

**3745-27-11 Final closure of a sanitary landfill facility.**

**(A) Applicability.**

- (1) The owner or operator of a sanitary landfill facility shall keep the "final closure/post-closure plan" in the operating record of the sanitary landfill facility in accordance with the requirements of rule 3745-27-09 of the Administrative Code.
- (2) The owner or operator of a sanitary landfill facility that ceased acceptance of waste prior to June 1, 1994, as determined by the notification required by paragraph (E) of this rule, shall do one of the following, whichever is applicable:
  - (a) If the director has approved a "final closure/post-closure plan" for a sanitary landfill facility, the owner or operator shall continue to comply with a previously approved "final closure/post-closure plan" and this rule.
  - (b) If the director has not approved a "final closure/post-closure plan" for the sanitary landfill facility, the owner or operator shall complete closure activities in accordance with the following requirements until a "final closure/post-closure plan" is approved:
    - (i) Complete closure activities in accordance with paragraphs (F), (G), (H), (I) and (J) of this rule.
    - (ii) Comply with rule 3745-27-10 of the Administrative Code.
    - (iii) Comply with rule 3745-27-15 of the Administrative Code and rule 3745-27-16 of the Administrative Code.
    - (iv) Comply with rule 3745-27-12 of the Administrative Code.
  - (c) If the final closure certification report for the sanitary landfill facility has not been submitted in accordance with paragraph (J) of this rule, the owner or operator shall comply with paragraphs (F) to (L) of this rule, and rules 3745-27-10 and 3745-27-16 of the Administrative Code.
  - (d) The requirements specified in paragraph (A)(2) of this rule do not affect other schedules or requirements specified in administrative or judicial orders or consent agreements. The director may authorize or approve other schedules or requirements. This rule shall not be construed to affect the liability of the owner, operator, permittee, or licensee for past violations of this rule as effective June 1, 1994, March 1, 1990, or of rule 3745-27-10 of the Administrative Code, as effective July 29, 1976.

**(B) Final closure/post-closure plan.** The owner or operator shall prepare a final closure/post-closure plan in accordance with this rule for the sanitary landfill facility, which shall, at a minimum, contain all the items specified in paragraphs (B)(1) to (B)(10) of this rule. The final closure/post-closure plan shall contain all of the items specified in paragraphs (B)(1) to (B)(10) of this rule for all contiguous unit(s) of a sanitary landfill facility and shall separately address the items specified in paragraphs (B)(1) to (B)(10) of this rule for each noncontiguous unit of a sanitary landfill facility. In the alternative, the owner or operator may prepare separate final closure/post-closure plans for each noncontiguous unit of a sanitary landfill facility.

- (1) The name and location of the facility and the unit(s) included in the final closure/post-closure plan.
- (2) Any variances or exemptions from the requirements of this rule or rule 3745-27-14 of the Administrative Code or any alternative schedule for completing final closure activities.

[Comment: If a variance, exemption, or alternative schedule is identified, the request must be submitted to the director and must receive prior approval; otherwise, the rule requirements are applicable and enforceable.]

- (3) The name, address, and telephone number of the person or office to contact regarding the unit(s) of the sanitary landfill facility during the final closure and post-closure care periods.
  - (4) Schedule of installation of any explosive gas control systems.
  - (5) The following information to be presented in the same manner as outlined in rule 3745-27-06 of the Administrative Code:
    - (a) Plan drawings of the horizontal limits and top elevations of waste and the cap system; and surface water control structures including permanent ditches to control run-on and runoff; and sedimentation ponds including the inlet and outlet.
    - (b) Establish a grid system with northings and eastings not more than five hundred feet apart.
    - (c) Detail drawings of the composite cap system including but not limited to the key trench, any penetrations, cap drainage structures, and surface water drainage structures.
    - (d) Detail drawings of sedimentation pond and discharge structures and surface water run-on and runoff control structures.
    - (e) Static and seismic stability analysis.
    - (f) For a sanitary landfill facility subject to paragraph (A)(2)(a) or (A)(2)(b) of this rule, the ground water detection monitoring plan.
    - (g) For a sanitary landfill facility subject to paragraph (A)(2)(a) or (A)(2)(b) of this rule, the financial assurance information in accordance with rules 3745-27-15 and 3745-27-16 of the Administrative Code.
  - (6) Description of availability and suitability of cap material.
  - (7) Quality assurance/quality control plan for cap system construction.
  - (8) For a sanitary landfill facility subject to paragraph (A)(2)(a) or (A)(2)(b) of this rule, the explosive gas monitoring plan.
  - (9) Description of anticipated measures to control erosion.
  - (10) Contingency plans for leachate, fire, differential settling.
- (C) Mandatory closure. The owner or operator shall begin final closure activities in accordance with the final closure/post-closure plan and paragraph (F) of this rule no later than seven days after any of the occurrences specified in this paragraph. Approval of the final closure/post-closure plan does not affect the owner's or operator's obligations to begin and complete final closure activities in accordance with paragraphs (G) and (H) of this rule.
- (1) It is mandatory to begin closure activities for a sanitary landfill facility upon the occurrence of any of the following:
    - (a) A solid waste disposal license issued for the sanitary landfill facility has expired, and a renewal

license has not been applied for in the manner prescribed in Chapter 3745-37 of the Administrative Code.

- (b) A solid waste disposal license issued for the sanitary landfill facility has expired, and another license has been applied for and denied as a final action.
  - (c) A solid waste disposal license issued for the sanitary landfill facility has been revoked as a final action.
  - (d) A solid waste disposal license issued for the sanitary landfill facility has been suspended as a final action.
  - (e) The sanitary landfill facility otherwise ceases to receive solid waste and there is additional approved capacity remaining in the unit(s) of the sanitary landfill facility. However, closure is not mandatory for a period of one year after ceasing to receive solid waste if operations will resume at the sanitary landfill facility during the year.
- (2) It is mandatory to begin closure activities for a noncontiguous unit(s) of a sanitary landfill facility upon the occurrence of any of the following:
- (a) The owner or operator declares that the noncontiguous unit(s) will cease acceptance of solid waste for disposal by a date certain.
  - (b) All approved limits of solid waste placement for the noncontiguous unit(s) have been reached, as specified in the plan approval, operational report, approved permit(s) to install, or other authorization of the director.
- (3) It is mandatory to begin closure activities for contiguous units of a sanitary landfill facility upon the occurrence of any of the following:
- (a) The owner or operator declares that all of the contiguous unit will cease acceptance of sold waste by a date certain.
  - (b) All approved limits of solid waste placement for all of the contiguous units have been reached, as specified in the plan approval, operational report, approved permit(s) to install, or other authorization of the director.
- (4) It is mandatory to begin closure activities for an existing unit of a sanitary landfill facility, if the owner or operator cannot demonstrate, pursuant to paragraph (B) of rule 3745-27-20 of the Administrative Code that the existing unit complies with the applicable location restrictions and is required to close pursuant to rule 3745-27-20 of the Administrative Code.
- (D) Notification of anticipated date to cease acceptance of solid waste.
- (1) The owner or operator shall provide notice by certified mail or any other form of mail accompanied by a receipt of the anticipated date on which the sanitary landfill facility will cease to accept solid waste if final closure is or will be triggered for all unit(s) by paragraph (C)(1)(a) or (C)(2) of this rule. Such notice shall be provided not less than ninety days prior to the anticipated date on which solid waste will cease to be accepted.
  - (2) The owner or operator shall send a copy of the notice specified in paragraph (D)(1) of this rule to the following:

- (a) The board of health having jurisdiction.
  - (b) The single or joint county solid waste planning district in which the facility is located.
  - (c) The director.
- (3) Concurrently with the submission of the notice required by paragraph (D)(1) of this rule, the owner or operator shall commence publishing at three-week intervals, prominent notice of the anticipated date on which solid waste will cease to be accepted at the sanitary landfill facility. Such notice shall be published in the county in which the sanitary landfill facility is located and in any other county which has been a source of at least twenty-five per cent of the solid wastes deposited at the sanitary landfill facility over the previous twelve months of operation. Notice shall be provided to the director and the board of health having jurisdiction that affirms the notices have been published in accordance with this paragraph. The public notice requirement shall not apply to a sanitary landfill facility owned by a generator, exclusively disposing of solid wastes generated at premises owned by the generator.
- (4) Not less than thirty days prior to the anticipated date on which the facility will cease to accept solid waste, notice shall be provided by certified mail or any other form of mail accompanied by a receipt to the director of any changes to the information that identifies the facility's final closure contact person.
- (E) The owner or operator shall send notification by certified mail or any other form of mail accompanied by a receipt to the director and to the board of health having jurisdiction, as to the actual date that the unit(s) of the sanitary landfill facility ceased to accept solid waste. Notification shall be sent to the director and the board of health having jurisdiction not later than seven days after the date specified in the notification.
- (F) The owner or operator shall begin final closure activities, for all contiguous unit(s) or for each noncontiguous unit(s) of the sanitary landfill facility, not later than seven days after any of the occurrences in paragraph (C) of this rule. Final closure activities for all unit(s) of a sanitary landfill facility shall include, at a minimum, the items specified in paragraphs (G) and (H) of this rule.
- (G) Composite cap system. The owner or operator shall construct a composite cap system in accordance with the following:
- (1) The cap design approved in the permit or in a subsequently approved alteration, unless paragraph (G)(2) or (G)(3) or (G)(4) of this rule applies.
  - (2) If the sanitary landfill facility was subject to paragraph (B)(1) of rule 3745-27-09 of the Administrative Code, as effective June 1, 1994, the cap design in the closure/post-closure plan. If the cap design in the closure/post-closure plan is revised after the effective date of this rule, the cap design is to comply with rule 3745-27-08 of the Administrative Code.
  - (3) If a unit for a sanitary landfill facility has areas which have been capped, graded, and seeded in accordance with paragraphs (C)(1) to (C)(4) of rule 3745-27-10 of the Administrative Code, as effective July 29, 1976, or in accordance with paragraph (G)(2) or (G)(3) or (G)(4) of this rule, effective June 1, 1994, those areas need not have cap system as as required by rule 3745-27-08 of the Administrative Code.
  - (4) If closure of the sanitary landfill facility is in accordance with paragraph (M) of the June 1, 1994 effective version of rule 3745-27-11 of the Administrative Code, the owner or operator shall construct a cap in accordance with rule 3745-27-08 of the Administrative Code.
- (H) Other closure activities.

- (1) The owner or operator shall continue to comply with rule 3745-27-19 of the Administrative Code and all monitoring and reporting activities required during the operating life of the unit(s) of the sanitary landfill facility until the closure certification is submitted and the post-closure care period begins.
- (2) The owner or operator shall install the required surface water control structures including permanent ditches to control run-on and runoff and sedimentation pond(s), as shown in the final closure/post-closure plan, and as necessary, grade all land surfaces to prevent ponding of water where solid waste has been placed and institute measures to control erosion.

[Comment: The minimum slope standard in OAC rule 3745-27-08 is a design standard. For closure certification, it is not necessary to regrade the site if there is not a ponding problem, even if the slope no longer meets the design in the closure/post-closure plan.]

- (3) The owner or operator shall design and install a ground water monitoring system in accordance with rule 3745-27-10 of the Administrative Code, if a system is not already in place.
  - (4) The owner or operator shall bait for rodents and treat for other vectors as necessary.
  - (5) The owner or operator shall record on the plat and deed to the sanitary landfill facility property, or on some other instrument which is normally examined during title search, that will in perpetuity notify any potential purchaser of the property, a notation describing the impacted acreage, exact location, depth, volume, and nature of solid waste deposited in the unit(s) of the sanitary landfill facility.
  - (6) Upon ceasing acceptance of waste in all unit(s) of a sanitary landfill facility, the owner or operator shall post signs, in such a manner as to be easily visible from all access roads leading onto the sanitary landfill facility, stating in letters not less than three inches high that the sanitary landfill facility no longer accepts solid waste. Signs shall be maintained in legible condition for not less than two years after final closure activities have been completed. This paragraph shall not apply to sanitary landfill facilities owned and permitted by a generator of solid wastes if the sanitary landfill facility exclusively disposes of solid wastes generated at the premises owned by the generator.
  - (7) Upon ceasing acceptance of waste in all unit(s) of the sanitary landfill facility, the owner or operator shall block, by locked gates, fencing, or other sturdy obstacles, all entrances and access roads to the sanitary landfill facility to prevent unauthorized access during the final closure and post-closure period.
- (I) Final closure activities shall be completed not later than one hundred and eighty days after any of the occurrences in paragraph (C) of this rule, unless an alternate schedule has been approved by the director.
- (J) Final closure certification. Not later than ninety days after the completion of final closure activities for all contiguous unit(s) and for each noncontiguous unit(s), the owner or operator shall submit to the director, and to the board of health having jurisdiction, a written certification report. The final closure certification shall include verification that the unit(s) of the sanitary landfill facility has been closed in accordance with this rule and the "final closure/post-closure plan". The final closure certification shall at a minimum include the following:
- (1) A list of the construction certification reports for construction of the composite cap system with the date of submittal and a topographic map of the entire sanitary landfill facility showing the areas certified by each report. The map shall also show the horizontal limits of waste placement and the surface water control structures including permanent ditches to control run-on and runoff, and the following if present: the sedimentation pond(s) including the inlet or outlet, the outlet of any permanent ground water control structures, and the explosive gas control system.

- (2) A demonstration that the ground water monitoring system meets the requirements of rule 3745-27-10 of the Administrative Code.
- (3) A copy of the plat and deed or other instrument which is normally examined during a title search, showing the notation required by paragraph (H)(5) of this rule and bearing the mark of recordation of the office of the county recorder for the county in which the property is located.
- (4) A demonstration that the sign required by paragraph (H)(6) of this rule has been posted, and that all entrances and access roads have been blocked as required by paragraph (H)(7) of this rule.
- (K) The health commissioner and the director, or their authorized representatives, upon proper identification, may enter any unit(s) of the sanitary landfill facility at any time during the final closure period for the purpose of determining compliance with this rule.
- (L) It is the responsibility of the owner or operator to complete final closure of the unit(s) of a sanitary landfill facility in a manner that minimizes the need for further maintenance and minimizes post-closure formation and release of leachate and explosive gases to air, soil, ground water, or surface water to the extent necessary to protect human health and the environment.

Five Year Review (FYR) Dates: 04/23/2014 and 04/23/2019

CERTIFIED ELECTRONICALLY

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Certification

04/23/2014

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Date

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