**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY**

**CHAPTER 515. MANAGEMENT OF SOLID WASTE**

Before the Solid Waste Management Advisory Council at 9:00 a.m. on January 20, 2022.

Before the Environmental Quality Board on February 18, 2022.

**RULE IMPACT STATEMENT**

Subchapter 1. General Provisions

252:515-1-2 [AMENDED]

252:515-1-8 [AMENDED]

Subchapter 9. Groundwater Monitoring/Corrective Action

Part 3. Background Water Quality

252:515-9-31 [AMENDED]

Part 9. Assessment Monitoring

252:515-9-94 [AMENDED]

252:515-9-96 [AMENDED]

Subchapter 13. Leachate Collection and Management

Part 5. Leachate Management

252:515-13-52 [AMENDED]

Subchapter 17. Stormwater Management

252:515-17-3 [AMENDED]

Subchapter 19. Operational Requirements

Part 5. Cover and Soil Borrow Requirements for Land Disposal Facilities

252:515-19-50 [AMENDED]

Part 13. Wheel Washes

252:515-19-131 [REVOKED]

252:515-19-133 [REVOKED]

252:515-19-138 [REVOKED]

Subchapter 21. Used Tire Processing, Certification, Permits and Compensation

Part 7. Compensation from the Waste Tire Indemnity Fund

252:515-21-72 [AMENDED]

252:515-21-74 [REVOKED]

Subchapter 23. Regulated Medical Waste Management

Part 3. Operational Requirements for all Commercial Regulated Medical Waste Processing Facilities

252:515-23-31 [AMENDED]

Subchapter 25. Closure and Post-Closure Care

Part 5. Post-Closure

252:515-25-54 [AMENDED]

Subchapter 27. Cost Estimates and Financial Assurance

Part 1. General Provisions

252:515-27-4 [AMENDED]

252:515-27-8 [AMENDED]

Part 3. Cost Estimates

252:515-27-34 [AMENDED]

Subchapter 41. Roofing Material Recycling

252:515-41-5 [REVOKED]

252:515-41-6 [REVOKED]

252:515-41-7 [REVOKED]

252:515-41-8 [REVOKED]

252:515-41-9 [REVOKED]

252:515-41-10 [REVOKED]

252:515-41-11 [REVOKED]

Appendix H. Procedure for Calculating Closure Cost Estimates for Financial Assurance [REVOKED]

Appendix H. Procedure for Calculating Closure Cost Estimates for Financial Assurance [NEW]

Appendix I. Procedure for Calculating Post-closure Cost Estimates for Financial Assurance [REVOKED]

Appendix I. Procedure for Calculating Post-closure Cost Estimates for Financial Assurance [NEW]

**DESCRIPTION:** The Department of Environmental Quality (DEQ) is proposing to amend OAC 252:515 in response to Governor Stitt’s Executive Order 2020-03. The gist of this rulemaking is to remove redundant and outdated regulations and make minor changes to clarify existing language. Included, are proposed changes to clarify background water quality and assessment monitoring sampling requirements, and leachate storage options.

**CLASSES OF PERSONS AFFECTED:** Owners and/or operators of new and existing solid waste disposal facilities will be required to comply with the proposed rulemaking.

**CLASSES OF PERSONS WHO WILL BEAR COSTS:** Owners and/or operators of new and existing solid waste disposal facilities will bear the costs of complying with the proposed rulemaking.

**INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** No information was provided to the Department by any private or public entities regarding cost impacts for the proposed rulemaking.

**CLASSES OF PERSONS BENEFITTED:** The general public and owners and/or operators of solid waste disposal facilities will benefit from the proposed rulemaking as it will remove outdated and redundant language and improve the clarity of Chapter 515.

**PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** Owners and operators of solid waste disposal facilities are currently subject to OAC 252:515; therefore, minimal economic impact is anticipated as a result of the proposed rulemaking.

**PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** Solid waste disposal facilities, if owned and/or operated by a political subdivision, are currently subject to OAC 252:515 therefore minimal economic impact is anticipated as a result of the proposed rulemaking.

**POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** No adverse impact on small business is anticipated.

**LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** None.

**PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** DEQ will incur and absorb any additional costs associated with the proposed rulemaking, though none are anticipated. The benefit to DEQ is improving the clarity of Chapter 515.

**PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** None.

**SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** The source of revenue to be used to implement and enforce the proposed rulemaking are fees previously established and collected pursuant to 27A O.S. § 2-10-802.

**PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** None.

**COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE:** No cooperation of political subdivisions is required for the proposed rulemaking.

**EXPLANATION OF THE MEASURES DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** DEQ will be absorbing any additional costs associated with the proposed rulemaking, though none are anticipated, and will not be proposing any additional permitting or disposal fees at this time.

**DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** There are no other such methods of achieving the purpose of the proposed rule.

**DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:** The proposed rulemaking will have a positive effect on public health, safety, and the environment by maintaining clear and concise language throughout Chapter 515.

**IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT, EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK:** The proposed rulemaking is designed to reduce risks to public health, safety, and the environment by ensuring that Chapter 515 is clear and concise.

**DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** If the proposed rulemaking is not implemented, DEQ’s ability to consistently regulate solid waste disposal facilities could be affected.

**PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES, INCLUDING QUANTIFIABLE DATA WHERE POSSIBLE:** The proposed rulemaking will impact all business entities that own and/or operate solid waste disposal facilities. However, the qualitative and quantitative impact on these business entities will be minimal, as the proposed rulemaking is an attempt to remove outdated and redundant language and improve the clarity of Chapter 515.

**THIS RULE IMPACT STATEMENT WAS PREPARED ON:** December 15, 2021.