Definitions.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (C) of this rule titled the "Incorporation by Reference referenced materials" section at the end of this rule.]

(A) Terms used but not defined in this chapter have the meaning given them in the Clean Air Act and in rule 3745-15-01 of the Administrative Code.

(B) The following definitions shall apply exclusively to this chapter:

(1) "Active collection system" means a gas collection system that uses gas mover equipment.

(2) "Active landfill" means a licensed and permitted landfill in which solid waste is being placed or a landfill that is planned to accept waste in the future.

(3) "Btu" means British thermal unit.

(4) "Closed area" means a separately lined area of a MSW landfill in which solid waste is no longer being placed. If additional solid waste is placed in that area of the landfill, that landfill area is no longer closed. The area must be separately lined to ensure that the landfill gas does not migrate between open and closed areas.

(5) "Closed landfill" means a landfill in which solid waste is no longer being placed, and in which no additional solid wastes will be placed without first filing a notification of modification in accordance with 40 CFR 60.7(a)(4). Once a notification of modification has been filed, and additional solid waste is placed in the landfill, the landfill is no longer closed.

(6) "Closed landfill subcategory" means a closed landfill that has submitted a closure report as specified in paragraph (F) of rule 3745-76-12 of the Administrative Code on or before September 27, 2017.

(7) "Closure" means that point in time when a landfill becomes a closed landfill.

(8) "Commercial solid waste" means all types of solid waste generated by stores, offices, restaurants, ware-houses, and other non-manufacturing activities, excluding residential and industrial wastes.

(9) "Controlled landfill" means any landfill at which collection and control systems are required under this chapter as a result of the nonmethane organic
compounds emission rate. The landfill is considered controlled at the time a collection and control system design plan is submitted in compliance with paragraph (B)(2)(a) (H)(2) of rule 3745-76-07 3745-76-03 of the Administrative Code.

(10) "Corrective action analysis" means a description of all reasonable interim and long-term measures, if any, that are available, and an explanation of why the selected corrective action is the best alternative, including, but not limited to, considerations of cost effectiveness, technical feasibility, safety, and secondary impacts.

(11) "Design capacity" means the maximum amount of solid waste a landfill can accept, as indicated in terms of volume or mass in the most recent permit issued by the agency responsible for regulating the landfill, plus any in-place waste not accounted for in the most recent permit. If the owner or operator chooses to convert the design capacity from volume to mass or from mass to volume to demonstrate its design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, the calculation must include a site specific density, which must be recalculated annually.

(12) "Director" means the director of the Ohio environmental protection agency.

(13) "Disposal facility" means any contiguous land and structures, other appurtenances, and improvements on the land used for the disposal of solid waste.

(14) "Emission rate cutoff" means the threshold annual emission rate to which a landfill compares its estimated emission rate to determine if control under the regulation is required.

(15) "Enclosed combustor" means an enclosed firebox which maintains a relatively constant limited peak temperature generally using a limited supply of combustion air. An enclosed flare is considered an enclosed combustor.

(16) "Flare" means an open combustor without enclosure or shroud.

(17) "Gas mover equipment" means the equipment (i.e., for example, fan, blower, compressor) used to transport landfill gas through the header system.

(18) "Gust" means the highest instantaneous wind speed that occurs over a three-second running average.

(19) "Household waste" means any solid waste (including garbage, trash, and
sanitary waste in septic tanks) derived from households (including, but not limited to, single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas). Household waste does not include fully segregated yard waste. Segregated yard waste means vegetative matter resulting exclusively from the cutting of grass, the pruning or removal of bushes, shrubs, and trees, weeding of gardens, and other landscaping maintenance activities. Household waste does not include construction, renovation, or demolition wastes, even if originating from a household.

(15)(20) "Industrial solid waste" means solid waste generated by manufacturing or industrial processes that is not a hazardous waste regulated under Subtitle C of the Resource Conservation and Recovery Act (RCRA), 40 CFR Part 264 and 40 CFR Part 265. Such waste may include, but is not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; food and related products/by-products; inorganic chemicals; iron and steel manufacturing; leather and leather products; non-ferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay, and concrete products; textile manufacturing; transportation equipment; and water treatment. This definition does not include mining waste or oil and gas waste.

(16)(21) "Interior well" means any well or similar collection component located inside the perimeter of the landfill waste. A perimeter well located outside the landfilled waste is not an interior well.

(17)(22) "Landfill" means an area of land or an excavation in which wastes are placed for permanent disposal, and that is not a land application unit, surface impoundment, injection well, or waste pile as those terms are defined under 40 CFR 257.2.

(18)(23) "Lateral expansion" means a horizontal expansion of the waste boundaries of an existing MSW landfill. A lateral expansion is not a modification unless it results in an increase in the design capacity of the landfill.

(24) "Leachate recirculation" means the practice of taking the leachate collected from the landfill and reapplying the leachate to the landfill by any of a variety of methods, including pre-wetting of the waste, direct discharge into the working face, spraying, infiltration ponds, vertical injection wells, horizontal gravity distribution systems, and pressure distribution systems.

(19)(25) "Modification" means an increase in the permitted volume design capacity of the landfill by either horizontal, lateral or vertical expansion based on its
permitted design capacity as of May 30, 1991. Modification does not occur until the owner or operator commences construction on the horizontal or vertical expansion.

(20) "Municipal solid waste" is a type of solid waste generated from community, commercial and agricultural operations, including but not limited to the following:

(a) Solid waste generated by community operations (including single and multiple household residences, hotels, motels, bunkhouses, ranger stations, crew quarters, campgrounds, and day use recreation areas);

(b) Solid waste generated by commercial operations (including stores, offices, restaurants, warehouses, and other non-manufacturing activities);

(c) Solid waste generated from agricultural operations (including single family and commercial farms, greenhouses, and nurseries);

(d) Sludge from municipal, commercial, or industrial waste water treatment plants, water treatment plants, and air pollution control facilities that is co-disposed with other municipal solid waste in a sanitary landfill facility; and

(e) Fly ash and bottom ash generated from the incineration of municipal solid waste, provided the fly ash and bottom ash is not regulated as a hazardous waste.

(21)(26) "Municipal solid waste landfill" or "MSW landfill" means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. An MSW landfill may also receive other types of RCRA subtitle D wastes (40 CFR 257.2) such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of an MSW landfill may be separated by access roads. An MSW landfill may be publicly or privately owned. An MSW landfill may be a new MSW landfill, an existing MSW landfill, or a lateral expansion.

(22)(27) "Municipal solid waste landfill emissions" or "MSW landfill emissions" means gas generated by the decomposition of organic waste deposited in an MSW landfill or derived from the evolution of organic compounds in the waste.

(23)(28) "NMOC" means nonmethane organic compounds, as measured according to the provisions of rule 3745-76-09 of the Administrative Code.
"Nondegradable waste" means any waste that does not decompose through chemical breakdown or microbiological activity. Examples are, but are not limited to, concrete, municipal waste combustor ash, and metals.

"Passive collection system" means a gas collection system that solely uses positive pressure within the landfill to move the gas rather than using gas mover equipment.

"PSD" means prevention of significant deterioration, as defined in 40 CFR 52.21, prevention of significant deterioration of air quality.

"Root cause analysis" means an assessment conducted through a process of investigation to determine the primary cause, and any other contributing causes, of positive pressure at a wellhead.

"Sludge" means any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial waste-water treatment plant, water supply treatment plant, or air pollution control facility, exclusive of the treated effluent from a wastewater treatment plant.

"Solid waste" means any garbage, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, included solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under the national pollutant discharge elimination system or source, special nuclear, or by-product material as defined by the United States nuclear regulatory commission.

"State" means the state of Ohio.

"State plan" means a plan submitted pursuant to section 111(d) of the Clean Air Act and 40 CFR part 60, subpart B that implements and enforces this chapter.

"Sufficient density" means any number, spacing, and combination of collection system components, including vertical wells, horizontal collectors, and surface collectors, necessary to maintain emission and migration control as determined by measures of performance set forth in this chapter.

"Sufficient extraction rate" means a rate sufficient to maintain a negative
pressure at all wellheads in the collection system without causing air infiltration, including any wellheads connected to the system as a result of expansion or excess surface emissions, for the life of the blower.

(39) "Treated landfill gas” means landfill gas processed in a treatment system.

(40) “Treatment system” means a system that filters, de-waters, and compresses landfill gas for sale or beneficial use.

(41) "Untreated landfill gas” means any landfill gas that is not treated landfill gas.

(31)(C) Incorporation by reference. This chapter includes references to certain subject matter or materials. The text of the incorporated referenced materials is not included in the regulations contained in this chapter. The materials are hereby made a part of the regulations in this chapter. Information on the availability of the referenced materials as well as the date of and the particular edition or version of the material is included in this rule. For materials subject to change, only the specific version specified in the regulation this rule are incorporated referenced. Material is incorporated referenced as it exists on the effective date of this rule. Except for subsequent annual publication of existing (unmodified) Code of Federal Regulation compilations, any amendment or revision to a referenced document is not incorporated referenced unless and until this rule has been amended to specify the new dates.

(a)(1) Availability. The referenced materials incorporated by reference are available as follows:

(i) Clean Air Act. Information and copies may be obtained by writing to: "Superintendent of Documents, Attn: New Orders, P.O. Box 371954, Pittsburgh, PA 15250-7954." The full text of the Act as amended in 1990 is also available in electronic format at www.epa.gov/oar/caa/. A copy of the Act is also available for inspection and copying at most public libraries and "The State Library of Ohio."

(ii) Code of Federal Regulations (CFR). Information and copies may be obtained by writing to: "Superintendent of Documents, Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954." The full text of the CFR is also available in electronic format at http://www.gpoaccess.gov/cfr/retrieve.html. The CFR compilations are also available for inspection and copying at most public libraries and "The State Library of Ohio."

(iii) Compilation of Air Pollutant Emission Factors, AP-42. Information and copies may be obtained by writing to: "Superintendent of
Documents, Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954. The full text of the compilation of air pollutant emission factors, AP-42, is also available in electronic format at http://www.epa.gov/ttn/chief/ap42/. The compilation of air pollutant emission factors, AP-42, are also available for inspection and copying at most public libraries and "The State Library of Ohio."

(b)(2) Incorporated materials:

(a) 40 CFR part 60.4, "Address:" as published in the July 1, 2019 Code of Federal Regulations.

(b) 40 CFR part 60.7, "Notification and record keeping:" as published in the July 1, 2019 Code of Federal Regulations.

(c) 40 CFR part 60.8, "Performance tests:" as published in the July 1, 2019 Code of Federal Regulations.


(k) 40 CFR part 258.60, "Closure criteria;" as published in the July 1, 2019 Code of Federal Regulations.


(iii) USEPA Method 2; "Determination of stack gas velocity and volumetric flow rate (type 'S' pitot tube);" 40 CFR Part 60, Appendix A-1, as published in the July 1, 2005 Code of Federal Regulations.


(s) USEPA method 3; "Gas Analysis for the Determination of Dry Molecular Weight;" 40 CFR part 60, appendix A-2, as published in the July 1, 2019 Code of Federal Regulations.


(xv) 40 CFR Part 60, Subpart Cc, "Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills;" 61 FR 9919, March 12,


