

3745-555-610 Operation of a solid waste transfer facility – general requirements.

The owner or operator of a solid waste transfer facility shall do the following:

- (A) Conduct all operations at a transfer facility in compliance with the transfer facility license, the contingency plan, and the permit to install for those transfer facilities with an approved permit to install.
- (B) Have available at the transfer facility copies of the authorizing documents and the contingency plan.

For a transfer facility that consists solely of portable containers and does not have a waste handling floor, the owner or operator shall make the authorizing documents and contingency plan available for inspection by the licensing authority or Ohio EPA during normal operating hours.

- (C) Prepare a contingency plan.

- (1) The contingency plan shall detail the emergency procedures, equipment, material, and services at or available to the facility to address the following:

- (a) Discovery of unauthorized wastes.

- (b) Burning or dusty material.

- (c) Fire, explosion, and spills.

- (d) Equipment failure.

- (e) If operations in all or part of the transfer facility cannot be conducted in compliance with the authorizing documents:

- (i) The handling, removal, and disposal of solid wastes.

- (ii) The written notification of the solid waste management district in which the transfer facility is located, the appropriate Ohio EPA district office, and the local health district.

- (iii) If the transfer facility is unable to accept waste, the general notification of the service area and customers.

- (f) Storage and disposal of leachate in the event that collected leachate cannot be managed in accordance with normal operating procedures.

- (g) The disposal facility where waste from the transfer facility is normally taken can no longer accept waste.

- (2) The contingency plan shall be prepared within the following time frames:

- (a) For a transfer facility established prior to the effective date of this rule, not later than one hundred eighty days after the effective date of this rule.

- [Comment: Unless the owner or operator of a transfer facility who holds a permit to install successfully alters the permit to remove or replace the contingency plan contained therein, the owner or operator is obligated to comply with both contingency plans, the pre-existing plan and the newly prepared plan, in accordance with rule 3745-500-35 of the Administrative Code.]

- (b) For a transfer facility with an approved permit to install issued pursuant to Chapter 3734. of the

Revised Code to establish a new facility after the effective date of this rule, prior to waste acceptance.

- (D) Prior to waste acceptance, execute and fund a financial assurance instrument pursuant to rule 3745-503-05 of the Administrative Code for an amount not less than the current closure cost estimate established in the approved permit to install issued pursuant to Chapter 3734. of the Revised Code. If the closure cost estimate is five thousand five hundred dollars or less, no financial assurance is required.
- (E) For a transfer facility without an approved permit to install issued pursuant to Chapter 3734. of the Revised Code, execute and fund a financial assurance instrument pursuant to rule 3745-503-05 of the Administrative Code for an amount not less than the current closure cost estimate to include the following:
 - (1) The cost of removal and disposal of solid waste. The volume of solid waste shall be based on the maximum amount of waste that can be stored in the waste handling area and stored in containers within the facility boundary.
 - (2) The cost of removal and disposal of leachate.
 - (3) The cost of compliance with the closure requirements in rule 3745-555-700 of the Administrative Code.
- (F) Ensure that at least one operator is on site at all times when the facility is in operation. This paragraph does not apply to a transfer facility that consists solely of portable containers and does not have a waste handling floor.
- (G) Not cause or allow the transfer facility to create a nuisance or health hazard due to dust, odors, or the attraction or breeding of birds, insects, rodents, or other vectors.
- (H) Employ all reasonable measures at the transfer facility to collect, properly contain, and dispose of scattered litter, including frequent policing of the area and the use of wind screens where necessary.
- (I) Manage the transfer facility in such a manner that the attraction, breeding, and emergence of birds, insects, rodents, and other vectors are strictly controlled.
- (J) Maintain the waste handling floor to prevent the infiltration of leachate into the ground.
- (K) Clean the waste handling floor to prevent odors and nuisances.
- (L) Manage and dispose of leachate in accordance with all applicable regulations.
- (M) Have available at or near the transfer facility adequate fire control equipment, material, and services which shall be employed immediately to extinguish any fire at the transfer facility.
- (N) Maintain the integrity and effectiveness of the engineered components of the solid waste transfer facility. If damage to or failure of an engineered component occurs after Ohio EPA has concurred with the construction certification report for that engineered component, the owner or operator shall comply with rules 3745-512-60 and 3745-555-500 to 3745-555-599 of the Administrative Code.
- (O) Annually review and make appropriate revisions to the closure cost estimate and to the financial assurance instrument when the closure cost estimate is over five thousand five hundred dollars. At a minimum, the review shall include an adjustment of the closure cost estimate for inflation using an inflation factor derived from the annual implicit price deflator for gross domestic product as published by the U.S. department of commerce in the February issue of "Survey of Current Business" as described in rule 3745-500-03 of the Administrative Code. The inflation factor is the result of dividing the latest published annual deflator by the

annual deflator for the previous year. After the closure cost estimate is reviewed and increased, the owner or operator shall submit the revised closure cost estimate and appropriate increase to the financial assurance instrument to the director.

Effective: 04/01/2017

Five Year Review (FYR) Dates: 04/01/2022

CERTIFIED ELECTRONICALLY

Certification

09/21/2016

Date

Promulgated Under: 119.03
Statutory Authority: 3734.02
Rule Amplifies: 3734.02