

TO BE RESCINDED

3745-29-14 **Post-closure care of industrial solid waste landfill facilities.**

- (A) Following completion of final closure activities in accordance with rule 3745-29-11 of the Administrative Code or following closure activities in accordance with paragraph (C) of rule 3745-27-10 of the Administrative Code, as effective July 29, 1976, and completed on or after the date three years prior to March 1, 1990, the owner, operator, or permittee shall conduct post-closure care activities at the industrial solid waste landfill facility for a minimum of thirty years. The post-closure care period begins when the certification required by paragraph (J) of rule 3745-29-11 of the Administrative Code has been submitted for the industrial waste landfill facility. Post-closure care activities for all industrial solid waste landfill facilities shall include, but are not limited to the following:
- (1) Continuing operation and maintenance of the leachate management system, the surface water management system, any explosive gas extraction and/or control system, any explosive gas monitoring system, and the ground water monitoring system.
 - (2) Maintaining the integrity and effectiveness of the cap system, including making repairs to the cap system as necessary to correct the effects of settling, dead vegetation, subsidence, ponding, erosion, leachate outbreaks or other events, and preventing run-on and runoff from eroding or otherwise damaging the cap system.
 - (3) Repairing any leachate outbreaks detected at the industrial solid waste landfill facility by doing the following:
 - (a) Contain and properly manage the leachate at the industrial solid waste landfill facility.
 - (b) If necessary, collect, treat, and dispose of the leachate, including, if necessary, following the contingency plan for leachate storage and disposal prepared pursuant to rule 3745-29-19 of the Administrative Code.
 - (c) Take action to minimize, control, or eliminate the conditions which contribute to the production of leachate.
 - (4) Quarterly inspection of the industrial solid waste landfill facility during each year of the post-closure care period and submittal of a written summary to the appropriate Ohio EPA district office not later than fifteen days after the inspection date detailing the results of the inspection and a schedule of any

actions to be taken to maintain compliance with paragraphs (A)(1), (A)(2), and (A)(3) of this rule.

- (5) Fulfilling all monitoring and reporting requirements in accordance with rule 3745-29-10 of the Administrative Code for ground water, with rule 3745-27-12 of the Administrative Code for explosive gas, and with any monitoring required by any orders or authorizing documents. The thirty-year post-closure care period may be shortened for explosive gas monitoring, as outlined in rule 3745-27-12 of the Administrative Code after the initial ten years of the thirty-year post-closure care period. The frequency of ground water sampling and analysis may be changed in accordance with paragraph (D)(7) of rule 3745-30-08 of the Administrative Code.
 - (6) Submitting a report to the appropriate Ohio EPA district office and approved health department not later than the first day of April of each year, which contains the following:
 - (a) A summary of the quantity of leachate collected for treatment and disposal on a monthly basis during the year, and the location of leachate treatment and/or disposal.
 - (b) Results of analytical testing of an annual grab sample of leachate for the parameters specified in paragraph (H) of appendix III to rule 3745-30-08 of the Administrative Code. The grab sample shall be obtained from the leachate management system.
 - (c) The most recent updated post-closure cost estimate adjusted for inflation and for any change in the post-closure cost estimate required by rule 3745-27-16 of the Administrative Code.
 - (7) Records and reports generated by paragraphs (A)(4) to (A)(6) of this rule are to be kept for the duration of the post-closure care period at a location where the records and reports are available for inspection by Ohio EPA or the approved health department during normal working hours.
- (B) Upon completion of the post-closure care period of the industrial solid waste landfill facility, the owner or operator shall submit to the director written certification that the industrial solid waste landfill facility has completed post-closure activities in accordance with this rule and "final closure/post-closure plan." Based on such factors as the inspection or monitoring results required by paragraphs (A)(4) and (A)(5) of this rule and whether human health or safety or the environment is or will be protected, or whether a nuisance is or will be created, the director may either discontinue or extend the post-closure care period. The certification shall be accompanied by

documentation which demonstrates that all post-closure care activities have been completed. The certification shall be signed and sealed by a professional engineer registered in Ohio. The document shall include the following:

- (1) A summary of changes to leachate quality and quantity.
- (2) A summary of any on-going ground water assessment or corrective measures.
- (3) A summary of explosive gas migration and generation by the landfill.
- (4) An assessment of the integrity and stability of the cap system if post-closure care activities cease.

[Comment: If the landfill shows an improvement to leachate quality, the quantity of leachate generated will not cause an outbreak or slope failure, that ground water monitoring is no longer needed, that it is not generating explosive gas which has the potential to migrate underground, and that the cap system will maintain its integrity and stability if post-closure care activities cease, the director may release the owner, operator, or permittee from continuing post-closure care activities.]

(C) [Reserved].

(D) The health commissioner and the director, or their authorized representatives, upon proper identification, may enter any closed an industrial solid waste landfill facility at any time during the post-closure care period for the purpose of determining compliance with this rule.

Effective:

Five Year Review (FYR) Dates: 11/5/2020

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3734.02, 3734.12
Rule Amplifies: 3734.02, 3734.12
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