



Adjusting Post-Closure Care Financial Assurance for Additional Activities

Applicable Rules

MSW: OAC 3745-27-16 & OAC 3745-27-18

ISW: OAC 3745-27-16

RSW: OAC 3745-27-16

Tires: OAC 3745-27-16

DMWM Cross-Referenced guidance document:

#675 Closure/Post-Closure Care Cost Estimates

Purpose

This document provides guidance on when the post-closure care financial assurance needs to be adjusted to include additional activities.

Applicability

This document applies to solid waste landfills that are operating or are in post-closure care.

Background

The owner or operator is required to provide financial assurance for final closure and post-closure care. To determine the amount to assure, cost estimates are required. These cost estimates are updated annually for inflation and to address any other changes that would cause the cost estimates to increase.

The purpose of requiring financial assurance is to make funds available to the director for final closure and post-closure care in the event the owner or operator abandons the facility.

At some time, the owner or operator of a solid waste landfill may be required to conduct additional activities such as assessment monitoring or gas remediation. These and other activities, which may extend for a period of time (more than a year), can occur when the landfill is operating or when the landfill is in post-closure care.

Procedure

Whenever an additional activity is conducted, such as assessment monitoring or gas remediation, whether to an operating or closed facility, the post-closure care cost estimate will need to be adjusted to include the new activity. The owner or operator does this as part of the annual cost estimate update. When the additional activity is concluded, the owner or operator may revise the cost estimate accordingly and submit the revised cost estimate to the district office for review. If Ohio EPA concurs, the post-closure care financial assurance may be decreased.

If the owner or operator has already included the activity in the post-closure care cost estimate, for example through a contingency cost item, some adjustment to the estimate may still be necessary during the annual review and update.

DMWM recommends owners and operators use the financial assurance cost estimate forms provided in DMWM guidance document *#675 Closure/Post-Closure Care Cost Estimates*. The cost of certain activities, such as assessment monitoring, are already accounted for in the forms.

¹ Note: This document was originally published on the date noted above. DMWM re-issued the document to make it consistent with current formatting and publication standards after evaluating the content and determining it is still relevant and appropriate. No substantive changes were made to the document.

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Contact

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