

CHAPTER 18

DISPOSAL OF COAL COMBUSTION RESIDUALS IN
LANDFILLS AND SURFACE IMPOUNDMENTS

Section 1. Authority.

Authority: This Chapter is promulgated pursuant to the Wyoming Environmental Quality Act (Act), Wyoming Statute (W.S.) § 35-11-503.

Section 2. Incorporation by Reference.

(a) General: 40 Code of Federal Regulations (CFR) part 257 subpart D; Standards for the Disposal of Coal Combustion Residuals in Landfills and Surface Impoundments. Any reference in these rules to requirements, procedures, or specific forms contained in 40 CFR part 257 subpart D shall constitute the full adoption by reference of sections of that part and subpart as they appear in the CFR dated December 14, 2020. These rules do not include any later amendments or editions of the incorporated matter.

(b) The Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division, has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules.

(c) More stringent and broader-in-scope provisions: State-specific rules that are more stringent or broader-in-scope than the provisions of 40 CFR part 257 subpart D are detailed in the relevant sections of these rules.

(d) Availability of referenced material: The federal rules incorporated by reference throughout this Chapter are maintained at the following locations:

(i) Electronic copies of the federal rules incorporated by reference throughout these rules may be obtained from the U.S. Government Publishing Office, <https://www.ecfr.gov/>; and

(ii) 40 CFR part 257 subpart D is available for public inspection at the Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division, 200 W. 17th Street, Cheyenne, Wyoming. Printed copies of the federal regulations incorporated by reference throughout these rules are also available at cost from the U.S. Government Publishing Office, 732 North Capitol Street Northwest, Washington D.C. 20401 or at <http://bookstore.gpo.gov/catalog/laws-regulations/code-federal-regulations-cfrs-print>. Copies of federal regulations may be requested at cost through the Wyoming Department of Environmental Quality, which will order the materials from the U.S. Government Publishing Office.

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Section 3. General Provisions.

(a) Scope and purpose: The scope and purpose of 40 CFR 257.50 are incorporated by reference, with the exception of 40 CFR 257.50(e).

(b) Applicability of other regulations: The applicability of other regulations under 40 CFR 257.52 is incorporated by reference.

(c) Definitions: The definitions of 40 CFR 257.53 are incorporated by reference. Definitions in W.S. § 35-11-103(a) and (d), and Chapter 1, Section 1 of these rules not included in 40 CFR 257.53 apply to this chapter and:

(i) “Administrator” means the Solid and Hazardous Waste Division Administrator;

(ii) “Major amendment” means a change to any solid waste management facility location, design or construction, or to any operating, monitoring, closure or post-closure activities, involving one or more of the following items:

(A) The total permitted volumetric capacity of the facility is to be increased by more than five percent;

(B) The effectiveness of any liner, leachate collection or detection system, gas detection or migration system, or pollution control or treatment system may be reduced;

(C) The facility modification will, in the judgment of the Administrator, be likely to alter the fundamental nature of the facility’s activities or reduce the capacity of the facility to protect human health and the environment; and

(iii) The following state terms shall replace the federal terms in 40 CFR part 257.53, unless otherwise noted in these rules:

(A) “Regional Administrator, Participating State Director, or State Director” means the Director of the Wyoming Department of Environmental Quality, or their designee.

(B) “State” means the State of Wyoming.

(C) “Certification from a qualified professional engineer or approval from the Participating State Director or approval from EPA where EPA is the permitting

86 authority” means the certification from a licensed professional engineer and submittal to the
87 Administrator for approval.

88

89 **Section 4. Coal Combustion Residuals (CCR) Landfill and Surface**
90 **Impoundment Permit Application Requirements.**

91

92 (a) Permit required: All CCR units must be permitted in accordance with this
93 Chapter.

94

95 (b) Permit transition: Permit application submittals under Chapter 1, Section 2 of
96 these rules shall meet the following requirements;

97

98 (i) Existing CCR landfills that are permitted under Chapter 3 of these rules
99 that do not have a lifetime permit and intend to continue disposal of CCR after the effective date
100 of this Chapter, shall submit a permit renewal application under this Chapter no later than twelve
101 months prior to the expiration date of the facility’s existing permit or twelve months after the
102 effective date of this Chapter, whichever comes later, unless an alternate schedule is approved by
103 the Administrator for good cause;

104

105 (ii) Existing CCR surface impoundments that are permitted by the Water
106 Quality Division shall submit a new permit application under this Chapter within twelve months
107 of the effective date of this rule unless an alternate schedule is approved by the Administrator for
108 good cause, and;

109

110 (iii) Existing CCR landfill and surface impoundment permits that do not have a
111 lifetime permit and intend to cease disposal of all waste before obtaining a lifetime permit, shall
112 submit a closure permit application no later than twelve months prior to the expiration date of the
113 facility’s existing permit or the date the facility is anticipated to cease disposal of CCR,
114 whichever comes first, unless an alternate schedule is approved by the Administrator for good
115 cause.

116

117 (c) Permit terms:

118

119 (i) Permits for new CCR units or existing CCR surface impoundments
120 seeking a permit under this Chapter will be issued for the operating life of the facility through
121 post-closure.

122

123 (ii) Renewal permits for CCR landfills will be issued for the operating life of
124 the facility through post-closure.

125

126 (iii) Closure permits will be issued for a period that includes the time required
127 to complete closure activities and a minimum thirty year post-closure term. The closure permit
128 period will extend until the Administrator finds that facility closure is protective of human health

129 and the environment consistent with the purposes of the Act. If, following receipt of
130 documentation from the operator, the Administrator determines that all closure and post-closure
131 activities have been completed and closure is protective of human health and the environment,
132 the permit shall be terminated as specified in Chapter 1 of these rules.

133

134 (d) Permit application requirements:

135

136 (i) The permit application shall contain a completed permit application form
137 and a written report demonstrating compliance with the applicable standards and criteria set forth
138 in Sections 5 through 15 of this Chapter. Records and supporting documents such as well logs,
139 maps, cross-sections, and monitoring reports should generally be included in the written report as
140 appendices.

141

142 (ii) All permit application forms shall be completed in accordance with W.S. §
143 35-11-506 and signed by the operator, the landowner, and any real property lienholder of public
144 record. Applications submitted by a municipality, state, federal or other public agency, shall be
145 signed by the head of the agency or ranking elected official.

146

147 (iii) All permit applications shall be prepared under the supervision of a
148 professional engineer licensed by the State of Wyoming. All permit application forms shall be
149 stamped, signed and dated by a professional engineer. In addition, all portions of the permit
150 application that require geological services or work shall be stamped, signed and dated by a
151 professional geologist licensed by the State of Wyoming.

152

153 (e) Closure permit application requirement: Closure permit applications shall be
154 submitted as required in Section 4(b)(iii) and shall meet the requirements of Section 10 of this
155 Chapter.

156

157 (f) Permit amendments:

158

159 (i) All amendments shall comply with the location, design and construction,
160 operating, monitoring, and closure standards of the applicable chapters of these rules. No
161 amendment shall be implemented by the operator without the prior written authorization of the
162 Administrator.

163

164 (ii) The operator shall submit the proposed amendment in a format approved
165 by the Administrator. Permit amendments may be proposed independently or in conjunction
166 with a permit renewal or closure permit application.

167

168 (A) Minor permit amendments will be processed in accordance with
169 Chapter 1, Section 3 of these rules.

170

171 (B) Major permit amendments will be processed in accordance with
172 this section. The application for an amendment shall include a cover letter describing in detail
173 the amendment sought. The application for amendment shall include revisions to the permit
174 application sufficient to fully describe the proposed amendment including a revised table of
175 contents and replacement text, plates, and drawings that are fully formatted and numbered for
176 insertion into the permit application.

177
178 (I) The Administrator shall review major permit amendment
179 applications for completeness in accordance with W.S. § 35-11-502(e) and (f). After the
180 application is determined complete, the applicant shall give written notice of the application as
181 required in Chapter 1, Section 2(c)(i) of these rules.

182
183 (II) The Administrator shall determine whether a proposed
184 permit amendment complies with applicable standards and is suitable for publication under W.S.
185 § 35-11-502(h). The applicant shall provide written notice of a proposed permit amendment as
186 specified in Chapter 1, Section 2(c)(ii) of these rules.

187
188 (III) The Director shall render a decision on the major permit
189 amendment in accordance with W.S. § 35-11-502(k) and (m).

190 **Section 5. General Facility Information.**

191
192
193 All facilities shall demonstrate compliance with the following standards and criteria in
194 the permit application:

195
196 (a) Operator: The name, address, and telephone number of the operator of the facility
197 to whom the permit would be issued, and a listing of any administrative order, civil or
198 administrative penalty assessment, bond forfeiture, misdemeanor or felony conviction, or court
199 proceeding, for any violations of any local, state, or federal law relating to environmental quality
200 or criminal racketeering, in which the applicant (including any partners in a partnership or
201 executive officers in any corporation) has been or is currently a party.

202
203 (b) Manager: Position title, address, and telephone number of the environmental
204 manager. A description of the environmental manager training and examination program to be
205 used by the operator to ensure compliance with the requirements of this Chapter. The
206 description shall include a specific listing of the training courses and the required frequency of
207 attendance of each course by the environmental manager.

208
209 (c) Legal description: Legal description of the property to be used as a disposal
210 facility. The complete legal description shall consist of a plat and legal description, monumented
211 and signed by a Wyoming licensed land surveyor.

212

213 (d) Facility narrative: A brief summary narrative describing the disposal facility. The
214 narrative should include the size and physical location of the facility; the operating history, the
215 type of waste disposal activities that are planned including area fill, trench fill, surface
216 impoundment, and special waste areas; the type, amount, and source of incoming waste; and the
217 publicly accessible CCR website. The narrative should also describe facility access controls and
218 restrictions and waste screening measures.

219
220 (e) Surface and mineral ownership: Information describing surface and mineral
221 ownership of the facility and surface ownership of all lands within one mile of the facility
222 boundary.

223
224 (f) Source of waste: The source of wastes, and the type, trade and common names,
225 and quantity of waste received on a daily, weekly, or monthly basis that will be disposed at the
226 facility.

227
228 (g) Facility capacity: Calculations for facility capacity and facility life that are based
229 upon detailed engineering designs and grading plans.

230
231 (h) Potential to impact surface and groundwater quality: An evaluation of the
232 facility's potential to impact surface and groundwater quality based on the facility design and
233 hydrogeologic information.

234
235 (i) Geologic, hydrologic, and hydrogeology information: The application shall
236 include a summary description of available local geologic, hydrologic, and hydrogeologic
237 information, including copies of all available well logs for wells located within one mile of the
238 proposed and existing facility. This description shall include information on the depth to the
239 uppermost groundwater, groundwater aquifer thickness and hydrologic properties, and the
240 potentiometric surface. Supporting documentation such as well completion logs, geologic cross
241 sections, soil boring lithologic logs, potentiometric surface maps, and soil or groundwater testing
242 data should be supplied as an appendix.

243
244 **Section 6. Location Standards.**

245
246 All facilities shall demonstrate compliance with the following applicable standards and
247 criteria in the permit application:

248
249 (a) Placement above the uppermost aquifer: The criteria of 40 CFR 257.60 are
250 incorporated by reference.

251
252 (b) Wetlands: The criteria of 40 CFR 257.61 are incorporated by reference.

253
254 (c) Fault areas: The criteria of 40 CFR 257.62 are incorporated by reference.

255

256 (d) Seismic impact zones: The criteria of 40 CFR 257.63 are incorporated by
257 reference.

258
259 (e) Unstable areas: The criteria of 40 CFR 257.64 are incorporated by reference.

260
261 (f) New facilities: New CCR landfills and surface impoundments shall not be located
262 in violation of W.S. § 35-11-502(c) or any of the following standards:

263
264 (i) Distance to other surface waters: CCR landfills and surface impoundments
265 shall not be located within the ordinary high water mark of perennial rivers, streams, or creeks,
266 except that surface impoundments not containing hazardous or toxic wastes may be located
267 within the ordinary high water mark of intermittent rivers, streams, creeks, draws, coulees, or
268 other natural drainages provided a by-pass ditch is installed capable of passing the 24-hour 100-
269 year precipitation event. All other surface impoundments shall be protected from structural
270 damage during the 100-year flood event;

271
272 (ii) Local zoning ordinances: CCR landfill and surface impoundment locations
273 shall not be in conflict with local zoning ordinances or land use plans that have been adopted by
274 a county commission or municipality;

275
276 (iii) Public park or recreation area: CCR landfills and surface impoundments
277 shall not be located within 1,000 feet of any public park or recreation area unless the facility is
278 screened from view by natural objects, plantings, fences or other appropriate means;

279
280 (iv) Wild and Scenic Rivers Act: CCR landfill and surface impoundment
281 locations shall not diminish the scenic, recreational and fish and wildlife values for any section
282 of river designated for protection under the Wild and Scenic Rivers Act, 16 U.S.C. 1271 et seq.,
283 and implementing regulations;

284
285 (v) National Historic Preservation Act: CCR landfills and surface
286 impoundments shall not be located in areas where they may pose a threat to an irreplaceable
287 historic or archeological site listed pursuant to the National Historic Preservation Act, 16 U.S.C.
288 470 et seq. and implementing regulations, or to a natural landmark designated by the National
289 Park Service;

290
291 (vi) Big game winter range: CCR landfills and surface impoundments shall not
292 be located within critical winter ranges for big game unless, after consultation with the Wyoming
293 Game and Fish Department, the Administrator determines that facility development would not
294 conflict with the conservation of Wyoming's wildlife resources;

295
296 (vii) Avalanche areas: CCR landfills and surface impoundments shall not be
297 located in documented avalanche-prone areas;

298

299 (viii) Hydrogeologic conditions: CCR landfills and surface impoundments shall
300 not be located in an area where the Administrator, after investigation by the applicant, finds that
301 there is a reasonable probability that CCR disposal will have a detrimental effect on surface
302 water or groundwater quality or where the Administrator determines it is not possible to
303 effectively monitor existing groundwater; and

304
305 (ix) Compliance with other standards: CCR landfills and surface
306 impoundments that are also subject to regulation under Chapters 6 or 8 of these rules shall not be
307 located in violation of the standards of those chapters.

308
309 **Section 7. Design Criteria.**

310 All facilities shall demonstrate compliance with the following applicable standards and
311 criteria in the permit application:

312
313
314 (a) Design criteria for new CCR landfills and any lateral expansion of a CCR landfill:
315 The criteria of 40 CFR 257.70 are incorporated by reference.

316
317 (b) Liner design criteria for existing CCR surface impoundments: The criteria of 40
318 CFR 257.71 are incorporated by reference.

319
320 (c) Liner design criteria for new CCR surface impoundments and any lateral
321 expansion of a CCR surface impoundment: The criteria of 40 CFR 257.72 are incorporated by
322 reference.

323
324 (d) Structural integrity criteria for existing CCR surface impoundments: The criteria
325 of 40 CFR 257.73 are incorporated by reference, with the exception of the phrase “not to exceed
326 a height of six inches above the slope of the dike” in 40 CFR 257.73(a)(4) and (d)(1)(iv).

327
328 (e) Structural integrity criteria for new CCR surface impoundments and any lateral
329 expansion of a CCR surface impoundment: The criteria of 40 CFR 257.74 are incorporated by
330 reference, with the exception of the phrase “not to exceed a height of six inches above the slope
331 of the dike” in 40 CFR 257.74(a)(4) and (d)(1)(iv).

332
333 (f) Design criteria: A detailed description of the facility design and construction
334 standards including:

335
336 (i) Surveyed corners: All facility boundary corners shall be surveyed and
337 marked with permanent survey caps.

338
339 (ii) Buffer zones: All facilities shall be designed and constructed with a buffer
340 zone that is a minimum of twenty feet wide within the facility perimeter fence.

341

342 (iii) Cover material availability: An evaluation of the availability of cover
343 material sufficient to properly operate the facility through the closure period.

344
345 (iv) Slope stability for excavations: Trench walls shall not exceed a ratio of
346 1.5:1 (horizontal:vertical) unless a slope stability analysis demonstrates steeper slopes can be
347 safely constructed and maintained. This analysis may be based on site-specific soil stability
348 calculations or Wyoming Occupational Safety and Health Administration regulations for
349 excavations.

350
351 (v) Quality assurance/quality control: Facilities shall submit construction
352 quality assurance/quality control plans that ensure adequate construction and testing of the
353 containment system components.

354
355 **Section 8. Operating Criteria.**

356
357 All facilities shall demonstrate compliance with the following applicable standards and
358 criteria in the permit application:

359
360 (a) Air criteria: The criteria of 40 CFR 257.80 are incorporated by reference.

361
362 (b) Run-on and run-off controls for CCR landfills: The criteria of 40 CFR 257.81 are
363 incorporated by reference.

364
365 (c) Hydrologic and hydraulic capacity requirements for CCR surface impoundments:
366 The criteria of 40 CFR 257.82 are incorporated by reference.

367
368 (d) Inspection requirements for CCR surface impoundments: The criteria of 40 CFR
369 257.83 are incorporated by reference.

370
371 (e) Inspection requirements for CCR landfills: The criteria of 40 CFR 257.84 are
372 incorporated by reference.

373
374 (f) Additional operating criteria:

375
376 (i) Qualified environmental manager: Each facility shall be managed by a
377 qualified environmental manager. In the event that a qualified environmental manager
378 terminates employment for any reason, a new environmental manager shall be designated within
379 three months of such termination. For any facility that is constructed, operated, and monitored in
380 compliance, the environmental manager's qualifications shall be presumed to be adequate. For
381 any facility that is not being constructed, operated, or monitored in compliance, the
382 environmental manager may be required to complete additional training and demonstrate his or
383 her qualifications by written or oral examination. A qualified environmental manager shall:
384

385 _____ (A) Possess a complete working knowledge of the facility construction,
386 operating, and monitoring procedures, as specified in the permit application and the permit letter
387 issued by the Director.

388 _____
389 _____ (B) Attend the classroom or field training program described in the
390 approved permit application.

391 _____
392 _____ (C) Attend any training course sponsored by the Department that the
393 Administrator requires, to provide training on changes to state or federal solid waste rules or
394 guidelines. For any such mandatory training course, the Administrator shall provide each
395 operator with a minimum of forty-five days notice prior to the scheduled training course.

396 _____
397 _____ (ii) Copy of plan: The operator shall have a copy of the operating plan
398 available at the facility when personnel are on-site.

399 _____
400 _____ (iii) Access restrictions: Facilities shall be fenced and equipped with a gate that
401 can be locked unless the facility is located in a remote or industrial area that already has adequate
402 access control features in place to meet the intent of this standard.

403 _____
404 _____ (iv) Burning: No open burning of solid waste is allowed, with the exception of
405 infrequent burning of clean wood, tree trimmings, brush, agricultural wastes, silvicultural wastes,
406 land clearing debris, diseased trees, or debris from emergency cleanup operations; this exception
407 is valid only when the operator has obtained a permit from the Air Quality Division.

408 _____
409 _____ (v) Fire protection and other emergency protection measures: Facilities shall
410 maintain, at a minimum, an unobstructed ten foot fire lane around all active CCR units or within
411 the perimeter fence.

412 _____
413 _____ (vi) Hazardous waste: No CCR landfill or surface impoundment may accept
414 regulated quantities of hazardous waste.

415 _____
416 _____ (vii) Waste screening: Facilities shall provide a description of waste screening
417 measures used to prevent disposal of unauthorized wastes.

418 _____
419 _____ (viii) Waste analyses: Facilities shall provide, as requested by the
420 Administrator, waste analyses including:

421 _____
422 _____ (A) A description of the physical condition of the waste;

423 _____
424 _____ (B) Chemical analyses of the total concentrations of waste constituents
425 specified by the Administrator;
426 _____

427 (C) Leachate analyses from the extraction procedure specified by the
428 Administrator; and

429 (D) Analysis of hazardous waste characteristics.

431

432 **Section 9. Groundwater Monitoring and Corrective Action.**

433

434 All facilities shall demonstrate compliance with the following applicable standards and
435 criteria in the permit application:

436

437 (a) Applicability: The criteria of 40 CFR 257.90 are incorporated by reference with
438 the exception of 40 CFR 257.90(g) and the following additions:

439

440 (i) The operator shall include the following additional information in its
441 annual groundwater monitoring and corrective action report:

442

443 (A) A summary of facility operations and activities carried out during
444 the last year including a revised schedule or timetable of facility operations and activities;

445

446 (B) A summary of anticipated permit amendments during the next
447 year;

448

449 (C) The remaining usable CCR landfill and CCR surface impoundment
450 capacity (in total cubic yards) excluding final cover;

451

452 (D) Quantity of waste managed during the last year and the method
453 used to determine the amount;

454

455 (E) Quantity of CCR waste removed, recovered, or diverted for
456 beneficial use and the method used to determine the amount;

457

458 (F) Electronic copies of all required monitoring data not already
459 submitted following a sampling event, in a format specified by the Administrator. The
460 Administrator may require paper copies of monitoring data, as well as supporting charts or maps
461 that represent the data; and

462

463 (G) The Administrator may require reporting of additional information
464 needed to demonstrate compliance with these rules.

465

466 (b) Groundwater monitoring systems: The criteria of 40 CFR 257.91 are incorporated
467 by reference with the following additions:

468

469 (i) A description of the groundwater monitoring well location, design,
470 construction, and development; and

471
472 (ii) A description of the groundwater sampling program including sampling
473 frequency, test parameters, sampling procedures, test methods and quality control.

474
475 (c) Groundwater sampling and analysis requirements: The criteria of 40 CFR 257.93
476 are incorporated by reference with the following additions:

477
478 (i) If the operator is disposing of non-CCR industrial waste, the detection
479 monitoring program may also include constituents identified in Chapter 3, Appendix A of these
480 rules, as required by the Administrator;

481
482 (ii) If the operator is disposing of non-CCR industrial waste, the assessment
483 monitoring program may include constituents identified in Chapter 3, Appendix B of these rules,
484 as required by the Administrator; and

485
486 (iii) Constituents identified in Water Quality Rules, Chapter 8, Table 1 may be
487 included as required by the Administrator for groundwater classification.

488
489 (d) Detection monitoring program: The criteria of 40 CFR 257.94 are incorporated by
490 reference.

491
492 (e) Assessment monitoring program: The criteria of 40 CFR 257.95 are incorporated
493 by reference with the exception of 40 CFR 257.95(h)(2) and the following additions:

494
495 (i) The owner or operator must request in writing that the Administrator
496 establish a groundwater protection standard for any constituent required by the Administrator
497 under (c)(i) or (ii) of this subsection that is not listed in 40 CFR part 257, Appendix III or IV.
498 The Administrator shall establish groundwater protection standards for such constituents, which
499 shall be:

500
501 (A) For constituents where a maximum contaminant level (MCL) has
502 been promulgated, the MCL for that constituent;

503
504 (B) For constituents for which MCLs have not been promulgated, the
505 background concentration; or

506
507 (C) For constituents for which the background level is higher than the
508 MCL or any health-based level established under subsection (e)(ii), the background
509 concentration.

510

511 (ii) The Administrator may establish an alternative groundwater protection
512 standard for constituents for which MCLs have not been established. These groundwater
513 protection standards shall be health-based levels. For constituents where a MCL does not exist,
514 the alternative groundwater protection standard shall be the more stringent standard meeting the
515 requirements of Water Quality Rules, Chapter 8, Table 1 based on groundwater class of use or
516 the Drinking Water Equivalent Level as determined by the procedures found in the Storage Tank
517 Rules Chapter 1, Section 39(e).

518
519 (f) Assessment of corrective measures: The criteria of 40 CFR 257.96 are
520 incorporated by reference.

521
522 (g) Selection of remedy: The criteria of 40 CFR 257.97 are incorporated by reference.
523

524 (h) Implementation of the corrective action program: The criteria of 40 CFR 257.98
525 are incorporated by reference.

526
527 **Section 10. Closure and Post-Closure Care.**

528
529 All facilities shall demonstrate compliance with the following applicable standards and
530 criteria in the permit application:

531
532 (a) Inactive CCR surface impoundments: The criteria of 40 CFR 257.100 are
533 incorporated by reference.

534
535 (b) Closure or retrofit of CCR units: The criteria of 40 CFR 257.101 are incorporated
536 by reference.

537
538 (c) Criteria for conducting the closure or retrofit of CCR units: The criteria of 40
539 CFR 257.102 are incorporated by reference.

540
541 (d) Alternative closure requirements: The criteria of 40 CFR 257.103 are
542 incorporated by reference.

543
544 (e) Post-closure care requirements: The criteria of 40 CFR 257.104 are incorporated
545 by reference.

546
547 **Section 11. Recordkeeping, Notification, and Posting of Information to the**
548 **Internet.**

549
550 All facilities shall demonstrate compliance with the following applicable standards and
551 criteria in the permit application:

552

553 (a) Recordkeeping requirements: The criteria of 40 CFR 257.105 are incorporated by
554 reference, notwithstanding Chapter 1, Section 1(d) of these rules.

555
556 (b) Notification requirements: The criteria of 40 CFR 257.106 are incorporated by
557 reference.

558
559 (c) Publicly accessible internet site requirements: The criteria of 40 CFR 257.107 are
560 incorporated by reference with the following addition:

561
562 (i) Final determination on permit applications shall be placed to the owner or
563 operator's CCR website within five days.

564
565 **Section 12. Industrial Waste Standards.**

566
567 Industrial waste standards: If disposing of non-CCR industrial waste, the permit
568 application shall demonstrate compliance with the applicable requirements of Chapter 3 of these
569 rules.

570
571 **Section 13. Transfer, Treatment, and Storage Facility Standards.**

572
573 Transfer, treatment, and storage facility standards: If applicable, the permit application
574 shall demonstrate compliance with the requirements of Chapter 6 of these rules.

575
576 **Section 14. Special Waste Standards.**

577
578 Special waste standards: If applicable, the permit application shall demonstrate
579 compliance with the requirements of Chapter 8 of these rules.

580
581 **Section 15. Supporting Documentation/Appendices.**

582
583 All permit application appendices shall, at a minimum, include the information in this
584 section:

585
586 (a) USGS topographic map: A USGS topographic map with a scale of 1:24,000 with
587 the proposed facility location shown; an original USGS topographic map with a scale of
588 1:62,500 or other suitable topographic map may be submitted if a 1:24,000 map is unavailable.

589
590 (b) Map or aerial photograph of the area: A map or aerial photograph of the area shall
591 be submitted showing land ownership, land use and zoning within one mile of the disposal
592 facility. The map or photograph shall be of sufficient scale to show all city boundaries, each
593 occupied dwelling house, schools, hospitals, industrial buildings, water wells, water courses,
594 roads, and other applicable details.

595

596 (c) General facility plot plan: A general facility plot plan (map) with a scale and
597 contour intervals approved by the Administrator shall be submitted. The general facility plot
598 plan shall at a minimum illustrate the following features:

- 599
- 600 (i) Facility boundaries;
 - 601
 - 602 (ii) Points of access;
 - 603
 - 604 (iii) Location of soil borings and groundwater monitor wells;
 - 605
 - 606 (iv) Location of proposed CCR landfill and surface impoundment locations;
 - 607
 - 608 (v) Perimeter fire lane; and
 - 609
 - 610 (vi) Perimeter fence location.

611

612 (d) Additional facility plot plans: Additional facility plot plans, at the same scale as
613 the general facility plot plan, shall be submitted as necessary to show orderly development and
614 use of the facility through the life of the facility. These plot plans shall at a minimum contain the
615 following information:

- 616
- 617 (i) Excavation plans for development of CCR landfill and surface
618 impoundment locations;
 - 619
 - 620 (ii) Development of temporary surface water diversion structures that may be
621 necessary to adequately control surface water run-on and run-off;
 - 622
 - 623 (iii) Access to active waste disposal areas, including development of internal
624 roads; and
 - 625
 - 626 (iv) Other details pertinent to the development and use of the facility.

627

628 (e) Map showing proposed final contours: A map showing proposed final contours
629 prepared at the same scale and contour intervals as the general facility plot plan shall be
630 submitted.

631

632 (f) Map of facility boundaries: If the CCR unit is included in a larger industrial
633 property, a map shall be included that shows the facility boundaries in relation to the overall
634 boundaries of the industrial property.

635

636 (g) Cross sections and drawing details: Cross sections and drawing details shall be
637 submitted with sufficient specifications to describe:

638

- 639 (i) Systems used for monitoring, collection, treatment and disposal of
640 leachate, if required;
641
642 (ii) Groundwater monitoring well design;
643
644 (iii) All components of engineered containment systems, including, but not
645 limited to, liners, caps, berms, leachate collection systems, and leak detection systems, if
646 applicable; and
647
648 (iv) Any other design details requested by the Administrator.