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Draft Construction and Demolition Debris Landfill Rules
Available for Public Comment

To enhance protection of the environment and public health, Ohio EPA has released draft rules that would minimize the environmental impacts from new and expanding construction and demolition debris (C&DD) landfills. Public comments will be taken through April 1, 2011.

Currently, C&DD landfills must obtain an annual operating license and follow minimal operating rules. Studies have shown that leachate from C&DD landfills contains pollutants that could contaminate ground water and surface water if released into the environment. The draft rules include siting, design and operating requirements to prevent such problems. New and expanding C&DD landfills would be required to obtain a permit prior to construction, as well as an annual operating license. Enhanced requirements for new and expanding C&DD landfills would include:

- improved engineering that includes better liners and better caps;
- improved ground water monitoring specifically designed to detect if there are any impacts from the operation of the facility;
- monitoring odors on a daily basis and addressing odors that are noted, including maintaining a log of odor complaints from neighbors;
- inspecting for indications of surface and subsurface fires and addressing those that are noted; and
- providing five years of post-closure care, as well as adequate financial assurance to provide environmentally protective closure and post-closure care of the landfill.

In 2005, the Ohio General Assembly required Ohio EPA to revise its construction and demolition debris disposal regulations. The Agency published draft regulations in 2006 and received extensive comments from interested parties. In response to comments received, Ohio EPA conducted additional technical studies, including an evaluation of leachate data from Ohio's C&DD landfills. In 2007, Ohio EPA also sampled all of the operating C&DD landfills and one closed C&DD landfill in Ohio where access to leachate existed (30 C&DD landfills).

The [study](#), completed in 2009, concluded that leachate from Ohio C&DD landfills poses a threat to public health and the environment if released to ground water or surface water. The threat is posed by a variety of organic parameters, metals, and inorganic parameters. The degree of risk associated with the threat by a release is dependent upon how the C&DD was disposed, site conditions, and circumstances surrounding the site, which often change over time.

Some of the rules originally proposed for these facilities in 2006 are now included in new, multi-program chapters. These rules -- which cover permitting, licensing, ground water monitoring, site investigation, design and construction -- are being released for comment concurrently with the C&DD rules.

Ohio EPA strongly recommends that those planning to submit comments review [guidance documents](#) explaining all rule revisions that apply to construction and demolition debris facilities available on Ohio EPA's website. Links to all of the [draft rules](#) can be found online.

Comments on the draft rules can be emailed to annette.dehavilland@epa.state.oh.us or mailed to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Annette DeHavilland, P.O. Box 1049, Columbus, Ohio 43216-1049, no later than April 1, 2011.

Ohio EPA will consider all comments submitted prior to April 1 before formally proposing these rules. When the rules are formally proposed, Ohio EPA will hold a public hearing and offer another public comment period before adopting final rules.