**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY**

**CHAPTER 515. MANAGEMENT OF SOLID WASTE**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**252:515-1-2. Definitions**

 The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise. Any term not defined in this Chapter shall be defined as set forth in OAC 252:515-1-3.

**"Active"** means, when used to describe a solid waste disposal facility or a portion thereof (e.g., active MSWLF or active cell), any solid waste disposal facility, or portion thereof, accepting solid waste as of the effective date of this Chapter, regardless of whether such facility has obtained a solid waste permit from DEQ.

"**Active life**" means the period of operation beginning with the initial receipt of solid waste and ending at completion of closure activities.

"**Active portion**" means:

(A) that part of a land disposal facility that has or is receiving waste and that has not received either intermediate or final cover; or

 (B) solid waste process and storage areas at non-land disposal facilities.

**"Airport"** means a public-use airport open to the public without prior permission, and without restrictions within the physical capacities of available facilities.

**"Applicant"** means any person who applies for a new permit or a modification to an existing permit for a solid waste disposal facility identified in OAC 252:515-3-1(a) and (b).

**"Aquifer"** means a geological formation, group of formations, or portion of a formation capable of yielding significant quantities of groundwater to wells or springs.

**"Areas susceptible to mass movement"** means those areas of influence (i.e., areas characterized as having an active or substantial possibility of mass movement) where the movement of earth material at, beneath, or adjacent to the land disposal facility, because of natural or man-induced events, results in the downslope transport of soil and rock material by means of gravitational influence. Such areas include, but are not limited to, landslides, avalanches, debris slides and flows, soil ~~fluxion~~fluction, block sliding, and rock fall.

"**ASTM"** means the American Society for Testing and Materials.

 "**Bird hazard"** means an increase in the likelihood of bird/aircraft collisions that may cause damage to the aircraft or injury to its occupants.

 **"Buffer zone"** means a designated waste-free area within the permit boundary of a disposal facility, to separate waste handling, processing, and/or disposal activities from adjacent areas.

 **"Citizen collection station"** means a designated location that is established or sponsored by a governmental entity and equipped with waste receptacles for exclusive, non-commercial use by individual residents to deposit their own household waste for collection and transportation to a permitted disposal site.

**"CLIMOCS"** means the following publication of the Oklahoma Climatological Survey: Shafer, Mark A., CLIMOCS: A Climatological Summary of 168 Oklahoma Cooperative Stations, Oklahoma Climatological Survey, February 1993, 184 pp.

**"Composite liner"** means a system installed at a land disposal facility composed of a recompacted clay liner overlain with a flexible membrane liner.

**"C&D landfill"** means a construction/demolition landfill.

**"Composting facility"** means a facility in which material is converted, under thermophilic conditions, to a product with a high humus content for use as a soil amendment or to prevent or remediate pollutants in soil, air, and stormwater run-off.

**"Construction/demolition waste"** means waste composed of the following:

(A) asbestos-free waste from construction and/or demolition projects that may include such materials as metal, concrete, brick, asphalt, glass, roofing materials, limited amounts of packing materials, sheetrock, or lumber;

(B) wood waste that may include such materials as yard waste, lumber, woodchips, wood shavings, sawdust, plywood, tree limbs, or tree stumps;

(C) yard waste that may include such materials as grass clippings, tree limbs, tree stumps, shrubbery, flowers, or other vegetative matter resulting from land clearing or landscaping operations; or

(D) residential lead-based paint waste.

**"Contaminated stormwater"** means:

(A) water such as leachate and gas collection condensate, or stormwater that has come into direct contact with solid waste or waste handling and/or treatment areas;

(B) stormwater discharged from areas of a land disposal facility with less than six inches of waste-free, compacted earthen material; or

(C) wastewater resulting from washing vehicles or areas that are or have been in direct contact with solid waste.

**"DEQ"** means the Oklahoma Department of Environmental Quality.

**"Disease vector"** means rodents, flies, mosquitoes, or other animals, including insects, capable of transmitting disease to humans.

**"Displacement"** means the relative movement of any two sides of a fault measured in any direction.

**"Disposal"** means the final disposition of waste and shall be taken to include any discharge, deposit, injection, dumping, spilling, leaking, or placing of waste into or on the land or water so that the waste or any constituent thereof may enter the environment, including the air and any surface waters or ground waters.

**"Disposal area"** means that part of a land disposal facility where waste is disposed. **"Disposal facility"** means disposal site as defined at 27A O.S. § 2-10-103.

**"Engineer"** means a licensed, professional engineer.

**"EPA"** means the United States Environmental Protection Agency.

**"Existing"** means, when used to describe a solid waste disposal facility or portion thereof (e.g. existing MSWLF or existing cell), any solid waste disposal facility, or portion thereof, that had a solid waste permit as of the effective date of this Chapter.

**"Facility"** means all contiguous land and structures, other appurtenances, and improvements on the land used for the handling, processing, storage, and/or disposal of solid waste.

**"Fault"** means a fracture or a zone of fractures in any material along which strata on one side have been displaced with respect to that on the other side.

**"Final closure"** means a disposal facility has permanently ceased to accept solid waste for disposal and all required closure activities have been completed for the entire facility in accordance with the approved closure plan. Final closure is not synonymous with phased closure.

**"Flood"** means the general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of a lake, stream, river or other body of surface water, or the unusual and rapid accumulation or runoff of surface waters from any source.

**"Flood, One hundred year (100 year)"** means a flood that has a one percent or greater chance of occurrence in any given one year period, or of a magnitude equaled or exceeded once in 100 years on the average over a significantly long period.

**"Flood plain"** means the lowland and relatively flat areas adjoining inland waters that are inundated by the 100-year flood.

 **"Gas condensate"** means the liquid generated as a result of gas recovery processes.

 **"Generator"** means, in the context of NHIW, any person, by site, whose act or process produces NHIW, or whose act first causes an NHIW to become subject to regulation.

 **"Groundwater"** means water below the land surface in a zone of saturation.

 **"Hazardous waste"** means those wastes subject to regulation under OAC 252:205.

 **"HBV"** means hepatitis B virus.

 **"HIV"** means human immunodeficiency virus.

 **"Holocene"** means the most recent epoch of the Quaternary period, extending from the end of the Pleistocene Epoch to the present.

 **"Household hazardous waste"** means household waste that is corrosive, toxic, ignitable, or reactive, including, but not limited to: freon-containing appliances or tanks; non-empty propane tanks; oil, antifreeze, and other motor vehicle fluids; gasoline, kerosene, or diesel fuel; liquid paints; solvents; pesticides, herbicides, fungicides, or rodenticides; caustic cleaners; lead-acid batteries; swimming pool chemicals; unused firearm rounds; and acids and bases.

 **"Household waste"** means any solid waste (including garbage, trash, and sanitary waste in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas).

 **"Injection well"** means a facility subject to regulation by OAC 252:652, Underground Injection Control.

 **"Karst terrains"** means areas where karst topography, with its characteristic surface and subterranean features, is developed as the result of dissolution of limestone, dolomite, or other soluble rock. Characteristic features of karst terrains include, but are not limited to, sinkholes, sinking streams, caves, large springs, and blind valleys.

 **"Land disposal facility"** means a landfill, or any other discrete area of land or land excavation, where solid waste is placed for treatment, processing, and/or disposal. Land disposal facility does not include:

(A)land application where solid waste is placed onto, or incorporated into, the soil as a soil amendment, fertilizer, or other legitimate agricultural purpose;

(B) a surface impoundment that is either permitted by DEQ's Water Quality Division or is a part of an approved liquid waste management system at a permitted solid waste disposal facility;

 (C) composting facilities;

 (D) an injection well;

 (E) a solid waste transfer station;

 (F) a Used Tire Recycling Facility; or

 (G) a Roofing Material Recycling Facility

 **"Landfill"** means a discrete area of land or a land excavation in which solid waste is placed for permanent disposal.

 **"Large NHIW generator**" means any business, by site, that generates over 10,000 tons of NHIW in Oklahoma during a calendar year. This definition does not include facilities that are permitted to receive and process solid waste generated by others.

 **"Leachate"** means liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste. This includes:

(A)fluid collected in a leachate collection system, including its sumps, surface impoundments, tanks, or other similar locations; and

(B) fluid collected on top of the bottom liner of a disposal cell that has received solid waste; and

(C) leachate seeps from disposal cells that have received solid waste.

 **"Liquid waste"** means any waste that is determined to contain "free liquids" as defined by the PFLT.

 **"Lithified earth material"** means all rock, including all naturally occurring and naturally formed aggregates or masses of minerals or small particles of older rock that formed by crystallization of magma or by induration of loose sediments. This term does not include man-made materials, such as fill, concrete, and asphalt, or unconsolidated earth materials, soil, or regolith lying at or near the earth surface.

 **"Litter fence"** means an easily portable fence to be located adjacent to the working face to assist with control of blowing material.

 **"Lower explosive limit"** means the lowest percent by volume of a mixture of explosive gases that will propagate flame in air at 25°C and atmospheric pressure.

 **"Maximum horizontal acceleration"** means the maximum expected horizontal acceleration of lithified earth material, depicted on a seismic hazard map, with a 90 percent or greater probability that the acceleration will not be exceeded in 250 years, or the maximum expected horizontal acceleration based on a site-specific seismic risk assessment.

 **"MSWLF"** means Municipal Solid Waste Landfill; a publicly or privately owned landfill that is or has received household waste. A MSWLF may also receive other types of non-hazardous solid wastes, such as nonhazardous sludge, NHIW, special waste, and construction/demolition waste.

 **"Natural disaster"** means a natural occurrence or event (such as a tornado, flood, or forest or prairie fire) of such magnitude that the resultant damage and destruction produce quantities of wastes that overtax available solid waste management systems.

 **"NHIW"** means non-hazardous industrial solid waste, as defined at 27A O.S. § 2-10-103. Examples of NHIW are listed in Appendix F of this Chapter.

 **"Non-contaminated stormwater"** means:

(A)stormwater that has not come into direct contact with solid waste, waste handling and/or treatment areas;

(B)stormwater discharging from areas of a land disposal facility that has at least six inches of waste-free, compacted earthen material; and

(C) wastewater resulting from washing vehicles or areas that have not been in direct contact with solid waste.

 **"Oklahoma Uniform Environmental Permitting Act"** means 27AO.S.§2-14-101*et seq*. and the rules adopted thereunder at OAC 252:4 ("Rules of Practice and Procedure").

 **"Open burning"** means the combustion of solid waste without:

(A) control of combustion air to maintain adequate temperature for efficient combustion;

(B) containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion; and

 (C) control of the emission of the combustion products.

 **"Operating record**" means all of the collective records of the facility relating to the site. Such records include, but are not limited to: the permit, modifications, and approvals; records concerning waste received; any sampling or analyses performed by the facility; closure, post-closure and corrective action plans; financial assurance records; inspection and compliance evaluation correspondence; reports; and scale tickets and related fee payment documentation.

 **"Owner/operator**" means the person who owns a solid waste disposal facility and/or is responsible for the overall operation of a facility or part of a facility.

 **"OWRB"** means the Oklahoma Water Resources Board.

 **"Permit boundary"** means the outermost edge of the area described by legal description in the owner/operator's permit. The permitted boundary includes the area in the buffer zone.

 **"PFLT"** means Paint Filter Liquids Test, EPA Method 9095.

 **"Phased closure"** means the closing of individual disposal cells at a land disposal facility as they become full. Phased closure is not synonymous with final closure.

 **"Piezometer"** means a small-diameter well used to make groundwater elevation measurements.

 **"Point source discharge"** means any discharge of water that, when leaving the permit boundary of a facility, has been channeled or altered by man's activity in working that site.

 **"Poor foundation conditions"** means those areas where features exist which indicate that a natural or man-induced event may result in inadequate foundation support for the structural components of a land disposal facility.

 **"POTW"** means Publicly Owned Treatment Works; a waste water treatment system, as defined at 27A O.S. § 2-6-101(9), that is owned by a State or municipality for the treatment of municipal or industrial wastewaters.

 **"Qualified groundwater scientist"** means a scientist or engineer who has received a baccalaureate or post-graduate degree in the natural sciences or engineering and has sufficient training and experience in groundwater hydrology and related fields as may be demonstrated by State registration, professional Certifications, or completion of accredited university programs that enable that individual to make sound professional judgments regarding groundwater monitoring, contaminant fate and transport, and corrective action.

 **"Recharge area"** means an area where water is absorbed and added to the zone of saturation.

 **"Regulated medical waste"** means a waste or reusable material that contains an etiologic agent and is generated in the diagnosis, treatment or immunization of human beings or animals; research pertaining to the diagnosis, treatment or immunization of human beings or animals; or the production or testing of biological products. Such waste includes, but is not limited to:

(A) cultures and stocks of etiologic agents or live vaccines, and culture dishes, devices, paper, and cloth that has come into contact with such cultures, stocks or live vaccines;

(B) human blood, blood products, and human body fluids, except urine or feces;

(C) pathological wastes consisting of human tissues, organs, and body parts removed during surgery, autopsy, biopsy and other medical procedures;

(D)untreated sharps;

(E) used blood collection bags, tubes, and vials;

(F) contaminated carcasses, body parts and bedding of animals intentionally exposed to pathogens in research, in the production of biologicals or the "in vivo" testing of pharmaceuticals;

(G)items contaminated with blood or other human body fluids which drip freely or would release such materials in a liquid or semi-liquid state if compressed or are caked with dried blood or body fluids and are capable of releasing these materials;

(H)isolation wastes unless determined to be non-infectious by the infection control committee at the health care facility;

(I) HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV;

(J) all disposable materials that have come in contact with cytotoxic or antineoplastic agents during the preparation, handling, and administration of such agents. Such wastes include, but are not limited to, masks, gloves, gowns, empty IV tubing and bags, vials, and other contaminated materials; and

(K) any other material or equipment which, in the determination of the health care facility staff, infection control committee or other responsible party, presents a significant danger of infection because it is contaminated with, or may reasonably be expected to be contaminated with, etiologic agents.

 **"Residential lead-based paint waste"** means lead-based paint debris, chips, dust, sludges, and other similar wastes generated as a result of abatement, rehabilitation, renovation, or remodeling activities in individual residences.

 **"Run-off"** means any rainwater, leachate, or other liquid that drains over land from any part of a facility.

 **"Run-on"** means any rainwater, leachate, or other liquid that drains over land onto any part of a facility.

**"Saturated zone"** means that part of the earth's crust in which all voids are filled with water. **"Scavenging"** means the uncontrolled, unorganized sorting, collecting, or removing of solid waste at the disposal site.

 **"Seismic impact zone"** means an area with a ten percent or greater probability that the maximum horizontal acceleration in lithified earth material, expressed as a percentage of the earth's gravitational pull (g), will exceed 0.10g in two hundred fifty (250) years;

 **"Sludge"** means the definition found at 27A O.S. § 2-10-401.

 **"Solid waste"** means the definition found at 27A O.S. § 2-10-103.

 **"Special waste"** means those wastes that are not hazardous wastes but because of their nature or volume, require special or additional handling aside from that given to routine household refuse. This includes but is not limited to: sludge, septic tank pumpings, grease trap wastes, dead animals, packing house offal and tankage, waste fats and oils, hatchery wastes, cannery wastes, NHIW, tires, and asbestos wastes.

 **"Structural components"** mean liners, leachate collection systems, final covers, run-on/run-off systems, and any other component used in the construction and operation of a land disposal facility that is necessary for protection of human health and the environment.

 **"Surface impoundment"** means a natural topographic depression, human-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), that is designed to hold an accumulation of liquid wastes or wastes containing free liquids and that is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds, and lagoons.

 **"Surface water"** means water that stands on the surface of the land in reservoirs, lakes, ponds, sloughs, or swamps, or that flows across the land in rivers, creeks, or streams.

 **"SW-846"** means EPA Publication SW-846, Test Methods for the Evaluation of Solid Waste Physical/Chemical Characteristics.

 **"Tremie pipe"** means a device, usually a small-diameter flexible or rigid pipe, that carries filter pack or bentonite cement from the bottom to the top of a borehole or annular space without forming void spaces. In some cases, a well casing or hollow stem auger can be considered a tremie pipe.

 **"Unstable area"** means a location that is susceptible to natural or human-induced events or forces capable of impairing the integrity of some or all of the structural components responsible for preventing releases from a land disposal facility. Unstable areas can include poor foundation conditions, areas susceptible to mass movements, and Karst terrains.

 **"Uppermost aquifer"** means the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the facility's property boundary.

 ~~"~~**~~Used Tire"~~** ~~means an unprocessed whole tire or tire part that can no longer be used for its original intended purpose, but can be beneficially reused as approved by the Department.~~

**"Used Tire Recycling Facility"** means the definition found at 27A O.S. § 2-11-401.1(15).

**"Waste pile"** means any non-containerized accumulation of solid, non-flowing waste.

 **"Waters of the state"** means the definition found at 27A O.S. §1-1-201(20).

 **"Wetlands"** mean those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include, but are not limited to, swamps, marshes, bogs, and similar areas.

 **"Working face"** means the place within a land disposal facility where waste has been deposited and has not been covered with at least intermediate cover.

**"Yard waste composting facility"** means a composting facility that only accepts yard waste.

 **"Zone of aeration**" means a subsurface zone containing water under a pressure lower than that of the atmosphere, including water held by capillarity; and containing air or gases generally under atmospheric pressure. This zone is bounded above by the land surface and below by the watertable; and is synonymous with vadose zone and unsaturated zone.

 **"Zone of saturation"** means a subsurface zone in which essentially all the interstices are filled with water under pressure greater than that of the atmosphere. Although the zone may contain interstices filled with gas or liquids other than water, it is still considered saturated. This zone is separated from the zone of aeration by the water table and is synonymous with phreatic zone.

**252:515-1-8. Special Considerations**

(a)    **Existing permits.**Permits for active solid waste disposal facilities issued under previous rules, and those in the post-closure monitoring period on the effective date of this Chapter, remain in effect.

(b)    **~~Permit upgrades.~~[RESERVED]**~~Within 180 days of the effective date of this Chapter, the owner/operator of the following solid waste disposal facilities shall submit a permit modification application to the DEQ to ensure compliance with certain requirements of this Chapter~~.

~~(1)~~**~~MSWLFs and C&D landfills.~~**~~Permit modifications for MSWLFs and C&D landfills shall include:~~

~~(A)    a legal description, by metes and bounds; section, township, and range, or parts thereof; or book and page number of plat records for platted property, of both on- and off-site soil borrow areas, if applicable;~~

~~(B)    a temporary easement in accordance with OAC 252:515-3-34(c);~~

~~(C)    a stormwater management plan to demonstrate how compliance with the requirements of Subchapter 17 of this Chapter will be achieved and maintained;~~

~~(D)    a disposal plan in accordance with OAC 252:515-19-34(c) through (f) for out-of-state waste, if applicable;~~

~~(E)    a vegetative cover plan to ensure compliance with the requirements of OAC 252:515- 19-54, if applicable;~~

~~(F)    revised closure plans to ensure closure of on- and off-site soil borrow areas in accordance with OAC 252:515-25-32(b)(3)(A), if applicable;~~

~~(G)    life of site calculations in accordance with OAC 252:515-27-8(c), except for those facilities owned by units of the federal government;~~

~~(H)    revised closure, post-closure, and/or corrective action cost estimates calculated in accordance with Part 5 of Subchapter 27 of this Chapter, except for those facilities owned by units of the federal government;~~

~~(I)    a new or revised waste exclusion plan meeting the requirements of Subchapter 29 of this Chapter; and~~

~~(J)    sampling ports for gas monitoring probes to meet the requirement of OAC 252:515-15-4(a)(2).~~

~~(2)~~**~~NHIW landfills.~~**~~Permit modification applications for generator-owned and operated NHIW landfills shall include those items identified in (1)(A), (1)(B), (1)(C), (1)(F), (1)(G) and (1)(H) of this Subsection, as well as a revision to the groundwater monitoring program to ensure compliance with OAC 252:515-9-31(d)(3).~~

~~(3)~~**~~Regulated medical waste processing facilities.~~**~~Permit modification applications for regulated medical waste processing facilities shall include the information identified in (1)(B) and (1)(H) of this Subsection.~~

~~(4)~~**~~Transfer stations.~~**~~Permit modification applications for transfer stations shall include the information in (1)(I) of this Subsection.~~

~~(5)~~**~~Yard waste composting facilities.~~**~~Permit applications for yard waste composting facilities operating under an approved plan shall be submitted for purposes of upgrading the plan to a permit and to ensure compliance with Subchapter 43 of this Chapter.~~

(c)    **~~Compliance required.~~ [RESERVED]**

~~(1)    Except as provided in (2) of this Subsection, permit upgrades identified by (b) of this Section shall be implemented within one year of the effective date of this Chapter. Extensions may be granted by the DEQ for good cause shown.~~

~~(2)    All solid waste disposal facilities required to establish and maintain financial assurance shall ensure financial assurance mechanisms are funded in the appropriate amount based on approved cost estimates.~~

(d)    **MSWLFs prior to October 9, 1991.**MSWLFs that stopped receiving waste prior to October 9, 1991 are subject to the final cover and post-closure monitoring requirements of the permit and the rules in effect at the time of closure.

(e)    **MSWLFs on or after October 9, 1991.**MSWLFs receiving waste on or after October 9, 1991 are subject to this Subsection.

(1)    **Less than 100 tons per day of waste.**No later than October 9, 1994, MSWLFs that received less than an average of 100 tons per day of solid waste after October 9, 1991 and stopped receiving waste before April 9, 1994 shall install final cover meeting the requirements of OAC 252:515-19-53.

(A)    **Post-closure monitoring requirements.**MSWLFs shall be subject to the post- closure monitoring requirements of the permit and rules in effect at the time of closure.

(B)    **Failure to stop accepting waste or to apply final cover.**MSWLFs that accepted waste on or after April 9, 1994, or failed to install the final cover by October 9, 1994 shall be subject to all applicable requirements of this Chapter.

(2)    **100 tons or more per day of waste.**No later than October 9, 1994, MSWLFs that received an average of 100 tons or more per day of solid waste after October 9, 1991 and stopped receiving waste before October 9, 1993 shall install final cover meeting the requirements of OAC 252:515-19-53.

(A)    **Post-closure monitoring requirements.**MSWLFs shall be subject to the post- closure monitoring requirements of the permit and the rules in effect at the time of closure.

(B)    **Failure to stop accepting waste or to apply final cover.**MSWLFs that accepted waste on or after October 9, 1993 or failed to install the final cover by October 9, 1994 shall be subject to all applicable requirements of this Chapter.

(f)    **Other disposal facilities.**Other solid waste disposal facilities that stopped receiving waste prior to the effective date of this Chapter shall close, and perform any applicable post-closure monitoring, in accordance with the permit and the rules in effect at the time of closure.

(g)    **Corrective action.**The DEQ may require corrective action any time an inspection of a solid waste disposal facility or review of testing data indicates the actual release of contaminants into the environment. Such corrective action shall be performed in accordance with the requirements of this Chapter.

**SUBCHAPTER 9. GROUNDWATER MONITORING/CORRECTIVE ACTION**

**PART 3. BACKGROUND WATER QUALITY**

**252:515-9-31. Background water quality**

(a) **[RESERVED] ~~Existing facilities.~~** ~~Unless background water quality has previously been approved by the DEQ, each monitoring well at an active land disposal facility permitted prior to April 9, 1994 shall be sampled quarterly for two full years to determine background water quality.~~

(b) **New facilities, with exception.**

(1) Except as provided for in (2) of this Subsection, monitoring wells installed at new land disposal facilities ~~permitted on or after April 9, 1994~~ shall be sampled quarterly for at least one full year and be consistent with the appropriate statistical procedures and performance standards in the facility statistical analysis plan in 9-52 of this Subchapter, to determine background water quality before waste may be deposited at the facility ~~to determine background water quality~~.

(2) The quarterly background water quality determination at new C&D landfills shall begin no later than thirty (30) days after the initial receipt of waste.

(c) **New groundwater monitoring wells at existing facilities.** Unless otherwise approved by the DEQ, new groundwater monitoring wells installed after the effective date of this Chapter shall be sampled at least quarterly for one full year and be consistent with the appropriate statistical procedures and performance standards in the facility statistical analysis plan in 9-52 of this Subchapter to establish background water quality.

(d) **Required parameters.**

(1) **MSWLFs**. MSWLFs shall, as a minimum, be monitored for:

(A)the following groundwater quality constituents: pH, chemical oxygen demand, specific conductivity, chloride, sulfate, calcium, magnesium, nitrates, sodium, carbonates, potassium; and

(B) those constituents in Appendix A of this Chapter.

(2) **C&D landfills**. C&D landfills shall, as a minimum, be monitored for the following groundwater quality constituents: pH, chemical oxygen demand, and specific conductivity.

(3) **NHIW landfills.** NHIW landfills shall, as a minimum, be monitored for:

(A)the following groundwater quality constituents: pH, chemical oxygen demand, specific conductivity, chloride, sulfate, calcium, magnesium, nitrates, sodium, carbonates, potassium; and

(B) other parameters specified in the permit, based on the types of wastes to be disposed.

(4) **Other land disposal facilities**. Other land disposal facilities shall comply with the groundwater monitoring requirements for MSWLFs.

**PART 9. ASSESSMENT MONITORING**

**252:515-9-94.** **Minimum number of samples**

(a) **Minimum requirements**. Groundwater samples shall be collected and analyzed ~~during each sampling event~~, as follows:

(1) during each sampling event, ~~a minimum of~~ one sample from each downgradient well; and

(2) a minimum of four quarterly ~~independent~~ samples over one full year, or a number and frequency consistent with the appropriate statistical procedures and performance standards in the facility statistical analysis plan in 9-52 of this Subchapter, from each upgradient and downgradient well to establish background (unless already established) for any Appendix C constituents detected.

(b) **Subset of wells.** The DEQ may specify a subset of wells to be sampled and analyzed during assessment monitoring.

**252:515-9-96. Groundwater protection standard**

(a) **MCL established.** The maximum contaminant level (MCL) promulgated under the Safe Drinking Water Act shall be the groundwater protection standard for each Appendix A and C constituent detected in the groundwater.

(b) **MCL not established.** If MCL has not been established under the Safe Drinking Water Act for a particular constituent, the background level of the constituent shall be the groundwater protection standard.

(c) **Background above MCL**. If background level of a particular constituent is above the established MCL, or appropriate health-based levels if no MCL has been established, the background level shall be the groundwater protection standard.

(1) **Published health-based level.** For the purposes of this Subsection, the health-based level is a concentration that would result in an increased risk of no ~~of~~ greater than 1x 10-5 for carcinogens or a Hazard Index of < 1 for non-carcinogens as calculated by procedures specified in the most recent health-based levels publication by the EPA. ~~EPA 540/R-95/128, Methods for Estimation of Contaminants in Groundwater That Can Migrate to a Receptor Point.~~

(2) **Health-based level not listed.** The DEQ shall be consulted if a health-based level is not listed for a particular constituent.

**SUBCHAPTER 13. LEACHATE COLLECTION AND MANAGEMENT**

**PART 5. LEACHATE MANAGEMENT**

**252:515-13-52.** **Storage**

(a) **Above-ground tanks.** Above-ground storage tanks used to store leachate shall be equipped with either (a)(1) or (a)(2) below:

(1) adequate berming to contain the entire contents of the largest tank in the system; and either:

~~(2)~~(A) a composite liner made of two feet (2') of recompacted clay with the hydraulic conductivity of 1.0 x 10-7 cm/sec overlain by a 60 mil HDPE liner; or

~~(3)~~(B) a DEQ approved alternative liner that will prevent infiltration of fluid.

(2) a double-walled system with leak detection.

(b) **Underground tanks.** Underground tanks used to store leachate shall be constructed in accordance with the most recent requirements for underground storage tank systems published by the Oklahoma Corporation Commission. ~~Oklahoma Corporation Commission's General Requirements for Underground Storage Tank Systems., OAC 165-25, Subchapter 1, Part 8.~~

(c**) Surface impoundments**. A surface impoundment used to store leachate shall have a composite liner constructed in accordance with (a)~~(2)~~(1)(A) or (a)~~(3)~~(1)(B) of this Section.

**(**1) **Run-on control.** Surface water run-on control measures shall be provided.

(2) **Freeboard**. A minimum three feet of freeboard shall be maintained.

**SUBCHAPTER 17. STORMWATER MANAGEMENT**

**252:515-17-3. Discharges**

(a)    **All disposal facilities.** All solid waste disposal facilities shall be operated to:

(1)    prevent the discharge of contaminated stormwater unless the proper permit is obtained from the DEQ's Water Quality Division;

(2)    prevent the discharge of pollutants into waters of the United States, including wetlands, that violates any requirements of the federal Clean Water Act, including, but not limited to, the Oklahoma Pollutant Discharge Elimination System (OPDES) requirements;

(3)    prevent the discharge of a non-point source of pollution to waters of the United States, including wetlands, that violates any requirement of an area-wide or State-wide water quality management plan that has been approved in accordance with the federal Clean Water Act; and

(4)    comply with all requirements of their OPDES permit, if applicable. A copy of the OPDES permit shall be maintained in the operating record.

(b) **Land disposal facilities.** If required by OAC 252:606 (Oklahoma Pollutant Discharge Elimination System Standards - OPDES), active land disposal facilities shall have:

(1) a Stormwater Pollution Prevention Plan (SWPPP) and a Sector L General Permit for Stormwater Discharges. A copy of the SWPPP and Sector L permit shall be maintained in the operating record; and

(2) ~~an OPDES stormwater permit for construction sites for any on- or off-site soil borrow areas of one acre or more.~~ [RESERVED]

**SUBCHAPTER 19. OPERATIONAL REQUIREMENTS**

**PART 5. COVER AND SOIL BORROW REQUIREMENTS FOR LAND DISPOSAL FACILITIES**

**252:515-19-50. Slope limits**

(a) **Interior slopes.** The slope of a waste disposal area shall be no steeper overall than 3 horizontal to 1 vertical (3:1) at any time when it adjoins an area within the permitted boundary proposed to accept waste.

(b) **Exterior slopes.** The slope of a waste disposal area shall be no steeper overall than 4 horizontal to 1 vertical (4:1) at any time when located at the limits of the permitted boundary or adjoining an area not proposed to accept waste.

(c) **Working face.** The slope of the working face may vary during daily placement of waste but shall be graded to meet applicable slope requirements in (a) or (b) of this paragraph at the end of each operating day.

(d) **Slope correction.** A plan shall be submitted to DEQ within sixty (60) days of a determination that one or more slopes exceed the limits specified in this Section. The plan will specify tasks and the timeline needed to achieve compliance with this Section. ~~Failure to submit a plan within the time specified by DEQ may result in the initiation of the Administrative Enforcement Process. Failure to follow or maintain the plan submitted to DEQ may also result in the initiation of the Administrative Enforcement Process.~~

**PART 13. WHEEL WASHES**

**252:515-19-131. Applicability [REVOKED]**

 ~~This part applies to owners and operators of active land disposal facilities who purchase and install a wheel wash system for use at the land disposal facility.~~

**252:515-19-133. Definitions [REVOKED]**

 ~~The following words and terms, when used in this Part, shall have the following meaning unless the context clearly indicates otherwise:~~

 ~~"~~**~~Wheel wash system~~**~~" means a permanent installation that uses an immersion bath or spray of water to clean mud, soil, rock, debris and other extraneous material from the tires and undercarriage of vehicles.~~

**252:515-19-138. Water management and control [REVOKED]**

~~(a)~~ **~~Run-off of wash water prohibited~~**~~. There shall be no run-off of wash water from this system.~~

~~(b)~~ **~~Recirculation.~~** ~~Water used in the wheel wash system may be recaptured for recirculation within the system.~~

~~(c)~~ **~~Modify plans~~**~~. If necessary, the owner/operator shall modify and update the stormwater pollution prevention plan to include the wheel wash system and to demonstrate compliance with Subchapter 17.~~

~~(d)~~ **~~Recycled liquid~~**~~. Recycled liquid and settled solids shall be managed as solid waste.~~

~~(e)~~ **~~Settled solids.~~** ~~The settled solids may be put back in the landfill if they meet the requirements of OAC 252:515-19-71.~~

**SUBCHAPTER 21. USED TIRE PROCESSING, CERTIFICATION, PERMITS AND COMPENSATION**

**PART 7. COMPENSATION FROM THE WASTE TIRE INDEMNITY FUND**

**252:515-21-72.** **Ineligible for compensation**

(a) **Previous compensation.** Any person that has received compensation from the fund for projects identified in Part 11 of this Subchapter shall not be eligible to receive other compensation from the fund for collection, transportation or delivery of used tires in conjunction with the same project.

(b) **Certain used tires.** The following used tires are not eligible for compensation from the fund:

(1) used tires processed for TDF facilities identified in OAC 252:515-21-71(a) but are not in ready-to-use condition when received by such facilities;

(2) used tires not used in the approved project by units of local or county governments identified in OAC 252:515-21-71~~(b)~~(c)(3);

(3) processed or recycled used tires listed by the OTC in OAC 710:95-5 as being ineligible for compensation; and

(4) processed or recycled used tires that originated outside the borders of the State of Oklahoma.

**252:515-21-74.**  **Partial compensation for projects identified in Part 9[REVOKED]**

~~(a)~~ **~~Partial completion.~~** ~~Before completion of the project, an applicant may apply to the DEQ in writing for approval of partial compensation from the fund. The application shall include an estimate of the number of used tires properly installed at the time the application is submitted.~~

~~(b)~~ **~~Compliance.~~** ~~DEQ may authorize partial compensation if the applicant is in compliance with the United States Army Corps of Engineers or local Conservation District permit or authorization and the project is properly installed.~~

~~(c)~~ **~~Pro-rated~~**~~. Payment may be authorized in the same ratio that the installed portion has to the entire project~~

**SUBCHAPTER 23. REGULATED MEDICAL WASTE MANAGEMENT:**

**PART 3. OPERATIONAL REQUIREMENTS FOR ALL COMMERCIAL REGULATED MEDICAL WASTE PROCESSING FACILITIES**

**252:515-23-31. General**

(a)    **Other requirements.** Commercial regulated medical waste processing facilities are subject to the requirements of Part 3 of OAC 252:515-19.

(b) **Acceptable wastes.** Only regulated medical wastes shall be accepted at a regulated medical waste processing facility unless otherwise approved by DEQ.

(c)    **DEQ approved plan.** A DEQ approved plan shall be implemented for:

(1)    excluding wastes that are not to be processed;

(2)    safely storing wastes until proper processing and disposal occurs; and

(3)    responding to emergencies.

(d)    **Decontamination facilities.** Decontamination facilities must be provided.

**SUBCHAPTER 25. CLOSURE AND POST-CLOSURE CARE**

**PART 5. POST-CLOSURE**

**252:515-25-54. Post-closure operational requirements**

(a) **All disposal facilities.** All disposal facilities in post-closure monitoring shall perform the

following.

# (1) Security and access control. Fences and locked gates shall be maintained and signs shall be posted on the outer perimeter to provide notice that the site is a closed solid waste disposal facility.

#  (2) Annual post-closure report. No later than April ~~1~~~~st~~ 9th of each year after the DEQ's approval of the certification of final closure, a post-closure maintenance and monitoring report shall be submitted to the DEQ until the post-closure period ends. This report shall document the maintenance performed and summarize all monitoring data for the previous year.

# (b) Land disposal facilities. Land disposal facilities in post-closure monitoring shall also perform

# the following.

#  (1) Monitoring. The integrity of the groundwater and/or explosive gas monitoring systems

#  shall be maintained.

#  (A)Groundwater monitoring shall be performed at least semi-annually, unless reduced in

#  accordance with OAC 252:515-9-73(c).

#  (B) Explosive gas monitoring, if required during the active life, shall be performed at

#  Least semi-annually.

#  (2) Leachate collection, treatment and disposal.

#  (A)The leachate collection system shall be maintained and operated to ensure leachate is

#  collected, treated and/or disposed in accordance with Subchapter 13 of this Chapter.

#  (B) The leachate collection systems shall be equipped with a system for automatic and

#  continuous removal of leachate not requiring intervention by the owner/operator.

#  (C) Untreated leachate shall not be stored on-site unless the permit provides a specified

#  method and capacity.

#  (3) Final cover. The integrity and effectiveness of the final cover shall be maintained in

#  compliance with OAC 252:515-19-53, including making repairs to the cover as necessary to

#  correct the effects of settlement, subsidence, erosion, ponding of water, or other events, and

#  prevent run-on and run-off from eroding or otherwise damaging the final cover.

**SUBCHAPTER 27. COST ESTIMATES AND FINANCIAL ASSURANCE**

**PART 1. GENERAL PROVISIONS**

# 252:515-27-4. Updating

# (a) Unit costs. Provided they remain in effect, the unit costs and worksheets in Appendices H and I shall be updated no later than April 9, 2005, and at least every five years thereafter.

# (b) ~~Annual updates and adjustments. All references to and deadlines of "April 1 of each year" in this subchapter shall be postponed to April 9 of each year. Refer to 252:515-27-8(c) and 27- 34(a).~~[RESERVED]

# 252:515-27-8. Economic life of disposal facility

# (a) New land disposal sites. The economic life of a new land disposal facility shall be based on the area to be initially permitted for waste disposal, not on the total permitted area.

# (1) Economic life. For the purposes of determining the pay-in period for a trust fund or escrow account used as a financial assurance mechanism, or another approved mechanism that allows pay-in over a specified period of time, the economic life for a new land disposal facility shall be the lesser of fifteen (15) years from the initial receipt of waste or the life as calculated in accordance with (2) of this Subsection.

#  (2) Calculation. The life shall be calculated according to the following formula: L = {[V -(P

#  x V)] x D} ÷ W, where

#  (A)"L" equals the life of the disposal facility, in years;

# (B) "V" equals the total volume of airspace in cubic yards available for waste disposal and daily cover. V shall be calculated from the top of the protective layer to final contours minus the amount of air space taken up by final cover;

#  (C) "P" is the anticipated percentage of V that will be taken up by daily cover. Until an

# alternative value based on a history of operational practice can be documented, including the use of alternative covers, P must not be less than 20% (0.20);

#  (D)"D" is the anticipated density of waste compacted in place in pounds per cubic yard.

# Until an alternative value based on a history of operational practice can be documented, D must not be more than 1000 pounds per cubic yard (1000 lbs/cy); and

#  (E) "W" is the amount of waste expected to be received during one year of operation in

#  pounds per year. Until the owner/operator can document actual waste received based on a

#  history of operational practice, W must be calculated at 4.4 pounds per capita per day

#  multiplied by 365 days per year multiplied by the population served.

# (b) Existing land disposal sites.

#  (1) For existing land disposal facilities, L shall be based on the remaining areas approved for

#  waste disposal, according to the formula in paragraph (a)(2). W shall be determined based on

#  scale records for the previous 12 months.

# (2) Economic life. For the purposes of determining the pay-in period for a trust fund or escrow account used as a financial assurance mechanism, or another approved mechanism that allows pay-in over a specified period of time, the economic life for an existing land disposal facility shall be the lesser of fifteen (15) years from April 9, 1997, or the life as calculated in accordance with (a)(2) and (b) of this Section.

# (c) Annual update. No later than April ~~1st~~ 9th of each year, the owner/operator of a land disposal facility, other than generator-owned and operated non-hazardous industrial waste monofills, shall submit calculations of the remaining life of the facility as of December 31st of the previous year. The remaining life shall be the actual life as calculated in accordance with (a)(2) and (b) of this Section, not the maximum economic life.

**PART 3. COST ESTIMATES**

# 252:515-27-34. Annual adjustments to cost estimates and financial assurance mechanisms

# (a) Adjustment required. Cost estimates for closure, post-closure, and/or corrective action

# shall be adjusted and submitted to DEQ no later than April ~~1~~~~st~~9th of each year.

#  (1) Recalculation of maximum costs. The maximum costs of closure, post-closure, and/or

#  corrective action may be recalculated in current dollars using the procedure in Part 5 of this

#  Subchapter (relating to determination of cost estimates).

#  (2) Use of inflation factor. If there are no significant changes to the closure or post-closure

# plan, corrective action plan, or facility conditions, cost estimates may be adjusted by use of an inflation factor derived from the most recent annual "Implicit Price Deflator for Gross National Product" or the "Implicit Price Deflator for Gross Domestic Product" published by the U.S. Department of Commerce in its Survey of Current Business in the year for which the

#  adjustment is being made.

#  (A)The first adjustment shall be made by multiplying the approved cost estimate by the

#  inflation factor. The result is the adjusted cost estimate.

#  (B) Subsequent adjustments shall be made by multiplying the latest adjusted cost estimate

#  by the latest inflation factor.

#  (3) Place in operating record. The approved adjusted cost estimates shall be placed in the

#  operating record.

# (b) Annual Adjustment to financial assurance mechanism(s) required. Except as provided in

# (c) and (d) of this Section, the financial assurance mechanism(s) shall be adjusted annually to

# reflect the approved cost estimates. The adjusted financial assurance mechanism(s) must be

# submitted to DEQ for approval no later than 30 days after approval of adjusted cost estimates.

# (c) Corporate test or guarantee as financial assurance mechanism. When the corporate test

# (OAC 252:515-27-81) or guarantee (OAC 252:515-27-83) is used as the financial assurance

# mechanism, the financial strength information specified in OAC 252:515-27-81(c) shall be

# submitted to the DEQ for approval no later than 90 days after the close of the corporate fiscal year. The DEQ may provide up to an additional 45 days to submit the information upon demonstration that 90 days is insufficient time to acquire audited financial statements.

# (d) Local government test or guarantee as financial assurance mechanism. When the local

# government test (OAC 252:515-27-82) or guarantee (OAC 252:515-27-84) is used as the financial assurance mechanism, the financial strength information specified in OAC 252:515-27- 82(h) shall be submitted to the DEQ for approval no later than 180 days after the close of the municipal government's fiscal year. The DEQ may provide up to an additional 45 days to submit the information upon demonstration that 180 days is insufficient time to acquire audited financial

# statements.

**SUBCHAPTER 41. ROOFING MATERIAL RECYCLING**

# 252:515-41-5. Duration of permit [REVOKED]

~~(a)~~ **~~Life of site.~~** ~~Permits shall be issued for the life of the roofing material recycling facility.~~

~~(b)~~ **~~Cessation of operations.~~** ~~If a permitted roofing material recycling facility ceases to accept roofing material for 30 days or more without prior notice to DEQ, the roofing material recycling facility will be deemed to be in the process of final closure and shall begin closure activities.~~

# 252:515-41-6. Permit transfer [REVOKED]

~~(a)~~ **~~Transfer required.~~** ~~If the ownership of a roofing material recycling facility is assumed by a new entity, the permit must be transferred from the previous owner/operator (“transferor”) to the new owner/operator (“transferee”).~~

~~(b)~~ **~~Exception.~~** ~~Changes in corporate ownership from majority stock transfers do not require a permit transfer. However, such changes require notice to DEQ and submittal of an approved disclosure statement meeting the requirements of OAC 252:515-3-31(g).~~

~~(c)~~ **~~Transfer requirements.~~** ~~Permits may be transferred from the transferor to the transferee upon the following conditions:~~

~~(1)~~ ~~the transferor has submitted a written request to DEQ for transfer of the permit to the transferee;~~

~~(2) the transferee has submitted an approved disclosure statement meeting the requirements of OAC 252:515-3-31(g);~~

~~(3)~~ ~~the transferee has, if required, established an approved financial assurance mechanism in an appropriate amount and appropriately funded;~~

~~(4)~~ ~~the transferee has agreed in writing to comply with:~~

~~(A)~~ ~~all permit conditions;~~

~~(B)~~ ~~approved plans and specifications;~~

~~(C)~~ ~~the Oklahoma Solid Waste Management Act;~~

~~(D)~~ ~~the rules in this Chapter; and~~

~~(E)~~ ~~any final orders issued pursuant thereto;~~

~~(5)~~ ~~the transferee has complied with OAC 252:515-3-33 (relating to oath required); and~~

~~(6)~~ ~~the facility meets the compliance requirements of OAC 252:4-7-15. In lieu of demonstrating substantial compliance, the parties to the transfer may enter into a Consent Order with DEQ to schedule compliance.~~

~~(d)~~ **~~Transferor responsible.~~** ~~Until such time as DEQ approves transfer of the permit to the transferee, the transferor shall remain responsible for the operation of the facility.~~

# 252:515-41-7. Permit applications and requirements [REVOKED]

~~(a)~~ **~~All permit applications.~~** ~~All permit applications are subject to the Oklahoma Uniform Environmental Permitting Act as well as the requirements of this Subchapter.~~

~~(b)~~ **~~New permit applications.~~** ~~Applicants requesting a permit for a new roofing material recycling facility shall submit a permit application to DEQ meeting the requirements of this Subchapter.~~

# ~~(c)~~ ~~Modifications required.~~

~~(1)~~ ~~The permit must be modified before making any changes to the approved design, construction, or operation of the facility.~~

~~(2)~~ ~~The modification application shall contain any maps, drawings, plans or other documents identified in this Subchapter to ensure the modification will be in compliance with the applicable requirements of this Chapter.~~

~~(d)~~ **~~Administrative correction.~~** ~~DEQ may make administrative corrections to the permit.~~

~~(e)~~ **~~Tier I and II permit modifications.~~** ~~Applicants requesting a Tier I or Tier II modification of an existing permit shall submit a permit modification application to DEQ meeting the applicable requirements of this Subchapter, but are not required to comply with OAC 252:515-3-33 (relating to oath required), unless otherwise required by statute.~~

~~(f)~~ **~~Tier III permit modifications.~~** ~~Applicants requesting a Tier III modification of an existing permit shall submit a permit modification application to DEQ meeting the applicable requirements of this Subchapter, and comply with OAC 252:515-3-33.~~

~~(g)~~ **~~Disclosure statement.~~** ~~Persons submitting a permit application for a new roofing material recycling facility, or the transfer of an existing roofing material recycling permit, are subject to the disclosure statement requirements of 27A O.S. §§ 2-10-103 and 2-10-302.~~

# 252:515-41-8. Variance from the rules of this Chapter [REVOKED]

~~(a)~~ **~~Application.~~** ~~Applicants may, in a permit application, request a variance from one or more provisions of this Chapter in accordance with 27A O.S. § 2-10-304.~~

~~(b)~~ **~~Technical considerations.~~** ~~Applicants requesting a variance must demonstrate that operations under the variance will equal or exceed the protection accorded by the particular rule for which the variance is being requested, and will not result in a hazard to the health, environment, or safety of the people of this State or their property.~~

# 252:515-41-9. Oath required [REVOKED]

~~The applicant shall sign the permit application under oath on forms provided by DEQ.~~

# 252:515-41-10. Legal right to property [REVOKED]

~~(a)~~ **~~Right of access.~~** ~~The permit application for a new roofing material recycling facility, or expansion of the permit boundaries of an existing roofing material recycling facility, must contain:~~

~~(1)~~ ~~a true and correct copy of a legal document filed in the county in which the facility is located, demonstrating that the applicant possesses a legal right to access and use the property in the manner for which the permit is sought, including any on- or off-site soil borrow areas, throughout the life of the site; and~~

~~(2)~~ ~~a certification, by affidavit, that the applicant owns the real property, has a current lease or easement which is given to accomplish the permitted purpose, or has provided legal notice to the landowner.~~

~~(b)~~ **~~Option for use.~~** ~~If an option for right of access is predicated upon the issuance of a permit prior to the exercise of that option, then the applicant must submit a copy of the option with the permit application. Once the permit has been issued, the applicant must comply with (a) of this Section prior to beginning construction.~~

~~(c)~~ **~~Easement to DEQ.~~** ~~Unless the property owner is a unit of government, a temporary easement shall be executed allowing DEQ and/or its contractors the right to access the property to perform closure, post-closure monitoring, or corrective action in the event of default by the owner/operator.~~

# 252:515-41-11. Permit applications [REVOKED]

~~(a)~~ **~~New applications.~~** ~~A permit application for a new roofing material recycling facility shall include all information required by the Oklahoma Uniform Environmental Permitting Act, including:~~

~~(1)~~ ~~the owner/operator's name, mailing address, and phone number;~~

~~(2)~~ ~~the name by which the facility will be known, the mailing address of the facility, the street address of the facility (if different from the mailing address), and the facility phone number;~~

~~(3)~~ ~~a disclosure statement completed in accordance with OAC 252:515-3-31(g);~~

~~(4)~~ ~~a legal description, by metes and bounds; section, township, and range, or parts thereof; or book and page number of plat records for platted property, of:~~

~~(A)~~ ~~the proposed permit boundary;~~

~~(B)~~ ~~the proposed waste processing and/or disposal areas~~

~~(5)~~ ~~latitude and longitude of all corners of the permit boundary and the facility entrance;~~

~~(6)~~ ~~the location of the site from the nearest town or city;~~

~~(7)~~ ~~a description of all processing, storage, and disposal operations and units;~~

~~(8)~~ ~~a description of the anticipated waste streams and amount received per day;~~

~~(9)~~ ~~data, plans, and specifications for the following:~~

~~(A)~~ ~~a demonstration the proposed facility meets the location restrictions of Subchapter 5 of this Chapter;~~

~~(B)~~ ~~an operational plan describing how compliance with the operational requirements of Subchapter 19 of this Chapter, as applicable to the proposed facility, will be achieved;~~

~~(C)~~ ~~a plan describing how compliance with the stormwater management requirements of Subchapter 17 of this Chapter will be achieved;~~

~~(D)~~ ~~plans for closure of the facility in accordance with Subchapter 25 of this Chapter; and~~

~~(E)~~ ~~establishment of financial assurance in accordance with Subchapter 27 of this Chapter.~~

~~(b)~~ **~~Information not identified.~~** ~~DEQ may require the applicant to submit additional data, revise design specifications or propose environmental safeguards as necessary to meet DEQ rules for the protection of human health and the environment.~~

~~(c)~~ **~~Permit modification applications.~~** ~~An applicant requesting a modification to an existing permit shall submit information identified in this Part related to the proposed modification.~~