and as necessary, grade all land surfaces to prevent ponding of water where scrap tires has been placed and institute measures to control erosion.

[Comment: The minimum slope standard in OAC rule 3745-27-72 is a design standard. For closure certification, it is not necessary to regrade the site if there is not a ponding problem, even if the slope no longer meets the design in the closure/post-closure plan.]

(3) The owner or operator shall bait for rodents and treat for other vectors as necessary.

(4) The owner or operator shall record on the plat and deed to the scrap tire monofill facility property, or on some other instrument which is normally examined during title search, that will in perpetuity notify any potential purchaser of the property that the land has been used as scrap tire monofill facility, a notation describing the impacted acreage, exact location, depth, volume, and nature of scrap tires deposited in the phase(s) of the scrap tire monofill facility.

- (5) Upon ceasing acceptance of scrap tires at a scrap tire monofill facility, the owner or operator shall post signs, in such a manner as to be easily visible from all access roads leading onto the scrap tire monofill facility, stating in letters not less than three inches high that the scrap tire monofill facility no longer accepts scrap tires. Signs shall be maintained in legible condition for not less than two years after final closure activities have been completed.
 - (6) Upon ceasing acceptance of scrap tires at the scrap tire monofill facility, the owner or operator shall block, by locked gates, fencing, or other sturdy obstacles, all entrances and access roads to the scrap tire monofill facility to prevent unauthorized access during the final closure and post-closure period.
 - (7) Upon closing the facility, the owner or operator shall construct the composite cap system in accordance with rule 3745-27-72 of the Administrative Code.
- (I) Final closure activities shall be completed not later than one year after any of the occurrences in paragraph (C) of this rule, unless an alternate schedule has been approved by the director.
- (J) Final closure certification. Not later than ninety days after the completion of final closure activities, the owner or operator shall submit to the director, and to the board of health having jurisdiction, a written certification report. The final closure certification shall include verification that the scrap tire monofill facility has been closed in accordance with this rule and the "final closure/post-closure plan". The final closure certification shall at a minimum include the following:
- (1) A list of the construction certification reports for construction of the composite cap system with the date of submittal and a topographic map of the entire scrap tire monofill facility showing the areas certified by each report. The map shall also show the horizontal limits of waste placement and the surface water control structures including permanent ditches to control run-on and runoff, and the following if present: the sedimentation pond(s) including the inlet and outlet, the outlet of any permanent ground water control structures, and the explosive gas control system.
 - (2) A demonstration that the sign required by paragraph (H)(5) of this rule has been posted, and that all entrances and access roads have been blocked as required by paragraph (H)(6) of this rule.
 - (3) A copy of the plat and deed or other instrument which is normally examined during a title search, showing the notation required by paragraph (H)(4) of this rule and bearing the mark of recordation of the office of the county

recorder for the county in which the property is located.

(K) [Reserved.]

(L) The health commissioner and the director, or their authorized representatives, upon proper identification, may enter the scrap tire monofill facility at any time during the final closure period for the purpose of determining compliance with this rule.

(M) It is the responsibility of the owner or operator to complete final closure of a scrap tire monofill facility in a manner that minimizes the need for further maintenance and minimizes post-closure formation and release of leachate to air, soil, ground water, or surface water to the extent necessary to protect human health and the environment.

(N) The owner or operator of a scrap tire submergence facility shall also do the following:

(1) Remove all scrap tires from the facility.

(2) Prior to discharging water from the facility to waters of the state, perform testing and obtain necessary authorizations required by Chapter 6111. of the Revised Code and the rules adopted thereunder.

(3) Perform such other activities as are necessary to close the facility in a manner that is protective of human health, safety, and the environment.

(O) The owner or operator of a scrap tire submergence facility shall comply with the closure requirements specified in this rule except that the following are not applicable to a scrap tire submergence facility:

(1) Paragraphs (B)(4) to (B)(8) with the exception of (B)(4)(f), and (B)(7) of this rule.

(2) Paragraph (G) of this rule.