

3745-55-18

Post-closure plan; amendment of plan.

- (A) Written plan. The owner or operator of a hazardous waste disposal unit must have a written post-closure plan. In addition, certain surface impoundments and waste piles from which the owner or operator intends to remove or decontaminate the hazardous wastes at partial or final closure are required by paragraph (C)(2) of rule 3745-56-28 and paragraph (C)(1) of rule 3745-56-58 of the Administrative Code to have contingent post-closure plans. Owners or operators of surface impoundments and waste piles not otherwise required to prepare contingent post-closure plans under paragraph (C)(2) of rule 3745-56-28 and paragraph (C)(1) of rule 3745-56-58 of the Administrative Code must submit a post-closure plan to the director within ninety days from the date that the owner or operator or director determines that the hazardous waste management unit must be closed as a landfill, subject to the requirements of rules 3745-55-17 to 3745-55-20 of the Administrative Code. The plan must be submitted with the permit application, in accordance with paragraph (A)(13) of rule 3745-50-44 of the Administrative Code, and approved by the director as part of the permit issuance procedures under rules 3745-50-40 to ~~3745-50-66~~3745-50-235 of the Administrative Code. The approved post-closure plan will become a condition of the Ohio hazardous waste permit.
- (B) For each hazardous waste management unit subject to the requirements of this rule, the post-closure plan must identify the activities that will be carried on after closure of each disposal unit and the frequency of these activities, and include at least:
- (1) A description of the planned monitoring activities and frequencies at which they will be performed to comply with rules 3745-54-90 to 3745-54-101, 3745-56-20 to 3745-56-31, 3745-56-50 to 3745-56-59, 3745-56-70 to 3745-56-83, 3745-57-02 to 3745-57-17, and 3745-57-90 to 3745-57-93 of the Administrative Code during the post-closure care period; and
 - (2) A description of the planned maintenance activities, and frequencies at which they will be performed, to ensure:
 - (a) The integrity of the cap and final cover or other containment systems in accordance with the requirements of rules 3745-54-90 to 3745-54-101, 3745-56-20 to 3745-56-31, 3745-56-50 to 3745-56-59, 3745-56-70 to 3745-56-83, 3745-57-02 to 3745-57-17, and 3745-57-90 to 3745-57-93 of the Administrative Code; and
 - (b) The function of the monitoring equipment in accordance with the requirements of rules 3745-54-90 to 3745-54-101, 3745-56-20 to 3745-56-31, 3745-56-50 to 3745-56-59, 3745-56-70 to 3745-56-83, 3745-57-02 to 3745-57-17, and 3745-57-90 to 3745-57-93 of the Administrative Code.

- (3) The name, address, and telephone number of the person or office to contact about the hazardous waste disposal unit or facility during the post-closure care period.
 - (4) For facilities where the director has applied alternative requirements at a regulated unit under paragraph (F) of rule 3745-54-90, paragraph (C) of rule 3745-55-10, and/or paragraph (D) of rule 3745-55-40 of the Administrative Code, either the alternative requirements that apply to the regulated unit, or a reference to the enforceable document containing those requirements.
- (C) Until final closure of the facility, a copy of the approved post-closure plan must be furnished to the director upon request, including request by mail. After final closure has been certified, the person or office specified in paragraph (B)(3) of this rule must keep the approved post-closure plan during the remainder of the post-closure period.
- (D) Amendment of plan. The owner or operator must submit a written notification of or request for a permit modification to authorize a change in the approved post-closure plan in accordance with the applicable requirements of rules 3745-50-40 to ~~3745-50-66~~3745-50-235 of the Administrative Code. The written notification or request must include a copy of the amended post-closure plan for review or approval by the director.
- (1) The owner or operator may submit a written notification or request to the director for a permit modification to amend the post-closure plan at any time during the active life of the facility or during the post-closure care period.
 - (2) The owner or operator must submit a written notification of or request for a permit modification to authorize a change in the approved post-closure plan whenever:
 - (a) Changes in operating plans or facility design affect the approved post-closure plan; or
 - (b) There is a change in the expected year of final closure, if applicable; or
 - (c) Events which occur during the active life of the facility, including partial and final closures, affect the approved post-closure plan; or
 - (d) The owner or operator requests the director to apply alternative requirements to a regulated unit under paragraph (F) of rule

3745-54-90, paragraph (C) of rule 3745-55-10, and/or paragraph (D) of rule 3745-55-40 of the Administrative Code.

- (3) The owner or operator must submit a written request for a permit modification at least sixty days prior to the proposed change in facility design or operation, or no later than sixty days after an unexpected event has occurred which has affected the post-closure plan. An owner or operator of a surface impoundment or waste pile that intends to remove all hazardous waste at closure and is not otherwise required to submit a contingent post-closure plan under paragraph (C)(2) of rule 3745-56-28 and paragraph (C)(1) of rule 3745-56-58 of the Administrative Code must submit a post-closure plan to the director no later than ninety days after the date that the owner or operator or director determines that the hazardous waste management unit must be closed as a landfill, subject to the requirements of rule 3745-57-10 of the Administrative Code. The director will approve, disapprove or modify this plan in accordance with the procedures in rules 3745-50-40 to ~~3745-50-66~~3745-50-235 of the Administrative Code. The approved post-closure plan will become a permit condition in accordance with the permit issuance process.
- (4) The director may request modifications to the plan under the conditions described in paragraph (D)(2) of this rule. The owner or operator must submit the modified plan no later than sixty days after the director's request, or no later than ninety days if the unit is a surface impoundment or waste pile not previously required to prepare a contingent post-closure plan. Any modifications requested by the director will be approved, disapproved, or modified in accordance with the procedures in rules 3745-50-40 to ~~3745-50-66~~3745-50-235 of the Administrative Code.

Effective: 02/16/2009

R.C. 119.032 review dates: 08/06/2008 and 08/25/2012

CERTIFIED ELECTRONICALLY

Certification

01/13/2009

Date

Promulgated Under: 119.03
Statutory Authority: 3734.12
Rule Amplifies: 3734.12
Prior Effective Dates: 01/07/1983, 12/28/1987, 02/23/1989, 12/30/1989,
11/11/1999, 03/13/2002, 12/07/2004