

15A NCAC 13B .0406 CLOSURE REQUIREMENTS

(a) The owner or operator of a transfer station (site) shall schedule and document closure of the site in accordance with the following criteria:

- (1) The owner or operator shall submit written notification of closure to the Division no less than 90 days prior to the proposed date of cessation of waste acceptance at the site.
- (2) The owner or operator shall begin closure activities in Paragraph (b) of this Rule no later than 30 days after the date of the final receipt of waste at the site.
- (3) The owner or operator shall complete closure activities in Paragraph (b) of this Rule within 180 days after beginning the closure activities as specified in Subparagraph (2) of this Paragraph.
- (4) When the requirements of Paragraph (b) have been met, the owner or operator shall notify the Division in writing that the requirements have been met. The notification shall state how the requirements were met and shall be placed in the operating record.
- (5) A final inspection for closure shall be conducted by the Division to verify that the conditions of closure in this Rule have been met.

(b) The owner or operator shall complete the following closure activities to close the site:

- (1) The owner or operator shall remove all waste from the site in accordance with the requirements of this Subchapter.
- (2) Leachate collection systems, if present, shall be closed in accordance with the leachate management plan incorporated into the permit by Rule .0404(d) of this Section.
- (3) The owner or operator shall complete any closure activities stated in the closure plan incorporated into the permit by Rule .0404(d) of this Section.
- (4) If the site has been required by the Division to conduct a corrective action program following closure of the site in accordance with this Rule, or elects to leave a leachate collection system or tank in place for future use, the owner or operator shall submit to the Division a notice for the site property that has been recorded at the county Register of Deeds office that meets the following criteria:
 - (A) The notice shall be discoverable during a title search for the site property deed.
 - (B) The notice shall be in accordance with G.S. 130A-310.71(e) or G.S. 143B-279.10.
 - (C) The notice shall notify any potential purchaser of the property that the land has been used as a solid waste management facility and its use may be restricted by the Division.

(c) If the Division requires groundwater or surface water monitoring or corrective action at the site in accordance with Rule .0405(a)(2) of this Section, the monitoring and corrective action at the site shall continue in a post-closure care period until the Division authorizes termination of corrective action at the site in accordance with 15A NCAC 02L .0106.

(d) The owner or operator may submit a written request to the Division after closure to remove the land-use restrictions required by Subparagraph (b)(4) of this Rule. If the Division approves removal of the land-use restrictions, the Division shall provide approval documentation to the landowner stating that the land-use restrictions at the site have been removed, and the landowner may record the approval documentation with the county Register of Deeds. The Division shall approve the removal of land-use restrictions if the following conditions are met:

- (1) all post-closure care activities required by the rules of this Section have been completed;
- (2) the Division authorizes termination of any corrective action program in accordance with 15A NCAC 02L .0106; and
- (3) any leachate collection system has been removed.

History Note: Authority G.S. 130A-294;
Eff. January 1, 2021.