

# FINAL

SUBJECT: SOLID WASTE GUIDANCE: OAC 3745-30-08(D)(8)  
To OAC 3745-30-08(D)(13)

NUMBER: GD0403.203  
ISSUED: 1/25/94  
REVISED:  
PAGE: 1 of 3

**PURPOSE:** To describe the process that occurs after a residual waste landfill facility (RWLF) performing a detection ground water monitoring program identifies a statistically significant increase (SSI) in a ground water monitoring indicator parameter (GWMIP) under Rules 3745-30-08(D)(8) through (D)(13) of the Ohio Administrative Code (OAC).

**BACKGROUND:** OAC Rules 3745-30-08(D)(8) through (D)(13) describe the process through which a RWLF performing a detection ground water monitoring program must proceed upon determining that a SSI in a GWMIP has occurred. This process was created to limit the occurrence of a RWLF having to implement a ground water quality assessment plan (GWQAP) due to a false indication of a leachate release. The process described is composed of three steps. These steps involve confirmation of the SSI, determination of the chemical composition of the leachate and determination of the leachate and leachate-derived constituents (LLDCs) released to the ground water and the monitoring wells affected. Once this process is complete the RWLF proceeds with submitting a GWQAP or requests a reinstatement of the detection monitoring program. This guidance will describe this process.

**GUIDANCE:** **The process described in OAC Rules 3745-30-08(D)(8) through (D)(13) is a self-implementing process.** The RWLF is not required to get Ohio EPA approval at any point in the process. The RWLF is required to meet the provisions and timelines contained within the rules. A RWLF cannot legitimately claim a waiver from the timelines in these rules by asking and waiting for a response from Ohio EPA. Further aspects of these rules are described below.

**OAC Rule 3745-30-08(D)(8):** This rule requires that a RWLF record a SSI in the GWMIPs in the same well for two (2) consecutive semi-annual sampling events **prior** to having to proceed toward implementing a GWQAP. The RWLF has to formally notify the Director that an SSI has occurred only after the **second** consecutive semi-annual SSI has occurred. This notification must occur no later than fifteen (15) days after the RWLF receives the data indicating a second consecutive SSI. Because of OAC Rule 3745-30-08(D)(8), this notification must occur no later than ninety (90) days after the relevant sampling event and no later than fifteen (15) days after the data is forwarded to the agency.

**OAC Rule 3745-30-08(D)(9):** This rule splits RWLFs into two different categories:

1. **Those RWLFs that have a leachate collection system.** These RWLFs must sample their leachate collection systems within fifteen (15) days of notifying the Director of an SSI (no later than one-hundred five (105) days after the relevant semi-annual sampling event). The leachate sample should be representative of leachate quality from the landfill. The leachate sample should be collected in a manner that insures that no excessive degassing of volatile organic compounds occurs during sampling and that the leachate sample is collected as close to the monitoring well(s) demonstrating the SSI as practical. This includes using clean out accesses as well as leachate collection sumps in order to obtain the sample. If more than one sample



collection point is appropriate than it is permissible to combine samples collected from these points into one composite sample.

The leachate samples collected under this rule must be sampled from the parameters listed in Appendix II of OAC Rule 3745-30-08. The results from this analysis must be reported to the agency no later than seventy-five (75) days from the date sampling of the leachate collection system occurred. Also no later than seventy-five (75) days after the leachate sample has been collected. The monitoring well(s) demonstrating the SSI must be sampled and the sample analyzed for all LLCs. This means that the ground water sample must be analyzed for all the parameters detected during the Appendix II analysis of the RWLFs leachate collection system as well as any daughter constituents that may be found due to the biological or chemical degradation of the leachate or due to natural occurring constituents being mobilized due to the presence of the leachate.

This rule allows RWLFs to skip sampling their leachate collection system if their leachate has been adequately characterized. These RWLFs may proceed to sample the affected monitoring well(s) for the LLCs expected to be found in the well due to the leachate composition. The monitoring well must be sampled within fifteen (15) days of the director being notified of the SSI under this scenario.

An adequate characterization of the RWLF leachate shall include documentation that the leachate was properly sampled and was analyzed for those constituents listed in Appendix II of OAC 3745-30-08. The sampling of the leachate should have occurred within the previous two (2) years so the types, amounts and ratios of wastes in the RWLF is similar to the time when this rule is applicable.

**2. Those RWLFs that do not have a leachate collection system.**

These RWLFs must proceed within fifteen (15) days of notifying the Director of the SSI, to sample the affected monitoring well(s) for all leachate or leachate-derived constituents including those listed in Appendix II of OAC rule 3745-30-08.

**OAC Rule 3745-30-08(D)(10):** RWLFs must proceed to sample all background monitoring wells for all LLCs detected in the monitoring well demonstrating the SSI. This sampling must occur within ninety (90) days of sampling the monitoring well demonstrating the SSI.

**OAC Rule 3745-30-08(D)(11):** This rule requires that within ninety (90) days of sampling the background monitoring wells, that the RWLF sample all the monitoring wells not already sampled for the LLCs detected above background in the affected monitoring well demonstrating the SSI.

**OAC Rule 3745-30-08(D)(12):** This rule allows the RWLF to request reinstatement to the detection monitoring program. The RWLF must demonstrate to the Director that there has been no release of LLCs to the ground water downgradient of the facility.



The RWLF may use statistics to demonstrate that no relevant constituent is significantly higher in concentration downgradient of the RWLF than upgradient. Any statistical demonstration should be separately done for each constituent in question and should use enough independent samples from both downgradient and upgradient wells [at least four (4) from each well] to insure proper use of the statistics.

The facility is required to submit a GWQAP within 180 days of sampling the monitoring wells per OAC 3745-30-08(D)(11) unless restored by the Director to the detection monitoring program within the 180 days.

**OAC Rule 3745-30-08(D)(13):** This rule allows the director to consider in evaluating a request made under OAC Rule 3745-30-08(D)(12) the following information:

1. The type of constituents and concentration found in ground water monitoring wells at the facility;
2. The ground water use and quality in the vicinity of the facility; and
3. Potential threats to human health or safety and the environment.

