

06-096

Department of Environmental Protection

Maine Solid Waste Management Rules:

CHAPTER 401

**LANDFILL SITING,
DESIGN AND OPERATION**

TABLE OF CONTENTS

	Page
1. General Licensing Requirements.....	1
A. Applicability.....	1
B. Two Stage Process for Licensing Landfills	1
C. Performance Standards and Siting Criteria.....	1
D. General Requirements.....	3
E. Preliminary Information Reports and Other Pre-Application Requirements.....	4
2. Application Requirements	5
A. General Information.....	6
B. Site-Specific Investigation	6
C. Site Assessment Report.....	7
D. Design Standards for Landfills	10
E. Alternative Design Process	16
F. Engineering Report for Landfills	16
G. Contaminant Transport Analysis	23
H. Plan View and Profile View Drawings.....	24
I. Quality Assurance Plan.....	25
J. Construction Contract Bid Documents	26
K. Water Quality Report and Proposed Monitoring Program	26
L. Operations Manual.....	26
3. Landfill Construction.....	26
A. Pre-Construction Conference.....	26
B. Quality Assurance Plan.....	26
C. Liner Installation.....	27
D. Changes from Approved Plans and Specifications	27
E. Weekly Inspection Reports	27
F. Photographic Documentation.....	28
G. Record Drawings.....	28
H. Final Construction Report and Commencement of Operations	28
4. Landfill Operations.....	29
A. Operations Manual.....	29
B. Operator Training and Certification Program.....	30
C. Operating Requirements	30
D. Annual Report	38
5. Landfill Closure.....	40
A. Applicability.....	40
B. General Requirements.....	40
C. Optional Workplan and Pre-Application Meeting	41
D. Application Requirements.....	42
E. Site Investigation for Closure	43
F. Site Assessment Report.....	44
G. Design Standards for Closure	44
H. Alternative Design Process	48
I. Engineering Report for Landfill Closure	49
J. Test Pads	52
K. Quality Assurance Plan.....	52

L.	Construction Contract Bid Documents	53
M.	Requirements During Construction	53
6.	Post-Closure Monitoring and Maintenance	56
A.	Post-Closure Monitoring and Maintenance Plan	56
B.	Post-Closure Standards	56
C.	Reporting Requirements	57
D.	Landfill Reclamation.....	57
7.	Special Requirements for Licensing Construction/Demolition Debris, Land Clearing Debris, and Wood Waste Landfills	578
A.	Applicability.....	578
B.	Exemptions.....	58
C.	Transition Provisions for Construction/Demolition Debris, Land Clearing Debris and Wood Waste Landfills Less than 6 Acres in Size	59
D.	General Requirement for Licensing Construction/Demolition Debris, Land Clearing Debris and Wood Waste Landfills under this Section	5960
E.	Preliminary Site Assessment Report and other Pre-Application Requirements	612
F.	Application Requirements.....	63
G.	Landfill Construction	667
H.	Operating Requirements	678
I.	Closing Requirements	73
J.	Post-Closure Requirements.....	74
8.	Permit-By-Rule for Cull Potato Disposal	75
A.	Notification Requirements	75
B.	Public Notice.....	76
C.	Standards.....	76
	Appendix A: Requirements for Earthworks Testing Programs	81

that key personnel have adequate knowledge to operate the landfill in accordance with the provisions of the site-specific operations manual, and must include provisions for 8 hours annually of refresher training. Landfill owner/operators must document training completed by their key personnel and keep this information on file for 5 years. SWANA certification is valid for a three year period. Key personnel must maintain a valid SWANA certification or maintain up-to-date site-specific training at all times.

C. Operating Requirements. Each landfill must be operated so that it does not contaminate ground or surface waters outside the solid waste boundary. Except for construction demolition, land-clearing debris, and wood waste landfills, all existing landfills must comply with the operating requirements of this subsection.

(1) Acceptable Solid Waste and Waste Characterization

- (a) A landfill may accept only solid wastes or special wastes as allowed by the Department in the landfill's current license or as licensed under subparagraph (b) below. Special wastes must be handled as described in the landfill's approved operations manual. Landfills may not accept for disposal wastes that are determined to contain free liquids according to the Paint Filter Liquids Test (Method 9095 of E.P.A. SW-846, 3rd Edition).
 - (i) Municipal solid waste combustion ash may be co-disposed with municipal solid waste in landfills that meet the liner design standards of these rules provided that waste characterization is performed in accordance with section 2.F(10).
 - (ii) Dredge materials or contaminated soils with concentrations of contaminants that exceed regulatory limits for hazardous waste, or that have a concentration of 50 mg/kg or greater dry weight of PCBs, are considered a hazardous waste. Disposal of these and other hazardous wastes requires review and approval by the Department under 06-096 CMR 850-857.
 - (iii) All ash proposed for disposal at a landfill must be fully characterized at the source of generation, with statistical analysis performed in accordance with the requirements of EPA SW-846, Test Methods for Evaluating Solid Waste, Third Edition, Volume II, Chapter 9. This testing must occur when the ash is first proposed for disposal.
 - (iv) Solid wastes and special wastes permitted for acceptance as allowed by the landfill's current license must be characterized on an on-going basis in conformance with the characterization plan approved by the Department.
- (b) Applications for the one-time or on-going acceptance of special waste at a landfill must conform to the applicable requirements of Chapter 400 of these rules and Chapter 2 of the Department's rules. The application must include the following:
 - (i) The name and address of the owner or operator and the generator of the waste;

- (ii) A description of the facility processes that generated the waste, if applicable;
 - (iii) A description of the waste and an estimate of the volume of waste to be disposed;
 - (iv) The location of the site where the waste will be disposed; and
 - (v) Results of waste characterization performed in accordance with Chapter 405, Section 6.
- (2) Access to Facility Sites. Access to a facility site must be controlled so that the public is not exposed to potential health and safety hazards. The operator shall provide suitable barriers, fencing and gates as needed to limit unauthorized persons from access. No access is permitted except when an attendant is on duty.
- (a) The operator shall prominently post the hours of operation and other limitations and conditions of access at the entrance to the landfill.
 - (b) The operator shall provide well maintained access roads within the facility site. An access road into a cell of a landfill must be constructed and maintained to prevent the migration of leachate outside the cell.
 - (c) Landfills must implement a road maintenance program to prevent the accumulation of dust, mud or wastes from the facility on access, public or private roads. An approved tire washing facility may also be used at a landfill in addition to a road maintenance program.
 - (d) The operator shall post appropriate signs or other means to indicate clearly where solid waste is to be unloaded and where separate waste handling areas are located within the facility site.
- (3) Open Burning of Brush and Wood from Demolition Debris. Open burning of solid waste other than wood waste and painted wood, is prohibited at all landfills. All burning must be confined to a burn area approved by the Department. Wood that has been treated may not be burned. Other wastes, such as tires or waste oil, may not be used to start or maintain a burn. Burning must be done in conformance with the requirements of Chapter 402, Section 4.I.
- (4) Hot Loads. The operator shall provide a separate area for the placement of hot loads. The hot load area must be located away from vegetation and not in a location previously or currently used for disposal. Hot loads must be extinguished immediately upon dumping or spread in a thin layer to cool. Once cooled, the waste must be placed in the active portion of the landfill. Hot loads must not be placed near monitoring wells or surface water monitoring points.

The operator of a landfill for the disposal of special wastes which may generate heat upon hydration shall place such wastes in an area within the active portion of the solid waste boundary, but discrete from the area where other wastes are currently being placed.

- (5) Set-backs and Buffer Strips. The set-backs and buffer strips approved by the Department must be maintained.
- (6) Cell Development Plan. Within the limitations of the approved design for each landfill, operations manuals must include a cell development plan to meet the design standard of section 2.D(6) and 2.F(7). The plan must consist of a conceptual plan for the life of the landfill and the detailed plan for the current two year period as approved as part of the application or most recent annual report, whichever is applicable.
- (7) Compaction. For all landfills waste must be compacted once per operating day and more often as necessary unless otherwise approved by the Department. Waste must be compacted before the placement of cover material.

From December 16 through March 31 in the southern zone and from November 16 through April 30 in the northern zone, solid waste may be deposited at a landfill without compaction or cover if the total lift height during this period does not exceed 12 feet and the total horizontal area covered with waste does not exceed 30,000 square feet. The Department may require daily cover during these time periods if site-specific conditions indicate it is needed.

NOTE: Northern zone and southern zone are defined in Chapter 400, section 1 of these Rules.

- (8) Cover. For all special waste and municipal solid waste landfills the cover material placement criteria are as follows:
- (a) Daily cover is required, except that daily cover is not required to be placed on pulp and paper mill sludge. A coarse soil material, such as sand or gravel, for secure landfills and a soil material for non-secure landfills must be placed and compacted to a minimum depth of 6 inches in thickness over all exposed waste at the end of each day of operation to completely and effectively cover the solid waste. Other materials or wastes may be proposed as alternative daily cover by a landfill owner or operator for approval by the Department. Use of residues from the processing of construction and demolition debris will be considered only at a landfill with a Department-approved active gas collection and control system. Alternative daily cover proposals must meet the following standards and include the following submission requirements:
- (i) The alternative daily cover must perform as an acceptable substitute for the soil material it is replacing, i.e. it must be able to control nuisance odor, dust, litter and vectors;
- (ii) The alternative daily cover must not exceed 9" in depth after compaction;
- (iii) The alternative daily cover proposal must consider and evaluate impacts on gas quantity and quality from application of the material;
- (iv) Unless the material proposed as an alternative daily cover has no odor or potential to create a nuisance odor, the submittal must include an odor management plan that includes provisions for the prevention and control

of nuisance odor during routine operations, and a process for responding to any odor complaints received; and

- (v) Use of the alternative daily cover must cease if the Department determines its use causes a nuisance odor or negatively impacts the performance of the facility's active gas collection and control system.

Transition provision: At landfills where an alternative daily cover was previously approved, the landfill owner/operator must submit, within 30 days of the effective date of the rule, a demonstration that the facility will comply with the above standards. Landfills without a Department-approved active gas collection and control system must cease use of residues from the processing of construction and demolition debris as alternative daily cover within 30 days of the effective date of this rule.

- (b) Where final grade has been reached or on areas where disposal will not take place within the next 6 months, intermediate cover must be placed within 30 days after cessation of disposal, or as soon as weather conditions allow. Intermediate cover must remain in place in accordance with the requirements of the approved cell development plan. Intermediate cover must consist of 18" of soil or a geosynthetic cover material with a minimum thickness of 20 mils. The soil must be a clay or well-graded till with a minimum of 35% fines and no stones larger than 4 inches. It must be placed and compacted in at least two lifts. Other cover systems or wastes may be proposed by a landfill owner or operator for approval by the Department.

Intermediate cover must completely and effectively cover the solid waste and be graded to limit infiltration and promote runoff. If soil is used these areas must be seeded and mulched to prevent erosion. Within the limitations of the approved design for each landfill, surface water run-off must be directed off of the landfill site. The intermediate cover must be removed before any further landfilling may occur in areas where cover has previously been placed.

The soil component of the intermediate cover may be considered part of the final cover system if the soil and its placement meet the design standards and construction requirements of Section 5. Owner/operators must include these standards and requirements in the operations manual for installation of a phased final cover system as approved by the Department.

NOTE: Construction packages prepared to implement this requirement do not need to be included in the Operations Manual.

- (c) For owners/operators approved to construct a phased final cover system throughout the operational life of the landfill, the phased final cover system must be constructed and documented in accordance with the approved plans and specifications. A phased final cover system documented to have been constructed in accordance with the approved plans and specifications will be accepted as the cover system element of final closure provided that the facility is not posing an unreasonable risk to public health or the environment at the time of final closure.

It also must be designed so that settling and subsidence are accommodated to minimize the potential for disruption of continuity and function.

- (1) Extent. Final cover must be placed over all areas of the landfill where solid waste has been disposed, including any areas that were not previously and completely closed in accordance with Department rules applicable at the time of that closure, in accordance with a Department closure order, or as otherwise approved by the Department.
- (2) Cover System Requirements. The following requirements apply to the cover system.
 - (a) Final cover for secure landfills must be a composite cover consisting of a geomembrane and a barrier soil layer. The geomembrane must have a nominal thickness of 40 mils. The barrier soil layer must be a minimum of 24 inches of recompacted clay, or well graded till. A geosynthetic clay liner (GCL) may be substituted for up to 12 inches of the barrier soil layer provided the GCL is underlain by at least 12 inches of recompacted clay or well-graded till having an hydraulic conductivity less than or equal to 1×10^{-5} cm/sec. The surface layer of the soil layer beneath the GCL must not contain stones larger than 1 inch. The barrier soil layer must be underlain by a 6 inch thick sand layer integrated into the gas management system. The barrier soil layer must meet the hydraulic conductivity requirements of this subsection and be placed in at least three lifts. The geomembrane must be covered with:
 - (i) 12 inches of sand covered by 12 inches of a medium suitable for growing grass and preventing damage to the barrier layer; or
 - (ii) A layer of geonet covered by 18 inches of a medium suitable for growing grass and preventing damage to the barrier and drainage layers.
 - (b) Unless the Department determines that the more protective cover system requirements of subparagraph (c) apply, final cover for non-secure landfills must meet the hydraulic conductivity requirements of subparagraph (d) and consist of:
 - (i) A barrier soil layer consisting of a minimum of 18 inches of recompacted clay, or well graded till placed in two lifts. The barrier soil layer must be underlain by a 6 inch layer of sand integrated into the gas management system and be covered with 6 inches of a medium suitable for growing grass and preventing damage to the barrier soil layer; or
 - (ii) A geomembrane with a nominal thickness of 40 mils. The geomembrane must be underlain by a 6 inch layer of sand integrated into the gas management system. The geomembrane must be covered with:
 - a. 12 inches of sand covered by 12 inches of a medium suitable for growing grass and preventing damage to the barrier layer; or
 - b. A layer of geonet covered by 18 inches of a medium suitable for growing grass and preventing damage to the barrier and drainage layers.

- (c) Based on the site assessment report, or if the landfill collects leachate or ground water containing leachate, the Department may require that a non-secure landfill meet the following requirements to provide a more protective cover system.

Final cover must include a composite cover consisting of a geomembrane and a barrier soil layer. The geomembrane must have a nominal thickness of 40 mils. The barrier soil layer must be a minimum of 12 inches of recompact clay, or well graded till. The barrier soil layer must be underlain by a 6 inch thick sand layer integrated into the gas management system. The barrier soil layer must be placed in at least 2 lifts and have a hydraulic conductivity less than or equal to 1×10^{-6} cm/sec. The geomembrane must be covered with:

- (i) 12 inches of sand covered by 12 inches of a medium suitable for growing grass and preventing damage to the barrier layer; or
 - (ii) A layer of geonet covered by an 18 inch layer of a medium suitable for growing grass and preventing damage to the barrier and drainage layers.
- (d) Unless otherwise approved, the following requirements apply for hydraulic conductivity of the cover system layers:
- (i) Barrier layers for secure landfill disposal facilities must have a hydraulic conductivity less than or equal to the hydraulic conductivity of the primary liner system. The average hydraulic conductivity must be less than or equal to 1×10^{-7} cm/sec with a maximum hydraulic conductivity less than or equal to 1×10^{-6} cm/sec.
 - (ii) Barrier layers for non-secure landfills must have a maximum hydraulic conductivity less than or equal to 5×10^{-7} cm/sec, unless otherwise approved or required by the Department.
 - (iii) Drainage and gas transmission layers must have an hydraulic conductivity greater than or equal to 1×10^{-3} cm/sec. Hydraulic conductivity requirements for drainage layers must be sufficient to minimize infiltration through the cover system and to maintain stability.
- (e) Any geomembrane proposed for use in a landfill cover system must meet:
- (i) GRI GM-13 standards, if available; and
 - (ii) Performance requirements for the proposed application.
- (f) Any barrier soil layer proposed for use in a landfill cover system must have the following characteristics:
- (i) A Liquid Limit greater than or equal to 20 and a Plasticity Index greater than 8 and less than or equal to 30. Glacial till soils do not need to meet these requirements;

- (ii) A minimum fines content of 35%; and
 - (iii) A maximum particle size of less than or equal to 3 inches, except as noted in subparagraph (g)(v) below.
- (g) Any barrier soil layer proposed for use in a landfill cover system must be designed to produce a homogeneous layer that eliminates soil clods and preferential flow paths, protect the geomembrane or GCL from puncture, if applicable, and reduce hydraulic conductivity to the maximum extent practicable. To accomplish this the barrier soil layer must meet the following requirements:
- (i) Have a minimum in-place density of 90% of the maximum dry density as measured by ASTM D698 (Standard Proctor);
 - (ii) Be compacted using a kneading action to remold the soil between 0- 4% above optimum moisture content as determined using ASTM D-698 (Standard Proctor);
 - (iii) Be constructed in lifts with a maximum compacted lift thickness of 9 inches;
 - (iv) Be constructed in a manner which provides for lift interface bonding; and
 - (v) Have a maximum stone size less than or equal to 1 inch in the surface layer of the final lift if the barrier soil layer is the prepared subgrade for the geomembrane.

Applicants proposing test pad programs in accordance with the requirements of section 5.J may propose alternative criteria to the requirements of section 5.G(2)(f) and (g) in accordance with the results and conclusions of the test pad program.

- (3) Base Preparation Below Cover Systems. Base preparation must provide support that will facilitate construction of the cover system and minimize the potential for disruption of continuity and function of the final cover during post-closure. Applicants that propose to regrade waste or to bring in significant quantities of wastes to facilitate establishing post-consolidation slopes shall demonstrate that the base preparation is adequate for the proposed cover system. The design of the cover system base layer must consider and evaluate any impacts to the gas collection and control system and the leachate management systems.

The use of residues from the processing of CDD as a shaping and grading material will be considered only at a landfill with a Department-approved active gas collection and control system. Applicants that propose to bring in significant quantities of wastes, including residues from the processing of CDD, to facilitate establishing post-consolidation slopes must demonstrate the following:

- (a) The waste material will perform as an acceptable base material for the proposed cover system;
- (b) The quantity of waste material to be used is appropriate for establishing the final slopes;
- (c) The gas collection and control system can handle gas calculated to be generated by the waste material; and
- (d) The leachate management system can handle additional leachate calculated to be generated by the waste material.

Unless the material proposed to be used in shaping and grading the slopes has no odor or potential to create a nuisance odor, the submittal must include an odor management plan that includes provisions for the prevention and control of nuisance odor, and a process for responding to any odor complaints received.

- (4) Allowable slopes. The minimum allowable post-consolidation slope is 5 percent. The maximum allowable post-consolidation slope is 33 percent unless otherwise approved by the Department. Slopes must be designed to promote run-off in a manner that will prevent erosion of the final cover.
- (5) Vegetation. The final cover must be limed, fertilized, seeded, and mulched as soon as possible after the cover is installed to promote evapotranspiration and to stabilize against erosion. Other areas around the waste disposal area that present a potential for erosion must also be revegetated. The lime, fertilizer, seed and mulch specifications must meet or exceed standards as established by "The Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices" prepared by the Maine Soil and Water Conservation Commission, March, 1991.

Manufactured topsoil may be approved on a site-specific basis. When manufactured topsoil is proposed, the applicant must submit to the Department for review and approval a plan to correct any vegetative cover inadequacies resulting from the use of manufactured topsoil. The plan must identify the funding source for such potential corrective action work.

- (6) Corrective Action Requirements. Owners of landfills with contamination of ground and/or surface water may be required to implement corrective action(s) to meet the performance standards of Section 5.B(1). For these landfills, the owner shall immediately implement any approved corrective action, and shall demonstrate that the corrective action will be successful prior to the end of the post-closure monitoring and maintenance period. Corrective action designs will be considered on a site-specific basis.

H. Alternative Design Process. Alternatives to the design standards and requirements of this section may be proposed by the applicant. A variance request pursuant to the provisions of Chapter 400, section 13 is not required for proposals which meet the requirements of this paragraph. The applicant shall submit the following documentation to clearly and convincingly demonstrate technical equivalency of the proposed alternative:

- (2) Quality Assurance Plan. The Quality Assurance Plan approved under section 7.F(2)(d)(iv) must be implemented at the beginning of construction.
- (3) Photographic Documentation. The licensee shall provide the Department with representative photographic documentation of each stage of construction.
- (4) Record Drawings. The licensee shall provide record drawings, signed and stamped by a State of Maine Registered Professional Engineer, to the Department within 45 days after construction completion for each phase.
- (5) Final Construction Report and Commencement of Operations.
 - (a) Commencement of Operations. The licensee shall submit a written request that the Department conduct an inspection of the completed construction for a finding of compliance with the facility license. The licensee may not commence operation of the landfill until the Department conducts or waives the need for this inspection and approves the written certification and tabulation of all problems encountered during construction and a description of how those problems were resolved. This written certification and tabulation of problems is required as part of the final construction report, but may be submitted prior to the final report in order to expedite approval for commencement of operations.
 - (b) Final construction report. The licensee shall submit a final construction report to the Department within 45 days following construction completion of each phase. The owner shall retain a copy of this report at the landfill site. The report must include:
 - (i) Written certification, signed and stamped by the engineer(s) supervising the project inspection, that the facility has been constructed in accordance with the approved plans and specifications.
 - (ii) A narrative summary of the construction process. The summary must include supporting documentation, appropriately cross-referenced, sufficient for the Department to conclude that the facility has been constructed in accordance with the approved plans and specifications. The supporting documentation must include:
 - a. a tabulation and summary of all testing results, as applicable;
 - b. a tabulation of all problems encountered during construction and a description of how those problems were resolved;
 - c. the photographic documentation required by section 7.G(3) above; and
 - d. quality assurance reports for earthworks.

H. Operating Requirements. Any landfill subject to the requirements of this section must comply with the operating requirements of this subsection. Each landfill must be

operated so that it does not contaminate ground or surface water outside the solid waste boundary.

The operations manual must include all the information necessary to enable supervisory and operating personnel, and persons evaluating the operation of the landfill, to determine the sequence of operation, policies and procedures, and monitoring, maintenance, inspection, and legal requirements that must be followed for safe, orderly and environmentally sound operation on a daily, yearly, and life cycle basis. The operator shall take whatever measures are necessary to familiarize all personnel responsible for operation of the facility with relevant sections of the operations manual.

The operations manual must address each of the areas identified below. The operating manual must include a format for, and items to be covered by, all reporting requirements, including the inspection and monitoring requirements and the annual report. The operations manual must be reviewed annually by the operator and updated as necessary. A current copy of the operating manual must be available for inspection and use at the landfill at all times.

- (1) **Acceptable Solid Waste.** A landfill may accept only construction/demolition debris, land clearing debris and/or wood wastes, with incidental amounts of ash from an on-site burn pile, treatment plant grit, car wash basin grit, storm sewer grit, and sediment materials removed from stormwater control structures as allowed by the Department in the landfill's current license.
- (2) **Implementation of Waste Management Plan.** The owner or operator shall implement the Waste Management Plan as approved by the Department.
- (3) **Hazardous and Special Waste Handling and Exclusion Plan.** The operator shall comply with all provisions of the Hazardous and Special Waste Handling and Exclusion Plan prepared in accordance with Chapter 400, section 9.
- (4) **Access to Disposal Area.** The owner or operator shall control access to the disposal area and shall prevent unapproved wastes from being disposed.
- (5) **Set-Backs and Buffer Strips.** The set-backs and buffer strips approved by the Department must be maintained.
- (6) **Control of Litter.** The operator shall provide for routine maintenance and general cleanliness of the entire facility site.
- (7) **Stormwater Management and Erosion Control.** The operator shall provide for erosion and sedimentation control in compliance with the approved erosion and sedimentation control plan that meets the standards and submission requirements of Chapter 400, section 4.J. The operator shall also provide for stormwater management that is in compliance with the approved stormwater management plan which meets the standards and submission requirements of Chapter 400, section 4.M. Erosion and sedimentation control structures and stormwater management structures shall be maintained on a routine basis.

- (8) Side Slopes. Side slopes of the disposal area shall not be steeper than 3 horizontal to 1 vertical.
- (9) Compaction. Wastes shall be compacted on a weekly basis if the facility is operated less than 5 days per week and on a daily basis if operated for 5 or more days per week. From December 16 through March 31 in the southern zone and from November 16 through April 30 in the northern zone, solid waste may be deposited at the landfill without compaction or cover if the total lift height during this period does not exceed 12 feet and the total horizontal area covered with waste does not exceed 20,000 square feet.
- (10) Cell Development Plan. All landfills must operate in accordance with the cell development plan submitted to and approved by the Department, as required by section 7.F(2)(b).

The active area shall be covered with soil or other approved material at a frequency so that no more than 1/2 acre remains uncovered at any time. Operational cover shall be placed and compacted to 6 inches thickness in such a manner that the waste is effectively covered. Cover shall be placed in accordance with the requirements of the approved cell development plan.

Use of residues from the processing of construction and demolition debris will be considered only at a landfill with a Department-approved active gas collection and control system. Alternative daily cover proposals must meet the following standards and include the following submission requirements:

- (i) The alternative daily cover must perform as an acceptable substitute for the soil material it is replacing, i.e. it must be able to control nuisance odor, dust, litter and vectors;
- (ii) The alternative daily cover must not exceed 9" in depth after compaction;
- (iii) The alternative daily cover proposal must consider and evaluate impacts on gas quantity and quality from application of the material;
- (iv) Unless the material proposed as an alternative daily cover has no odor or potential to create a nuisance odor, the submittal must include an odor management plan that includes provisions for the prevention and control of nuisance odor during routine operations, and a process for responding to any odor complaints received; and
- (v) Use of the alternative daily cover must cease if the Department determines its use causes a nuisance odor or negative impacts the performance of the facility's active gas collection and control system.

Transition provision: At landfills where an alternative daily cover was previously approved, the landfill owner/operator must submit, within 30 days of the effective date of the rule, a demonstration that the facility will comply with the above standards. Landfills without a Department-approved active gas collection and control system must cease use of residues from the processing of construction and demolition debris as alternative daily cover within 30 days of the effective date of this rule.