



Ohio Administrative Code

Rule 3745-525-710 Closure or retrofit of CCR units, 40 C.F.R. 257.101.

Effective: October 1, 2026

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- (A) The owner or operator of an existing unlined CCR surface impoundment, as determined under paragraph (A) of rule 3745-525-202 of the Administrative Code, is subject to the requirements of paragraph (A)(1) of this rule.
- (1) Except as provided by paragraph (A)(3) of this rule, as soon as technically feasible, but not later than April 11, 2021, an owner or operator of an existing unlined CCR surface impoundment shall cease placing CCR and non-CCR waste streams into such CCR surface impoundment and either retrofit or close the CCR unit in accordance with the requirements of rule 3745-525-720 of the Administrative Code.
 - (2) An owner or operator of an existing unlined CCR surface impoundment that closes in accordance with paragraph (A)(1) of this rule shall include a statement in the notification required under paragraph (G) or (K)(5) of rule 3745-525-720 of the Administrative Code that the CCR surface impoundment is closing or retrofitting under the requirements of paragraph (A)(1) of this rule.
 - (3) The timeframe specified in paragraph (A)(1) of this rule does not apply if the owner or operator complies with the alternative liner demonstration provisions specified in paragraph (D) of rule 3745-525-202 of the Administrative Code or the alternative closure procedures specified in rule 3745-525-730 of the Administrative Code.
 - (4) At any time after the initiation of closure under paragraph (A)(1) of this rule, the owner or operator may cease closure activities and initiate a retrofit of the CCR unit in accordance with the requirements of paragraph (K) of rule 3745-525-720 of the Administrative Code.
- (B) The owner or operator of an existing CCR surface impoundment is subject to the requirements of paragraph (B)(1) of this rule.
- (1)
 - (a) Location standard under rule 3745-525-101 of the Administrative Code. Except as provided by paragraph (B)(4) of this rule, the owner or operator of an existing CCR surface impoundment that has not demonstrated compliance with the location standard specified in paragraph (A) of rule 3745-525-101 of the Administrative Code shall cease placing CCR and non-CCR waste streams into such CCR unit as soon as technically feasible, but not later than April 11, 2021, and close the CCR unit in accordance with the requirements of rule 3745-525-720 of the Administrative Code.



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- (b) Location standards under rules 3745-525-102 to 3745-525-105 of the Administrative Code. Except as provided by paragraph (B)(4) of this rule, within six months of determining that an existing CCR surface impoundment has not demonstrated compliance with any location standard specified in paragraph (A) of rule 3745-525-102 of the Administrative Code, paragraph (A) of rule 3745-525-103 of the Administrative Code, paragraph (A) of rule 3745-525-104 of the Administrative Code, and paragraph (A) of rule 3745-525-105 of the Administrative Code, the owner or operator of the CCR surface impoundment shall cease placing CCR and non-CCR waste streams into such CCR unit and close the CCR unit in accordance with the requirements of paragraph (D) of rule 3745-525-720 of the Administrative Code.
 - (2) Within six months of either failing to complete the initial or any subsequent periodic safety factor assessment required by paragraph (E) of rule 3745-525-204 of the Administrative Code by the deadlines specified in paragraphs (F)(1) to (F)(3) in rule 3745-525-204 of the Administrative Code or failing to document that the calculated factors of safety for the existing CCR surface impoundment achieve the minimum safety factors specified in paragraphs (E)(1)(a) to (E)(1)(d) of rule 3745-525-204 of the Administrative Code, the owner or operator of the CCR surface impoundment shall cease placing CCR and non-CCR waste streams into such CCR unit and close the CCR unit in accordance with the requirements of rule 3745-525-720 of the Administrative Code.
 - (3) An owner or operator of an existing CCR surface impoundment that closes in accordance with paragraph (B)(1) or (B)(2) of this rule shall include a statement in the notification required under paragraph (G) of rule 3745-525-720 of the Administrative Code that the CCR surface impoundment is closing under the requirements of paragraph (B)(1) or (B)(2) of this rule.
 - (4) The timeframe specified in paragraph (B)(1) of this rule does not apply if the owner or operator complies with the alternative closure procedures specified in rule 3745-525-730 of the Administrative Code.
- (C) The owner or operator of a new CCR surface impoundment is subject to the requirements of paragraph (C)(1) of this rule.
- (1) Within six months of either failing to complete the initial or any subsequent periodic safety factor assessment required by paragraph (E) of rule 3745-525-205 of the Administrative Code by the deadlines specified in paragraphs (F)(1) to (F)(3) in rule 3745-525-205 of the Administrative Code or failing to document that the calculated factors of safety for the new CCR surface impoundment



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achieve the minimum safety factors specified in paragraphs (E)(1)(a) of rule 3745-525-205 of the Administrative Code, the owner or operator of the CCR surface impoundment shall cease placing CCR and non-CCR waste streams into such CCR unit and close the CCR unit in accordance with the requirements of rule 3745-525-720 of the Administrative Code.

- (2) An owner or operator of a new CCR surface impoundment that closes in accordance with paragraph (C)(1) of this rule shall include a statement in the notification required under paragraph (G) of rule 3745-525-720 of the Administrative Code that the CCR surface impoundment is closing under the requirements of paragraph (C)(1) of this rule.
- (D) The owner or operator of an existing CCR landfill is subject to the requirements of paragraph (D)(1) of this rule.
- (1) Except as provided by paragraph (D)(3) of this rule, within six months of determining that an existing CCR landfill has not demonstrated compliance with the location restriction for unstable areas specified in paragraph (A) of rule 3745-525-105 of the Administrative Code, the owner or operator of the CCR unit shall cease placing CCR and non-CCR waste streams into such CCR landfill and close the CCR unit in accordance with the requirements of rule 3745-525-720 of the Administrative Code.
 - (2) An owner or operator of an existing CCR landfill that closes in accordance with paragraph (D)(1) of this rule shall include a statement in the notification required under paragraph (G) of rule 3745-525-720 of the Administrative Code that the CCR landfill is closing under the requirements of paragraph (D)(1) of this rule.
 - (3) The timeframe specified in paragraph (D)(1) of this rule does not apply if the owner or operator complies with the alternative closure procedures specified in rule 3745-525-730 of the Administrative Code.