

3745-27-09 Sanitary landfill facility operating record.**(A) Applicability.**

The owner or operator of a sanitary landfill facility in operation after June 1, 1994 shall establish an operating record, which shall be an indexed repository of documents pertaining to a single sanitary landfill facility. The owner or operator of a new sanitary landfill facility shall establish the operating record by placing in the operating record the documents specified in paragraph (H) of this rule prior to waste receipt at the sanitary landfill facility.

(B) Location and inspection of operating record.

The operating record shall be located at the sanitary landfill facility. Upon the commencement of the post-closure care period for all units of a sanitary landfill facility, the director may approve an alternative location for the operating record. Upon request by Ohio EPA or the approved board of health or their authorized representative, the owner or operator shall provide a copy of the operating record index or make the operating record available for inspection during normal business hours.

(C) Contents of documents in operating record.

- (1) All documents submitted into the operating record shall comply with the requirements of the applicable regulations.
- (2) The owner or operator may revise documents previously placed in the operating record by placing the revised document, or the revised portion of the document, into the operating record. The owner or operator shall clearly indicate in the revised document the changes made to the document.
- (3) The owner or operator shall not submit documents or revisions to documents to the operating record that constitute either of the following:
 - (a) A modification, as that term is defined in rule 3745-27-02 of the Administrative Code, without first obtaining a permit to install from Ohio EPA.
 - (b) An alteration without first obtaining written concurrence from Ohio EPA.

(D) Review of documents by Ohio EPA.

Ohio EPA may review documents in the operating record and require changes or additional submissions if the documents do not satisfy the requirements of Chapter 3745-27 of the Administrative Code. Upon receipt of notification that a document does not comply with the applicable requirements specified in Chapter 3745-27 of the Administrative Code, the owner or operator shall change the document to attain compliance with the applicable requirements.

(E) Annual update of the operating record.

The owner or operator shall update the operating record and the operating record index at a minimum annually, not later than April first of each year during both the operating life of the facility and the post-closure care period, by placing all new documents or revisions to existing documents into the operating record.

(F) Removal of documents from the operating record.

Documents shall not be removed from the operating record without the written approval of the appropriate Ohio EPA district office. Such written approval shall clearly identify the documents to be removed and the circumstances justifying removal. Pages or plan sheets of documents in the operating record may be removed without prior approval when corresponding revised pages or plan sheets have been submitted into the operating record in accordance with this rule.

(G) Signature.

- (1) Documents or revisions to documents submitted to the operating record shall be signed by the owner or operator and the person responsible for the preparation or review of the documents, if not the owner or operator.
- (2) The signature shall constitute a personal affirmation that to the best of the knowledge of the signor the submitted documents are true and complete and comply with the requirements of Chapter 3734. of the Revised Code and the rules adopted thereunder. The signature shall be notarized for the following documents:
 - (a) Operating record index.
 - (b) Any revisions to a document.

(H) Operating record contents. The operating record shall consist of the following documents:

- (1) An operating record index that clearly identifies each document in the operating record, the date of each document's initial submittal, and the date of all subsequent revisions submitted into the operating record. The operating record index shall include a summary of the contents of each document and a description of each revision made to a document.
- (2) The approved permit to install, operational report, or plan approval, whichever documents are applicable. In addition, if not contained in the permit to install application, include the following as appropriate:
 - (a) The PCB and hazardous waste prevention and detection program pursuant to rule 3745-27-19 of the Administrative Code.
 - (b) Financial assurance instruments for final closure and post-closure care pursuant to rules 3745-27-15 and 3745-27-16 of the Administrative Code.
 - (c) The explosive gas monitoring plan pursuant to rule 3745-27-12 of the Administrative Code.
 - (d) The ground water detection monitoring plan pursuant to rule 3745-27-10 of the Administrative Code.
 - (e) The final closure/post-closure care plan and all other plans, notifications, and documents pursuant to rule 3745-27-11 of the Administrative Code.
 - (f) The location restriction demonstrations pursuant to rule 3745-27-20 of the Administrative Code.
 - (g) The surface water control system structures design, if any, in accordance with rule 3745-27-19 of the Administrative Code.
- (3) Copies of any alterations concurred with in writing by Ohio EPA that change the requirements of the approved permit to install, operational report, or plan approval and are not included as a part of a certification report.
- (4) For those facilities that designated existing and new units in accordance with paragraph (M) of this rule effective June 1, 1994, the plan drawings pursuant to that paragraph.
- (5) The interim composite liner/leachate collection system design, if required by paragraph (A)(2) of rule 3745-27-20 of the Administrative Code.
- (6) The annual operational report pursuant to rule 3745-27-19 of the Administrative Code.
- (7) Inspection records, generator certifications, waste screening documentation, or notifications for the PCB

and hazardous waste prevention and detection program pursuant to rule 3745-27-19 of the Administrative Code.

- (8) All construction, final closure, or interim final cover certification reports submitted pursuant to this chapter, after June 1, 1994.
 - (9) All explosive gas monitoring information collected after June 1, 1994, and all other plans, notifications, and documents prepared or submitted after June 1, 1994, pursuant to rule 3745-27-12 of the Administrative Code.
 - (10) All ground water monitoring information collected after June 1, 1994, and all other plans, notifications, and documents prepared or submitted after June 1, 1994, pursuant to rule 3745-27-10 of the Administrative Code.
 - (11) All other notifications and documents prepared pursuant to rule 3745-27-11 of the Administrative Code.
 - (12) All other documents prepared pursuant to rule 3745-27-14 of the Administrative Code.
 - (13) The current operating license for the sanitary landfill facility.
 - (14) Copies of all effective permits issued for the facility by the director under Chapter 3704. or 6111. of the Revised Code and a listing of any pending permit applications submitted for the facility in accordance with Chapter 3704. or 6111. of the Revised Code.
 - (15) A copy of all administrative and judicial orders, judgments, and settlement agreements issued in accordance with Chapter 3734. of the Revised Code and a copy of all administrative and judicial orders, judgments, and settlement agreements issued after June 1, 1994 in accordance with Chapters 3704., 3767., and 6111. of the Revised Code that pertain to the sanitary landfill facility.
 - (16) Other environmental monitoring plans, information, or documents prepared pursuant to this chapter after June 1, 1994.
 - (17) If applicable, the financial assurance instrument for corrective measures pursuant to rule 3745-27-18 of the Administrative Code.
- (I) Schedule for implementation of documents in operating record. The owner or operator shall implement the appropriate documents in the operating record in accordance with the schedules and requirements of this chapter.

[Comment: The owner or operator should refer to the following rules for implementation deadlines and requirements: rule 3745-27-10 of the Administrative Code (ground water monitoring program); rules 3745-27-11 and 3745-27-14 of the Administrative Code (final closure and post-closure care); rule 3745-27-12 of the Administrative Code (explosive gas monitoring program); rules 3745-27-15, 3745-27-16, and 3745-27-18 of the Administrative Code (financial assurance); rule 3745-27-19 of the Administrative Code (certification reports, surface water management, PCB and hazardous waste prevention and detection program); and rule 3745-27-20 of the Administrative Code (installation of interim composite liner/leachate collection system, location restriction demonstrations).]

3745-27-09

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Five Year Review (FYR) Dates: 7/6/2020 and 01/01/2026

CERTIFIED ELECTRONICALLY

Certification

11/02/2020

Date

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