Rules of
Department of Natural Resources
Division 80—Solid Waste Management
Chapter 11—Utility Waste Landfill

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 80—Solid Waste Management
Chapter 11—Utility Waste Landfill

10 CSR 80-11.010 Design and Operation

PURPOSE: This rule pertains to the design and operation of a utility waste landfill.

(1) General Provisions. This rule is intended to provide for utility waste landfill operations that will have minimal impact on the environment. The rule sets forth requirements and the method of satisfactory compliance to ensure that the design, construction and operation of utility waste landfills will protect the public health, prevent nuisances and meet applicable environmental standards. The requirement subsections contained in this rule delineate minimum levels of performance required of any utility waste landfill operation. The satisfactory compliance subsections are presented as the authorized methods by which the objectives of the requirements can be realized. The satisfactory compliance subsections are based on the practice of landfilling utility waste. If techniques other than those listed as satisfactory compliance in design or operation are used, it is the obligation of the utility waste landfill owner/operator to demonstrate to the department in advance that the techniques to be employed will satisfy the requirements. Procedures for the techniques shall be submitted to the department in writing and approved by the department in writing prior to being employed. Notwithstanding any other provision of these rules, when it is found necessary to meet objectives of the requirement subsections, the department may require changes in design or operation as the condition warrants. This rule applies to new utility waste landfill construction and operating permits issued on or after the effective date of this rule.

(2) Solid Waste Accepted.

(A) Requirement. Fly ash, bottom ash, boiler slag or other slag waste and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels may be accepted at a utility waste landfill. Clean fill may also be accepted.

(B) Satisfactory Compliance—Design. The plans shall specify the types of waste to be accepted for disposal at a utility waste landfill.

(C) Satisfactory Compliance—Operations.

1. The first layer of waste placed above the liner shall be monitored to ensure that the liner's integrity has been maintained.

2. The disposal of waste approved in the construction permit shall be conducted in accordance with approved design and operating plans plus any additional procedures determined by the department as necessary to protect the water, air and land resources and to provide for safety of the operators and waste haulers.

(3) Solid Waste Excluded.

(A) Requirement. In consultation with the department, the applicant shall determine what wastes are to be accepted and shall identify them in the plan and the application for construction permit form.

(B) Satisfactory Compliance—Design.

1. The criteria used to determine whether the waste can be accepted shall include the design of the landfill, the physical and chemical characteristics of the wastes, the quantity of the wastes, the proposed operating procedures.

2. The plans shall specify the operating procedures for screening and removal of wastes which are excluded from disposal.

(C) Satisfactory Compliance—Operations.

1. The operating procedures for screening of wastes and for removal of wastes which are excluded from disposal shall be implemented.

2. Bulk liquid waste shall not be placed in a utility waste landfill unless the waste is leachate derived from the utility waste landfill, and the utility waste landfill is designed with a liner and leachate collection system as described in sections (9) and (10) of this rule.

3. Sluicing of waste for transport to proposed utility waste landfills shall be allowed only so long as the hydraulic head on top of the landfill liner can be maintained at less than one foot (1') of head, and the collected leachate and runoff meet all Water Pollution Control Program permit requirements.

(4) Site Selection.

(A) Requirement. Site selection and utilization shall include a study and evaluation of geologic and hydrologic conditions and soils at the proposed utility waste landfill and an evaluation of the environmental effect upon the projected use of the completed utility waste landfill. Applications for utility waste landfill construction permits received on or after the effective date of this rule shall document compliance with all applicable siting restriction requirements contained in paragraphs (4)(B)1. through 5. of this rule.

(B) Satisfactory Compliance—Design.

1. Owners/operators of proposed utility waste landfills, located in one hundred (100)-year floodplains shall demonstrate to the department that the utility waste landfill will not restrict the flow of the one hundred (100)-year flood, reduce the temporary water storage capacity of the floodplain, or result in washout of waste so as to pose a hazard to public health or the environment.

2. Wetlands.

A. Proposed utility waste landfills shall not be located in wetlands, unless the owner/operator can make the following demonstrations to the department:

(I) The presumption that a practicable alternative to the proposed landfill is available which does not involve wetlands is clearly rebutted;

(II) The construction and operation of the utility waste landfill will not—

(a) Cause or contribute to violations of any applicable state water quality standard;

(b) Violate any applicable toxic effluent standard or prohibition under section 307 of the federal Clean Water Act;

(c) Jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of a critical habitat, protected under the Endangered Species Act of 1973; and

(d) Violate any requirement under the Marine Protection, Research, and Sanctuaries Act of 1972 for the protection of a marine sanctuary;

(III) The utility waste landfill will not cause or contribute to significant degradation of wetlands. The owner/operator shall demonstrate the integrity of the utility waste landfill and its ability to protect ecological resources by addressing the following factors:

(a) Erosion, stability and migration potential of native wetland soils, muds and deposits used to support the landfill;

(b) Erosion, stability and migration potential of dredged and fill materials used to support the landfill;

(c) The volume and chemical nature of the waste disposed of in the landfill;

(d) Impacts on fish, wildlife and other aquatic resources and their habitat from potential release of waste from the landfill;

(e) The potential effects of contamination of the wetland and the resulting impacts on the environment; and

(f) Any additional factors, as necessary, to demonstrate that ecological resources in the wetland are sufficiently protected;

(IV) Steps have been taken to attempt to achieve no net loss of wetlands (as defined by acreage and function) by first avoiding impacts to wetlands to the maximum extent practicable as required by subparagraph (4)(B)2.A. of this rule, then minimizing unavoidable impacts to the maximum

extent practicable, and finally offsetting remaining unavoidable wetland impacts through all appropriate and practicable compensatory mitigation actions (for example, restoration of existing degraded wetlands or creation of man-made wetlands); and

(V) The requirements of paragraph (4)(B)3. may be satisfied by the owner/operator obtaining a United States Army Corps of Engineers permit for construction in a wetland or by demonstrating that the wetland is not regulated by the United States Army Corps of Engineers or other appropriate agency.

3. Proposed utility waste landfills located in the seismic impact zone shall not be located within two hundred feet (200') of a fault that has had displacement in Holocene time unless that owner/operator demonstrates to the department that an alternative setback distance of less than two hundred feet (200') will prevent damage to the structural integrity of the landfill and will be protective of public health and the environment.

4. Owners/operators of proposed utility waste landfills located in an unstable area shall demonstrate to the department that the utility waste landfill's design ensures that the integrity of the structural components of the utility waste landfill will not be disrupted. The owner/operator shall consider the following factors, at a minimum, when determining whether an area is unstable:

A. On-site or local rock or soil conditions that may result in failure or significant differential settling;

B. On-site or local geologic or geomorphologic features; and

C. On-site or local human-made features or events (both surface and subsurface).

5. Plans shall include:

A. A map showing initial and proposed topographies at contour intervals of five feet (5') or less. This map shall have a scale of not less than one inch (1") equal to one hundred feet (100'). If the entire site cannot be illustrated on one (1) plan sheet, an additional map with appropriate horizontal and vertical scales that allows the site to be shown on one (1) plan sheet is required;

B. A map showing the land use and zoning within one-fourth (1/4) mile of the utility waste landfill including location of all residences, buildings, wells, water courses, springs, lakes, rock outcroppings, caves, sinkholes and soil or rock borings. All electric, gas, water, sewer and other utility easements or lines that are located on, under or over the utility waste landfill shall be shown on the map. This map shall have a scale of not less than one inch (1") equals four hundred feet (400');

C. A description of the projected use of the closed utility waste landfill if the landfill is not located on the power plant site. In addition to maintenance programs and provisions, where necessary for monitoring and controlling leachate, the plans shall specify appropriate design, construction and operating provisions for the utility waste landfill to complement the projected future use;

D. An evaluation of the characteristics and quantity of available on-site soil with respect to its suitability for utility waste landfilling operations. The engineering properties and quantity estimates of the on-site soil shall be discussed and shall include:

(I) Texture. Sieve and hydrometer analyses shall be performed to determine grain size distribution of representative soil samples. Texture may be determined by using the procedures described in ASTM method D422-63 or the procedures described in Appendix D of *Engineer Manual 1110-2-1906* prepared by the United States Army Corps of Engineers;

(II) Plasticity. The liquid limit, plastic limit and plasticity index of representative soil samples shall be determined. Plasticity may be determined by using the procedures described in ASTM method D4318-84 or the procedures described in Appendix III of *Engineer Manual 1110-2-1906*, prepared by the United States Army Corps of Engineers;

(III) Hydraulic conductivity. Laboratory hydraulic conductivity tests shall be performed upon undisturbed representative soil samples using a flexible wall permeameter (ASTM D-5084). If an aquifer is found to be laterally continuous across the anticipated limit of the proposed landfill, the hydraulic conductivity of each significant continuous geologic unit must be determined. Examples of accepted field tests are *in situ* slug or pump tests which isolate the geologic unit of interest.

(IV) Areal extent and depth. The areal extent and depth of soil suitable for landfill construction shall be determined. Variations in soil depth shall be clearly described.

6. If the base of the landfill liner will be in contact with groundwater, the applicant shall demonstrate to the department's satisfaction that the groundwater will not adversely impact the liner.

7. Owners/operators of proposed utility waste landfills shall demonstrate how adverse geologic and hydrologic conditions may be altered or compensated for via surface water drainage diversion, underdrains, sumps, and other structural components. All alterations of the site shall be detailed in the plans. Precipitation, evapotranspiration and climatological conditions shall be considered in site selection and design.

8. The results of the detailed site investigation report will be the basis to determine if a secondary liner, such as a geomembrane, or a leachate collection system is mandatory to ensure that there is no environmental impact from the landfill. Owner/operators of proposed utility waste landfills shall make a demonstration based on the following:

A. An evaluation of the physical and/or chemical characteristics of the waste; and

B. Documentation through modeling, testing, or other research data proving that the quality of groundwater underlying the proposed site will not be affected and that there is no potential for migration of fluids from the utility waste landfill.

(C) Satisfactory Compliance—Operations.

1. The utility waste landfill shall be accessible to vehicles which the utility waste landfill is designed to serve.

2. Temporary storage of waste for more than sixty (60) days is not permitted. Temporarily stored wastes shall be managed so as to prevent uncontrolled surface water runoff and erosion. All Water Pollution Control Program permits and approvals necessary to comply with the Missouri Clean Water Law and corresponding rules shall be obtained from the department.

(5) Design.

(A) Requirement. Plans, addendums, as-built drawings, or other documents which describe the design, construction, operation, or closure of a utility waste landfill or which request an operating permit modification for the utility waste landfill shall be prepared or approved by a professional engineer. These documents shall be stamped or sealed by the professional engineer and submitted to the department for review and approval.

1. Plans submitted as part of an application for a construction permit after the effective date of this rule shall provide for the maintenance of a one hundred foot (100')-buffer zone between utility waste landfill operations and any property line(s) or any right of way(s) of adjoining road(s) when the property line(s) is inside the right of way(s) to provide for assessment and/or remedial actions.

2. The plan shall include an operating manual describing the various tasks that shall be performed during a typical shift.

3. Owners/operators of utility waste landfills shall demonstrate how adverse geologic and hydrologic conditions may be altered or compensated for via surface water drainage diversion, underdrains, sumps, and

other structural components. All alterations of the site shall be detailed in the plans.

A. Precipitation, evapotranspiration and climatological conditions shall be considered in site selection and design.

B. Engineering plans and specifications that have computer model attached to them shall list the limitations and assumptions of each model used in the application.

4. Plans for stability analyses for all stages of construction shall include:

A. Settlement and bearing capacity analyses shall be performed on the in-place foundation material beneath the disposal area. The effect of foundation material settlement on the liner and leachate collection shall be evaluated;

B. Stability analyses shall be performed on all liner and leachate system components;

C. Leachate collection pipe material and drainage media shall be analyzed to demonstrate that these components possess structural strength to support maximum loads imposed by overlying waste materials and equipment;

D. Waste mass stability analyses shall be performed on the disposal area at final waste grade conditions and at intermediate slope conditions; and

E. Stability analyses shall be performed on all final cover system components, including an evaluation of the effect of waste settlement on the final cover system components, side slope liner system components, surface water management system components and gas migration system components.

(B) Satisfactory Compliance—Operations.

1. Construction and operation of the utility waste landfill shall be conducted in accordance with the engineering plans and specifications approved by the department.

2. The operating manual describing the various tasks that shall be performed during a typical shift shall be available to employees for reference and to the department upon request.

3. Phase development drawings shall be included with the application.

(6) Quality Assurance/Quality Control (qa/qc).

(A) Requirement. The construction, operation and closure of the utility waste landfill shall include quality assurance and quality control measures to ensure compliance with approved plans and all applicable federal, state and local requirements. The permittee shall be responsible for ensuring that the qa/qc supervision is conducted by a qualified professional.

(B) Satisfactory Compliance—Design.

1. Plans shall include:

A. A detailed description of the qa/qc testing procedures that will be used for every major phase of construction. The description must include at a minimum, the frequency of inspections, field testing, laboratory testing, equipment to be utilized, the limits for test failure, and a description of the procedures to be used upon test failure; and

B. A detailed procedure for the reporting and recording of qa/qc activities and testing results.

2. All qa/qc reports shall be reviewed and approved by a professional engineer.

(C) Satisfactory Compliance—Operations.

1. At a minimum qa/qc testing shall include:

A. Testing of each lift of the soil component of the final cover and landfill liner for field density and field moisture once per every ten thousand (10,000) square feet and providing relatively uniform coverage over the landfill surface;

B. Laboratory hydraulic conductivity testing of the soil used for liner construction once for every five thousand (5,000) cubic yards of liner constructed;

C. Continuous visual classification of borrow soil during landfill construction by qualified qa/qc inspector(s) or certifying professional engineer;

D. Measuring the elevations of the final cover and the landfill liner on a maximum spacing of one hundred-foot (100') centers and at one hundred-foot (100') intervals along each line where a break in slope occurs.

(I) Landfill liner. Measuring the elevations of the top and bottom of the landfill liner;

(II) Final cover. Measuring the elevations of the top and bottom of—

(a) The compacted clay layer; and

(b) The soil layer supporting vegetative growth; and

E. Verification of the thickness of the leachate collection media shall be made by the qualified qa/qc inspector(s) or certifying professional engineer on one hundred-foot (100') centers.

2. If a geomembrane is proposed—

A. Nondestructive testing of all seams of the geomembrane in the landfill liner; and

B. Random destructive testing of the seams of the geomembrane liner in the landfill liner on an average frequency of at least one (1) every five hundred (500) linear feet of seams.

3. All testing shall be performed under the direction of qualified qa/qc inspectors for every major phase of construction.

4. The qa/qc plan shall include the following components:

A. Leachate collection system. Reports prepared or approved by the professional engineer transmitting the results of the qa/qc procedures and stating that the leachate collection system was constructed according to the approved design or describing any deviations from the approved design; and

B. Liner. The liner specified by section (10) of this rule shall be constructed in accordance with the approved design specifications. The qa/qc procedures shall include:

(I) Evidence that the liner material(s) utilized meet the minimum design specifications;

(II) Evidence that field construction techniques are resulting in the minimum design specifications (for example, soil density tests);

(III) Evidence that the liner construction is proceeding as designed through regular verification using a predetermined system of horizontal and vertical survey controls; and

(IV) Oversight of the liner construction and qa/qc procedures by a professional engineer. This shall include reports prepared, or approved, by the professional engineer transmitting the results of the qa/qc procedures and stating that the liner was constructed according to design or describing any deviations from the design.

(7) Survey Control.

(A) Requirement. Benchmarks, horizontal controls and boundary markers shall be established by a land surveyor to check and mark the location and elevations of the utility waste landfill. Construction stakes marking an individual section(s) or phase(s) shall be established as necessary to ensure the construction and operation(s) proceed in accordance with approved plans.

(B) Satisfactory Compliance—Design.

1. Boundary survey. A survey of the entire permitted acreage shall be conducted in accordance with the current Minimum Standards for Property Boundary Surveys, 10 CSR 30-2.010.

2. Vertical control. The land surveyor shall establish a permanent monument as a benchmark or confirm the prior establishment of a benchmark on or adjacent to the property. The elevation shall be on the North American Vertical Datum, 1929 or similar well-documented datum. If no such established datum exists within one (1) mile of the property, a project datum may be assigned to the benchmark. The benchmark shall be clearly shown on the survey plat.

3. Horizontal control. The land surveyor shall establish three (3) permanent monuments as horizontal control stations. These stations shall form a triangle whose sides shall not be less than one thousand feet (1,000'). The location of the horizontal control will be shown on the survey plat.

4. The land surveyor shall establish boundary markers designating the entire permitted acreage which shall be composed of material which will last throughout the life of the utility waste landfill.

5. Construction stakes. Stakes marking the individual section(s) or phase(s) specifically designated for the placement of waste are to be placed in locations and composed of material that is consistent with the operating life of the section or phase.

(C) Satisfactory Compliance—Operations.

1. All boundary markers, benchmarks, horizontal control stations and construction stakes shall be clearly marked and identified.

2. Missing or displaced benchmarks or horizontal control stations shall be replaced or reestablished by or under the supervision of a land surveyor. The registered surveyor shall prepare a plat showing the replacement or reestablishment and furnish a copy to the department.

3. Missing or displaced construction stakes shall be replaced or reestablished as necessary to ensure the operations proceed in accordance with approved plans.

4. The permanent monuments designating vertical and horizontal control stations and boundary markers designating the entire permitted acreage shall be placed prior to receiving an operating permit as required by 10 CSR 80-2.020(2)(B).

5. Construction stakes marking the active area shall be placed prior to deposition of waste in individual areas, sections or phases of the utility waste landfill as designated by the approved engineering plans.

(8) Water Quality.

(A) Requirement. The location, design, construction and operation of the utility waste landfill shall minimize environmental hazards and shall conform to applicable ground and surface water quality standards and requirements. Applicable standards are federal, state or local standards and requirements that are legally enforceable.

(B) Satisfactory Compliance—Design.

1. Plans shall include:

A. A report on the detailed geologic and hydrologic investigation of the site as required by 10 CSR 80-2.015;

B. Current and projected use of water resources in the potential zone of influence of the utility waste landfill;

C. Groundwater elevation and proposed separation between the lowest point of the lowest cell and the predicted maximum water table elevation;

D. Potential interrelationship of the utility waste landfill, local aquifers and surface waters based on historical records or other sources of information;

E. Proposed location and design of observation wells, sampling stations and testing program planned; and

F. Provisions for surface water runoff control to minimize infiltration and erosion of cover. All Water Pollution Control Program permits and approvals necessary to comply with requirements of the Missouri Clean Water Law and corresponding rules shall be obtained from the department.

(I) The area of the watershed which will be affected by the utility waste landfill shall be specified.

(II) On-site drainage structures and channels shall be designed to prevent flow onto the active portion of the utility waste landfill during peak discharge from at least a twenty-five (25)-year storm. The engineering calculations and assumptions shall be included and explained in the engineering report.

(III) On-site drainage structures and channels shall be designed to collect and control at least the water volume resulting from a twenty-four (24)-hour, twenty-five (25)-year storm.

(IV) On-site drainage and channels shall be designed to empty expeditiously after storms to maintain the design capacity of the system.

(V) Contingency plans for on-site management of surface water which comes in contact with solid waste shall be specified.

(C) Satisfactory Compliance—Operations.

1. Surface water courses and runoff shall be diverted from the utility waste landfill (especially from the working face) by devices such as ditches, berms, and proper grading. The utility waste landfill shall be constructed and graded so as to promote rapid surface water runoff without excessive erosion. Regrading shall be done as required during construction and after completion to avoid ponding of precipitation and to maintain cover integrity.

2. The quantity of water coming in contact with solid waste shall be minimized by the daily operational practices. Water which comes in contact with the waste shall be managed as leachate in accordance with the approved plans.

(9) Leachate Collection Systems.

(A) Requirement. A leachate collection system shall be designed, constructed, maintained and operated to collect, and remove leachate from the utility waste landfill, unless the applicant provides adequate demonstrations specified in paragraph (4)(B)8. of this rule, and as determined by the department on a site-by-site basis.

(B) Satisfactory Compliance—Design. The potential for leachate generation shall be evaluated in determining the design of the system. Leachate flow quantities shall be estimated and the method(s) of leachate management shall be outlined. Leachate storage facilities shall comply with all currently applicable requirements of the Missouri Clean Water Law and corresponding rules. Construction qa/qc procedures shall be included. Where a leachate treatment system is designed to have a discharge to the waters of the state, any required discharge permit(s) shall be obtained from the department in accordance with requirements of the Missouri Clean Water Law and corresponding rules.

1. Minimum design criteria for leachate collection systems shall include the following:

A. Ponds and/or tanks of sufficient capacity to store, equalize flow to disposal systems, and allow system/operating flexibility;

B. Construction material chemically resistant to the waste managed in the utility waste landfill and the leachate expected to be generated;

C. Construction materials of sufficient strength and thickness to prevent collapse under the pressures exerted by overlying utility wastes, cover, leachate, and by any equipment used at the utility waste landfill;

D. Design and operate systems to function without clogging through the scheduled operating life, closure and post-closure of the utility waste landfill;

E. Design and operate to maintain less than one foot (1') depth of leachate over the disposal area liner; and

F. Design and operate collection systems so that any leachate formed will flow by gravity into collection areas from which the leachate can be removed, treated, and disposed.

2. Leachate management by recirculation within the permitted fill area shall be conducted in accordance with an approved engineering method.

3. Any leachate collection system open to the atmosphere must be designed to prevent discharge during a twenty-five (25)-year, twenty-four (24)-hour storm event. Plans shall include the calculations detailing the design.

4. The applicant shall provide a method of leachate management in the application. A

secondary or "backup" method of leachate disposal will be required unless the applicant can demonstrate that a secondary method will not be necessary.

(C) Satisfactory Compliance—Operations.

1. The leachate collection system specified by subsection (9)(B) shall be properly installed and operated in accordance with the permit and the approved design and plans and maintained for the twenty (20)-year post-closure care period, or as long as the department determines necessary.

2. Leachate generated by the utility waste landfill shall be controlled on-site and not be allowed to discharge off the utility waste landfill property or discharge into the waters of the state, except in accordance with the approved plans and the Missouri Clean Water Law and corresponding rules.

(10) Liner System.

(A) Requirement. A liner shall be placed on all surfaces to minimize the migration of leachate from the utility waste landfill.

(B) Satisfactory Compliance—Design. A composite or a clay liner shall be required at all utility waste landfills applying for a construction permit after the effective date of this rule that includes—

1. For a composite liner a lower component that consists of at least a two-foot (2') layer of compacted soil with a hydraulic conductivity of no more than 1×10^{-5} cm/sec. A compacted soil liner at a minimum shall be constructed of six to eight-inch (6–8") lifts, compacted to ninety-five percent (95%) of standard Proctor density with the moisture content between optimum moisture content and four percent (4%) above the optimum moisture content, or within other ranges of density and moisture such that are shown to provide for the liner to have a hydraulic conductivity no more than 1×10^{-5} cm/sec. For a single compacted clay liner a component that consists of at least a two-foot (2') layer of compacted soil with a hydraulic conductivity of no more than 1×10^{-7} cm/sec. A compacted soil liner at a minimum shall be constructed of six to eight-inch (6–8") lifts, compacted to ninety-five percent (95%) of standard Proctor density with the moisture content between optimum moisture content and four percent (4%) above the optimum moisture content, or within other ranges of density and moisture such that are shown to provide for the liner to have a hydraulic conductivity no more than 1×10^{-7} cm/sec. The design shall include a detailed explanation of the construction techniques and equipment necessary to achieve ninety-five percent (95%) of the standard Proctor density under field conditions. The design also shall include qa/qc procedures to be followed during construction of the liner. The composite liner and the compacted clay liner shall be protected from the adverse effects of desiccation or freeze/thaw cycles after construction, but prior to placement of waste. Traffic shall be routed so as to minimize the detrimental impact on the constructed liner prior to placement of waste. The soils used for this purpose shall meet the following minimum specifications:

A. Be classified under the Unified Soil Classification Systems as CL, CH, or SC (ASTM Test D2487-85);

B. Allow more than thirty percent (30%) passage through a No. 200 sieve (ASTM Test D1140);

C. Have a liquid limit equal to or greater than twenty (20) (ASTM Test D4318-84);

D. Have a plasticity index equal to or greater than ten (10) (ASTM Test D4318-84); and

E. Have a coefficient of permeability equal to or less than 1×10^{-7} cm/sec for the compacted clay liner and 1×10^{-5} cm/sec for the composite liner when compacted to ninety-five percent (95%) of standard Proctor density with the moisture content between optimum moisture content and four percent (4%) above the optimum moisture content, when tested by using a flexible wall permeameter (ASTM D-5084) or other procedures approved by the department;

2. For the composite liner an upper component consisting of a minimum thirty (30) mil thick geomembrane shall be installed if the applicant for a proposed utility waste landfill does not provide adequate demonstrations specified in paragraph (4)(B)8. of this rule, and as determined by the department on a site-by-site basis. Geomembrane components consisting of high density polyethylene (HDPE) shall be at least sixty (60) mil thick;

3. The geomembrane component shall be installed in direct and uniform contact with the compacted soil component so as to minimize the migration of leachate through the geomembrane should a break occur; and

4. All utility waste landfills shall have a minimum bottom slope in any direction of flow of at least one percent (1%).

(C) Satisfactory Compliance—Operations.

1. A test pad shall be constructed at the site and tested to verify that the proposed construction and quality control (qc) procedures are adequate to ensure that the soil component of the composite liner system will meet the requirements of paragraph (10)(B)1. of this rule.

A. Construction and qc procedures to be used during test pad construction shall be described in detail in the approved engineering report, and shall be identical to those proposed for liner construction with the following additions:

(I) At least two (2) laboratory hydraulic conductivity tests shall be performed on undisturbed samples of the completed test pad;

(II) At least one (1) *in situ* hydraulic conductivity test shall be performed on the completed test pad; and

(III) At least two (2) test pits shall be excavated into the completed test pad to observe interlift bonding.

B. If test pad construction and testing shows that the proposed methods are not sufficient to meet the requirements of paragraph (10)(B)1. of this rule, a new test pad shall be constructed using revised procedures approved by the department.

2. For phased construction, only one (1) test pad will be required.

3. A final report shall be submitted to the department which describes in detail the construction and qc procedures which were used to achieve satisfactory test pad performance.

A. The report must be approved by the department prior to beginning construction of any portion of the composite liner system in the disposal area.

B. The report shall serve as guidance for construction of the soil component of the composite liner system.

4. The requirement for a test pad may be waived provided—

A. The applicant can demonstrate to the department's satisfaction the construction and qc procedures are identical to those described in the approved engineering report and will result in construction of a liner which meets the requirements of paragraph (10)(B)1. of this rule; and

B. The soils proposed for liner construction meet the following minimum specifications:

(I) Have a plasticity index greater than fifteen (15) and less than thirty (30) (ASTM test D4318-84);

(II) Allow more than fifty percent (50%) passage through a number 200 seive (ASTM D11400); and

(III) Have less than ten percent (10%) by weight particle sizes greater than two (2) mm.

5. The liner specified in subsection (10)(B) of this rule shall be constructed in accordance with the approved design specifications.

(11) Groundwater Monitoring.

(A) Requirements. The owner/operator of a utility waste landfill shall implement a

groundwater monitoring program capable of determining the utility waste landfill's impact on the quality of groundwater underlying the utility waste landfill.

(B) Satisfactory Compliance—Design.

1. All utility waste landfills permitted after the effective date of this rule, must be in compliance with all groundwater monitoring requirements of section (11).

2. The department may require utility waste landfills permitted prior to the effective date of this rule, to comply with part or all of section (11) if it is determined necessary by the department.

3. The owner/operator of a utility waste landfill shall establish the potential for migration of fluid generated by the utility waste landfill into the groundwater by an evaluation of—

A. A water balance of precipitation, evapotranspiration, runoff and infiltration;

B. At a minimum, the following characteristics:

(I) Geologic materials;

(II) Description of soil and bedrock to a depth adequate to allow evaluation of water quality protection provided by the soil and bedrock;

(III) Groundwater elevation;

(IV) Proposed separation between the lowest point of the lowest cell and the maximum water table elevation;

(V) Proximity of the utility waste landfill to water supply wells or surface water;

(VI) Rate and direction of groundwater flow; and

(VII) Current and projected use of water resources in the potential zone of influence of the utility waste landfill.

4. A groundwater monitoring system shall be capable of yielding groundwater samples for analysis and shall consist of—

A. Monitoring wells (at least one (1)) installed hydraulically upgradient; that is, in the direction of increasing static head from the utility waste landfill. The numbers, locations and depths shall be sufficient to yield groundwater samples that are—

(I) Representative of background water quality in the groundwater near the utility waste landfill; and

(II) Not affected by the utility waste landfill; and

B. Monitoring wells (at least three (3)) installed hydraulically downgradient; that is, in the direction of decreasing hydraulic head from the utility waste landfill. The number, locations and depths shall ensure that they detect any significant amounts of fluids generated by the utility waste landfill that migrate from the utility waste landfill to the groundwater. Monitoring wells, or clusters of monitoring wells, shall be capable at a minimum, of monitoring all saturated zones down to and including the uppermost aquifer.

5. All monitoring wells shall be constructed as per 10 CSR 23-4.

(C) Satisfactory Compliance—Operations.

1. Groundwater monitoring wells.

A. Groundwater monitoring wells shall be installed so that the number, spacing and depths of monitoring systems shall be determined based upon site-specific technical information that shall include thorough characterization of:

(I) Aquifer thickness, groundwater flow rate, groundwater flow direction including seasonal and temporal fluctuations in groundwater flow; and

(II) Saturated and unsaturated geologic units and fill materials overlying the uppermost aquifer, materials comprising the uppermost aquifer, and materials comprising the confining unit defining the lower boundary of the uppermost aquifer; including, but not limited to, thicknesses, stratigraphy, lithology, hydraulic conductivities and porosities.

B. The design and installation of groundwater monitoring well systems shall be observed, supervised, and certified by a qualified groundwater scientist and approved by the department.

C. All groundwater monitoring wells shall be operational prior to the acceptance of wastes, unless other arrangements are approved by the department.

D. The design, installation, development, and decommissioning of monitoring wells and piezometers must be performed in accordance with 10 CSR 23-4.

2. Sampling and reporting.

A. Each groundwater monitoring program must include consistent sampling and analysis procedures that are designed to ensure monitoring results that provide an accurate representation of groundwater quality at the background and downgradient wells installed in compliance with subsection (11)(B). The owner/operator must submit the sampling and analysis program to the department for approval. The program must include procedures and techniques for—

(I) Monitoring well maintenance;

(II) Monitoring well redevelopment;

(III) Monitoring well depth measurement and hydraulic levels;

(IV) Monitoring well purging and sampling utilizing dedicated equipment;

(V) Equipment calibration;

(VI) Decontamination and field blanks;

(VII) Sample and duplicate sample collection;

(VIII) Sample preservation;

(IX) Sample labeling;

(X) Sample handling;

(XI) Field measurements;

(XII) Field documentation;

(XIII) Chain of custody control;

(XIV) Sample shipment;

(XV) Analytical procedures;

(XVI) Qa/qc control—field and laboratory; and

(XVII) Statistical testing strategy per paragraph (11)(C)5. for each parameter's concentrations.

B. Each groundwater monitoring program shall include sampling and analytical methods that are appropriate for groundwater sampling and that accurately measure hazardous constituents and other monitoring parameters in groundwater samples. Analysis shall be performed on unfiltered samples.

C. The sampling procedures and frequency shall be protective of human health and the environment.

D. Groundwater elevations shall be measured in each well immediately prior to purging, each time groundwater is sampled. The owner/operator shall determine the rate and direction of groundwater flow each time groundwater is sampled. Groundwater elevations in wells which monitor the same utility waste landfill shall be measured within a period of time short enough to avoid temporal variations in groundwater flow which could preclude accurate determination of groundwater flow rate and direction.

3. Baseline/background monitoring.

A. The owner/operator shall establish background groundwater quality for each of the monitoring parameters or constituents required under paragraph (11)(C)4. To establish background, a minimum of four (4) quarterly samples of statistically independent sample data shall be obtained and analyzed from all monitoring wells during a minimum of one (1) year following well installation.

B. The number of samples collected to establish background values for groundwater quality data shall satisfy the requirements of subsection (11)(C) and shall be consistent with the appropriate statistical procedures determined pursuant to paragraph (11)(C)5. The sampling procedures shall be those specified under paragraph (11)(C)4. for detection monitoring and paragraph (11)(C)6. for assessment monitoring.

4. Detection monitoring.

A. The owner/operator shall obtain and analyze water samples from the groundwater monitoring wells during the months of May and November of each calendar year.

B. The following parameters shall be analyzed each time a sample is obtained:

Chemical Oxygen Demand (COD in milligrams per liter (mg/l));

Chlorides (Cl, mg/l);

Iron (Fe, (mg/l));

pH (units);

Specific Conductance (Conductivity at twenty-five degrees Celsius (25°C) (μmho/cm));

Total Dissolved Solids (TDS, in mg/l);

All parameters listed in Appendix I of this rule; and

Additionally, the water level in each well shall be measured at the time the sample is taken.

C. The sample results, and any results of statistical analysis determining statistically significant increases for any parameter per paragraph (11)(C)5., shall be submitted to the department in one (1) report within ninety (90) days of when samples are collected.

D. In the case of all detection monitoring requirements previously listed, the department may specify an appropriate alternative frequency for repeated sampling and analysis during the active life of the utility waste landfill (including closure) and the post-closure period. The department may add additional parameters or delete parameters on a site-by-site basis through an evaluation of waste and leachate characteristics of the utility waste landfill.

E. The electronic submission of groundwater data is required. This submission shall be in the format and method as prescribed by the department.

5. The owner/operator shall specify in the operating record one (1) or more of the following statistical methods to be used in evaluating groundwater monitoring data for each monitoring constituent. The statistical test chosen shall be conducted separately for each constituent—

A. A parametric analysis of variance (ANOVA) followed by multiple comparisons procedures to identify statistically significant evidence of contamination. The procedure shall include estimation and testing of the contrasts between each downgradient well's mean and the upgradient means for each parameter;

B. An ANOVA based on ranks followed by multiple comparisons procedures to identify statistically significant evidence of contamination. The procedure shall include estimation and testing of the contrasts between each downgradient well's median and the background medians for each parameter;

C. A confidence interval procedure in which an interval for each parameter in each downgradient well is constructed around the mean/median of the particular well's data or data residuals and compared to the mean/median of pooled background well data;

D. A prediction interval procedure in which an upper prediction limit for an interval for each parameter in each well is compared to subsequently obtained values from the same well;

E. A prediction interval procedure in which an upper prediction limit for an interval for each parameter constructed on the pooled background well data or data residuals is compared to subsequently obtained values from each downgradient well;

F. A tolerance interval procedure in which an upper tolerance limit for an interval for each parameter's pooled background well data is compared to each downgradient well's concentration values;

G. A multicomparison procedure utilizing any recommended U.S. Environmental Protection Agency combinations of intra-well and inter-well procedures for each parameter;

H. A control chart approach meeting the performance standards of part (11)(C)5.J.(III), that gives control limits for each parameter;

I. A different statistical test method that meets the performance standards of subparagraph (11)(C)5.J. of the rule. The owner/operator must submit the statistical test method to the department for approval before the use of the alternative test; and

J. Any statistical method chosen under paragraph (11)(C)5. of this rule shall comply with the following performance standards, as appropriate:

(I) The statistical method used to evaluate groundwater monitoring data shall be appropriate for the distribution of the concentration data for the chemical parameters or hazardous constituents. If the distribution of the concentration data for the chemical parameters or hazardous constituents is shown by the owner/operator to be inappropriate for a normal data distribution theory test, then the data should be transformed or a distribution-free (nonparametric) theory test should be used. If the concentration data distributions for the constituents of each well differ, more than one (1) statistical method will be needed;

(II) If an individual well comparison procedure is used to compare an individual compliance well constituent concentration with background constituent concentration or a groundwater protection standard, the test shall be done at a Type I error level no less than 0.01 for each testing period. If a multiple comparisons procedure is used, the Type I experiment-wide error rate for each testing period shall be no less than 0.05, however, the Type I error of no less than 0.01 for individual well comparisons shall be maintained. This performance standard does not apply to tolerance intervals, prediction intervals or control charts;

(III) If a control chart approach is used to evaluate groundwater monitoring data, the specific type of control chart and its associated parameter values shall be protective of human health and the environment. The selection of this method shall be determined after considering the number of samples in the background data base, the data distribution, and the range of the concentration values for each constituent of concern;

(IV) If a confidence interval, tolerance interval or a prediction interval is used to evaluate groundwater monitoring data, then the level of confidence for each interval, and the percentage of the population that each interval contains, shall be protective of human health and the environment. Selection of one (1) or more of these methods shall be determined after considering the number of samples in the background data base, the data distribution, and the range of the concentration values for each constituent of concern;

(V) The statistical method shall account for data below the limit of detection with one (1) or more statistical procedures that are protective of human health and the environment. Any practical quantization limit that is used in the statistical method shall be the lowest concentration level that can be reliably achieved within specified limits of precision and accuracy during routine laboratory operating conditions that are available to the facility; and

(VI) If necessary, the statistical method shall include procedures to control or correct for seasonal and spatial variability as well as temporal correlation in the data.

6. Response to statistical analysis.

A. If the comparison for the upgradient wells shows a statistically significant increase (or pH change) over background, the owner/operator shall submit this information to the department.

B. If the comparisons for downgradient wells show a statistically significant increase (or pH change), resulting from the landfill, over background, the owner/operator shall within ninety (90) days of the last sampling event obtain additional groundwater samples from those downgradient wells where a statistically significant difference was detected, split the samples in two (2), and obtain analyses of all additional samples to determine whether the significant statistical difference was a result of laboratory error.

C. If the additional samples show a statistically significant increase (or pH change) over background, the owner/operator must demonstrate to the department within ninety (90) days that a source other than the utility waste landfill caused the contamination or that the statistically significant increase resulted from an error in sampling, analysis, statistical evaluation or natural variation. If the owner/operator cannot make this demonstration to the department, the owner/operator shall submit a plan to the department for a groundwater assessment monitoring program and implement the program as described in subparagraphs (11)(C)6.D. through H. of this rule. The plan shall specify the following:

(I) The number, location and depth of wells;

(II) Sampling and analytical methods for the monitoring parameters listed in Appendix I of this rule on a quarterly basis;

(III) Evaluation procedures, including any use of previously gathered groundwater quality information;

(IV) The rate and extent of migration of the contaminant plume in the groundwater; and

(V) The concentrations of the contaminant plume in the groundwater.

D. After obtaining the results from the initial or subsequent sampling events required in subparagraph (9)(C)6.D. the owner/operator shall—

(I) Within fourteen (14) days, notify the department and place a notice in the operating record identifying the constituents that have been detected;

(II) Within ninety (90) days, and on a quarterly basis after that, resample all wells and conduct analysis for all constituents listed in Appendix I to this rule and notify the department of the constituent concentrations. A minimum of one (1) sample from each well sampled (background and downgradient) shall be collected and analyzed during these sampling events;

(III) Establish background concentrations for any new constituents detected during subsequent monitoring events; and

(IV) Establish groundwater protection standards for all new constituents detected during subsequent monitoring events.

E. If the concentrations of all constituents listed in Appendix I to this rule are shown to be at or below background levels as established in paragraph (11)(C)3. of this rule for two (2) consecutive sampling periods, the owner/operator may reinstate detection monitoring at the utility waste landfill as specified under subparagraph (11)(C)3.C. of this rule.

F. If the concentrations of any constituents listed in Appendix I of this rule are above background values, but all concentrations are below the groundwater protection standard established under subparagraph (11)(C)6.D. of this rule using the statistical procedures in paragraph (11)(C)5. of this rule, the owner/operator shall notify the department and the department may require the owner/operator to—

(I) Continue assessment monitoring; or

(II) Develop a corrective measures assessment, or both.

G. If one (1) or more constituents listed in Appendix I of this rule are detected at levels above the groundwater protection standard as established under subparagraph (11)(C)6.D., the owner/operator shall—

(I) Provide the department with a report assessing potential corrective measures;

(II) Characterize the nature and extent of the release by installing additional monitoring wells as necessary; install at least one (1) additional monitoring well at the facility boundary in the direction of contaminant migration and sample this well in accordance with paragraph (11)(C)6. of this rule and, if required by the department, notify all persons who own the land or reside on the land that directly overlies any part of the plume of contamination if contaminants have migrated off-site if indicated by sampling of wells; and

(III) Continue assessment monitoring as per the groundwater quality assessment plan, and implement the approved corrective action program specified in part (11)(C)6.G.(I) of this rule.

H. The results of implementation of the assessment monitoring program shall be submitted to the department at the end of each year or an alternate time period approved by the department.

(12) Air Quality.

(A) Requirement. The design, construction and operation of the utility waste landfill shall minimize environmental hazards and shall conform to applicable ambient air quality and source control regulations.

(B) Satisfactory Compliance—Design. Plans shall include an effective dust control program.

(C) Satisfactory Compliance—Operations. A burning permit or exemption may be obtained from the department permitting the burning of tree trunks, tree limbs, and vegetation during clearing and grubbing. In areas operating under exemption certificates authorized by Chapter 643, RSMo approval shall be obtained from the local pollution control agency. The operating procedures and location for burning practices shall be submitted to the department for review and written approval. Burning at the utility waste landfill shall be conducted in accordance with Chapter 643, RSMo, the corresponding rules, the terms, conditions, or both, of the plans, permit, or both, and all local requirements.

(13) Aesthetics.

(A) Requirement. The utility waste landfill shall be designed and operated at all times in an aesthetically acceptable manner.

(B) Satisfactory Compliance—Design. Plans shall include an effective vegetative growth program.

(C) Satisfactory Compliance—Operations.

1. Wastes that are easily moved by wind shall be covered, as necessary, to prevent becoming airborne and scattered.

2. On-site vegetation should be cleared only as necessary. Natural windbreaks, such as green belts, should be maintained where they will improve the appearance and operation of the utility waste landfill.

3. Mining operations for the purpose of removing waste for beneficial reuse shall be conducted in such a manner as to not detract from the appearance of the utility waste landfill. Materials removed from the utility waste landfill shall be stored for not more than sixty (60) days prior to beneficial reuse. Materials removed from the utility waste landfill shall be stored so as to prevent infiltration, surface water runoff and erosion from these removed materials. All Water Pollution Control Program permits and approvals necessary to comply with the Missouri Clean Water Law and corresponding rules shall be obtained from the department.

(14) Cover.

(A) Requirement. Cover shall be applied to minimize infiltration of precipitation, airborne waste; and provide a pleasing appearance.

(B) Satisfactory Compliance—Design. The owner/operator shall prepare a written closure plan that describes the steps necessary to close all utility waste landfill phases at any point during the active life of the utility waste landfill in accordance with the requirements of 10 CSR 80-2.030(4)(A). In addition, the final cover requirements specified in the closure and post-closure plans shall specify—

1. Cover sources, quantities and soil classification (Unified Soil Classification System or United States Department of Agriculture classification system);

2. The capability of the cover to perform the functions listed in subsection (14)(A) of this rule;

3. Surface grades and side slopes needed to promote maximum runoff, without excessive erosion, and to minimize infiltration. Final side slopes shall not exceed twenty-five percent (25%) unless it has been demonstrated in a detailed slope stability analysis approved by the department that the slopes can be constructed and maintained throughout the entire operational life and post-closure period of the landfill;

4. Procedures to establish and maintain vegetative growth to combat erosion and improve appearance of idle and completed areas. Procedures shall include seeding rate, fertilizer rate, soil conditioning rate and provisions for mulching;

5. Procedures to maintain a cover integrity, for example, regrading and recovering;

6. Methods for borrow areas to be reclaimed so as to restore aesthetic qualities and prevent excessive erosion;

7. The final slope of the top of the utility waste landfill shall have a minimum slope of one percent (1%); and

8. Shear failure analyses shall be included where intermediate or final slopes exceed twenty-five percent (25%). However, the department will waive the analyses for the slopes of twenty-five percent (25%) or less except in seismic impact zones.

(C) Satisfactory Compliance—Operations.

1. Cover shall be applied at a total thickness of at least one foot (1') of compacted soil on filled areas of the utility waste landfill which are idle for more than sixty (60) days, and on all final side slopes at the end of each filling sequence.

2. No active, intermediate or final slope shall exceed thirty-three and one-third percent (33 1/3%).

3. As each phase of the utility waste landfill is completed, a final cover system shall be installed consisting of one foot (1') of compacted clay with a coefficient of permeability of 1×10^{-5} cm/sec or less and overlaid with one foot (1') of soil capable of sustaining vegetative growth.

4. The installation of the final cover systems shall include provisions for slope stability.

5. The department may approve the use of an alternative final cover system provided that the owner/operator can demonstrate to the department that the alternative design will be at least equivalent to the final cover system described in paragraph (14)(C)3. of this rule.

6. Surface grades and side slopes shall be maintained to promote runoff without excessive erosion.

7. Vegetation shall be established within one hundred eighty (180) days of application of the cover required by paragraphs (14)(C)3. and 4. of this rule. Vegetation shall be established and maintained to minimize erosion and surface water infiltration.

8. Regrading and recovering shall be performed as necessary to maintain cover slope and integrity.

9. Borrow areas shall be reclaimed in accordance with the approved plans.

10. The compacted clay portion of the final cover shall consist of soils classified under the Unified Soil Classification System as CH, CL, ML, SC or MH.

(15) Compaction.

(A) Requirement. In order to conserve utility waste landfill site capacity, thereby preserving land resources and to minimize moisture infiltration and settlement, waste and cover shall be compacted to the smallest practicable volume.

(B) Satisfactory Compliance—Design.

1. Arrangements shall be made and indicated in the plans where substitute equipment will be available to provide uninterrupted service during routine maintenance periods or equipment breakdowns.

2. The plans shall specify the equipment that should be available to conduct the utility waste landfill operation.

(C) Satisfactory Compliance—Operations.

1. Waste handling equipment, during filling operations, shall be capable of performing and shall perform the following functions:

A. Spread the wastes to be compacted in layers no more than two feet (2') thick, while confining it to the smallest practicable area;

B. Compact the spread wastes to the smallest practicable volume; and

C. Place, spread and compact the final cover as much as practicable.

2. A preventive maintenance program should be employed to maintain equipment in operating order.

3. No waste shall be disposed of in water where the presence of the water will prohibit the proper spreading and compaction of the waste or where a mosquito breeding problem would be created.

(16) Safety.

(A) Requirement. The utility waste landfill shall be designed, constructed and operated in a manner so as to protect the health and safety of personnel and others associated with and affected by the operation.

(B) Satisfactory Compliance—Design.

1. Provisions shall be included in the plans to control and limit access to the utility waste landfill in a manner that is compatible with the surrounding land use.

2. Provisions shall be included in the plans to control dust for safety purposes and to prevent a nuisance to the surrounding area.

(C) Satisfactory Compliance—Operation.

1. Adequate communications equipment shall be available at the utility waste landfill for emergency situations.

2. Access to the utility waste landfill shall be controlled and shall be by established roadways only. The utility waste landfill shall be accessible only when operating personnel are on duty.

3. Traffic signs or markers should be provided to promote an orderly traffic pattern to and from the discharge area and, if necessary, to maintain efficient operating conditions.

4. Dust control provisions shall be utilized as necessary for safety purposes and to prevent a nuisance to the surrounding area.

(17) Records.

(A) Requirement. The owner/operator of a utility waste landfill shall maintain records and monitoring data as specified by the department and file appropriate documents with the county recorder(s) of deeds.

(B) Satisfactory Compliance—Design. Plans shall prescribe methods to be used in maintaining records and monitoring the environmental impact of the utility waste landfill. Information on recording and monitoring requirements may be obtained from the department.

(C) Satisfactory Compliance—Operations.

1. Records shall be maintained at the facility site. Records five (5) years old or older may be stored at an alternate site if approved by the department; such stored records must be made available at the landfill upon request of department personnel. Records must cover at least the following:

A. Major operational problems, complaints or difficulties;

B. Any demonstration, certification, finding, monitoring, testing or analytical data required under sections (4) and (9) of this rule;

C. Dust and litter control efforts;

D. Quantitative measurements of the waste handled and an estimate of the air space left at the facility. Every two (2) years after the date of the permit issuance and within sixty (60) days of the anniversary date of the permit issuance, the owner/operator shall

submit to the department two (2) copies of a topographic map, prepared under the direction of a land surveyor or by aerial photography, showing the current horizontal and vertical boundaries of waste in the utility waste landfill and the boundaries of the utility waste landfill. Maps prepared by aerial photography shall meet the current National Map Accuracy Standards for Photogrammetry as indicated in United States Bureau of the Budget "Circular A-16 Exhibit C," dated October 10, 1958;

E. Closure and post-closure care plans and any monitoring, testing or analytical data as required under 10 CSR 80-2.030(4)(A);

F. Any cost estimates and financial assurance documentation required under 10 CSR 80-2.030(4);

G. Inspection records and training procedures as required under subsection (3)(B) of this rule;

H. Records associated with corrective measures as required under section (10) of this rule; and

I. The landfill operator shall keep a detailed report of the origin of all waste received. Effective January 1, 1998, on or before January 31 of each calendar year and annually thereafter each utility waste landfill shall submit a report to the department specifying the amount of utility waste received for disposal from states other than Missouri.

2. Upon closing of the utility waste landfill, the existence of the utility waste landfill shall be recorded with the recorder(s) of deeds in the county(ies) where the utility waste landfill is located. The owner/operator may request permission from the department to remove the notation from the deed if all wastes are removed from the facility.

A. A survey and plat meeting the requirements of the current Minimum Standards of Property Boundary Survey 10 CSR 30-2.010 and detailed description of the utility waste landfill shall be prepared by a land surveyor. The survey plat and detailed description, at a minimum, shall contain the following information:

(I) The name of the property owner as it appears on the property deed;

(II) The detailed description of the property;

(III) The general types and location of the wastes and the depth(s) of fill within the property; and

(IV) The location of any leachate control or water monitoring systems which shall be maintained after closure and the length of time that these systems are to be maintained.

B. The owner/operator shall obtain approval from the department of the survey plat and detailed description prior to filing with the county recorder of deeds. Filing the plat and detailed description shall be accomplished within thirty (30) days of departmental approval. Two (2) copies of the properly recorded plat and detailed description showing the recorder of deeds' seal or stamp, the book and page numbers and the date of filing shall be submitted to the department within thirty (30) days of filing.

C. Owners of all proposed utility waste landfills as a part of closure of the solid waste disposal area shall—

(I) Execute an easement with the department, which allows the department, its agents or its contractors to enter the premises to complete work specified in the closure plan; and

(II) Submit evidence to the department that a notice and covenant running with the land has been recorded with the recorder of deeds in the county where the utility waste landfill is located. The notice and covenant shall specify the following:

(a) That the property has been permitted as a utility waste landfill; and

(b) That use of the land in any manner which interferes with closure plans, and post-closure plans filed with the department, is prohibited.

AUTHORITY: section 260.225, RSMo (Cum. Supp. 1996). Original rule filed Oct. 10, 1996, effective July 30, 1997.*

**Original authority 1972, amended 1975, 1986, 1988, 1990, 1993, 1995.*

Appendix I—Constituents for Detection Monitoring

Arsenic (As, μg/l)
Aluminum (Al, μg/l)
Antimony (Sb, μg/l)
Barium (Ba, μg/l)
Beryllium (Be, mg/l)
Boron (B, μg/l)
Cadmium (Cd, μg/l)
Calcium (Ca, mg/l)
Chemical Oxygen Demand (COD,mg/l)
Chloride (Cl, mg/l)
Chromium (Cr, μg/l)
Cobalt (Co, μg/l)
Copper (Cu, μg/l)
Fluoride (Fl, mg/l)
Hardness (calculated, mg/l)
Iron (Fe, μg/l)
Lead (Pb, μg/l)
Magnesium (Mg, mg/l)
Manganese (Mn, μg/l)
Mercury (Hg, μg/l)
Nickel (Ni, mg/l)
pH (units)
Selenium (Se, μg/l)
Silver (Ag, μg/l))
Sodium (Na, mg/l)
Specific Conductance (Conductivity at 25°C, mho/cm)
Sulfate (SO, mg/l)
Thallium (Tl, μg/l)
Total Dissolved Solids (TDS, mg/l)
Total Organic Carbon (TOC, mg/l)
Total Organic Halogens (TOX, mg/l)
Zinc (Zn, μg/l).