

3745-66-97 Closure and post-closure care.

- (A) At closure of a tank system, the owner or operator must remove or decontaminate all waste residues, contaminated containment system components (liners, etc.), Contaminated soils, and structures and equipment contaminated with waste, and manage them as hazardous waste, unless excluded under provisions contained in paragraph (D) of rule 3745-51-03 of the Administrative Code. The closure plan, closure activities, cost estimates for closure, and financial responsibility for tank systems must meet all of the requirements specified in rules 3745-66-10 to 3745-66-21 and 3745-66-40 to 3745-66-48 of the Administrative Code.
- (B) If the owner or operator demonstrates that not all contaminated soils can be practicably removed or decontaminated as required in paragraph (A) of this rule, then the owner or operator must close the tank system and perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills in accordance with rule 3745-68-10 of the Administrative Code. In addition, for the purposes of closure, post-closure, and financial responsibility, such a tank system is then considered to be a landfill, and the owner or operator must meet all of the requirements for landfills specified in rules 3745-66-10 to 3745-66-21 and 3745-66-40 to 3745-66-48 of the Administrative Code.
- (C) If an owner or operator has a tank system which does not have secondary containment that meets the requirements of paragraphs (B) to (F) of rule 3745-66-93 of the Administrative Code and which is not exempt from the secondary containment requirements in accordance with paragraph (G) of rule 3745-66-93 of the Administrative Code, then:
- (1) The closure plan for the tank system must include both a plan for complying with paragraph (A) of this rule and a contingent plan for complying with paragraph (B) of this rule.
 - (2) A contingent post-closure plan for complying with paragraph (B) of this rule must be prepared and submitted as part of the permit application.
 - (3) The cost estimates calculated for closure and post-closure care must reflect the costs of complying with the contingent closure plan and the contingent post-closure plan, if these costs are greater than the costs of complying with the closure plan prepared for the expected closure under paragraph (A) of this rule.
 - (4) Financial assurance must be based on the cost estimates in paragraph (C)(3) of this rule.
 - (5) For the purposes of the contingent closure and post-closure plans, such a tank system is considered to be a landfill, and the contingent plans must meet all of the closure, post-closure, and financial responsibility requirements for landfills under rules 3745-66-10 to 3745-66-21 and 3745-66-40 to 3745-66-48 of the Administrative Code.

Effective: 12/07/2004

119.032 review dates: Exempt

Promulgated under: 119.03

Rule amplifies: 3734.12

Statutory authority: 3734.12

Prior effective dates: 04/15/1981, 01/07/1983, 12/08/1988