Kansas Administrative Regulations

Department of Health and Environment

Article 29.—Solid Waste Management—Part 8. Construction and Demolition Landfills.

28-29-321. Construction and demolition (C&D) landfill closure and postclosure care.

This regulation shall apply to each C&D landfill that closes after the effective date of this regulation.

(a) Notification of closure. The owner or operator of each C&D landfill shall notify the department, in writing, at least 60 days before each of the following events:

(1) The closure of each disposal unit at the landfill; and

(2) the final closure of the C&D landfill.

(b) Closure activities.

(1) The owner or operator of each C&D landfill shall close the landfill according to the approved closure plan and shall install the final cover within six months of the last receipt of waste at the landfill.

(2) The owner or operator shall notify the secretary when closure activities have been completed and shall arrange for a closure inspection by the secretary.

(c) Postclosure care. After the secretary approves the closure of the C&D landfill, the owner or operator shall conduct postclosure care for 30 years.

(1) During the postclosure care period, the owner or operator shall perform and document annual inspection and maintenance of the cover to ensure the integrity and effectiveness of the final cover, including the following:

(A) Making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, and other events; and

(B) preventing run-on and runoff from eroding or otherwise damaging the final cover.

(2) After five years of inspections, the owner or operator may submit a request to the secretary for a less frequent inspection schedule.

(d) Certification. Following completion of the postclosure care period for the C&D landfill, the owner or operator shall submit a certification to the secretary. The certification shall be signed by a professional engineer licensed in Kansas and shall verify that the postclosure care requirements have been fulfilled in accordance with the postclosure plan.

(e) Lengthened postclosure care period. The length of the postclosure care period may be increased if the secretary determines that the lengthened period is necessary to protect public health, safety, and the environment.

This regulation shall take effect 90 days after publication in the Kansas register.

(Authorized by and implementing K.S.A. 65-3406; effective March 17, 2004.)

***** Authenticated Kansas Administrative Regulation *****