**Section 724.218 Post-Closure Care Plan; Amendment of Plan**

a) Written Plan. The owner or operator of a hazardous waste disposal unit must have a written post-closure care plan. In addition, certain surface impoundments and waste piles from which the owner or operator intends to remove or decontaminate the hazardous wastes at partial or final closure are required by Sections 724.328(c)(1)(B) and 724.358(c)(1)(B) to have contingent post-closure care plans. Owners or operators of surface impoundments and waste piles not otherwise required to prepare contingent post-closure care plans under Sections 724.328(c)(1)(B) or 724.358(c)(1)(B) must submit a post-closure care plan to the Agency within 90 days from the date that the owner or operator or Agency determines that the hazardous waste management unit must be closed as a landfill, subject to the requirements of Sections 724.217 through 724.220. The plan must be submitted with the permit application, in accordance with 35 Ill. Adm. Code 703.183, and approved by the Agency as part of the permit issuance proceeding under 35 Ill. Adm. Code 705. In accordance with 35 Ill. Adm. Code 703.241, the approved post-closure care plan will become a condition of any RCRA permit issued.

b) For each hazardous waste management unit subject to the requirements of this Section, the post-closure care plan must identify the activities that will be carried on after closure and the frequency of these activities, and include at least the following:

1) A description of the planned monitoring activities and frequencies that they will be performed to comply with Subparts F, K, L, M, N, and X during the post-closure care period.

2) A description of the planned maintenance activities, and frequencies at which they will be performed, to ensure the following:

A) The integrity of the cap and final cover or other containment systems in accordance with the requirements of Subparts F, K, L, M, N, and X; and

B) The function of the facility monitoring equipment in accordance with the requirements of Subparts F, K, L, M, N, and X.

3) The name, address, and phone number of the person or office to contact about the hazardous disposal unit during the post-closure care period.

4) For a facility where alternative requirements are established at a regulated unit under Section 724.190(f), 724.210(c), or 724.240(d), as provided under 35 Ill. Adm. Code 703.161, either the alternative requirements that apply to the regulated unit, or a reference to the enforceable document containing those requirements.

c) Until final closure of the facility, a copy of the approved post-closure care plan must be furnished to the Agency upon request, including request by mail. After final closure has been certified, the person or office specified in subsection (b)(3) must keep the approved post-closure care plan during the remainder of the post-closure care period.

d) Amendment of Plan. The owner or operator must submit a written notification of or request for a permit modification to authorize a change in the approved post-closure care plan in accordance with the applicable requirements of 35 Ill. Adm. Code 703 and 705. The written notification or request must include a copy of the amended post-closure care plan for review or approval by the Agency.

1) The owner or operator may submit a written notification or request to the Agency for a permit modification to amend the post-closure care plan at any time during the active life of the facility or during the post-closure care period.

2) The owner or operator must submit a written notification of or request for a permit modification to authorize a change in the approved post-closure care plan whenever any of the following occurs:

A) Changes in operating plans or facility design affect the post-closure care plan;

B) There is a change in the expected year of closure if applicable;

C) Events occur during the active life of the facility, including partial and final closures, that affect the approved post-closure care plan; or

D) The owner or operator requests establishment of alternative requirements to a regulated unit under Section 724.190(f), 724.210(c), or 724.240(d).

3) The owner or operator must submit a written request for a permit modification at least 60 days prior to the proposed change in facility design or operation, or no later than 60 days after an unexpected event has occurred that has affected the post-closure care plan. An owner or operator of a surface impoundment or waste pile that intends to remove all hazardous waste at closure and is not otherwise required to submit a contingent post-closure care plan under Sections 724.328(c)(1)(B) or 724.358(c)(1)(B) must submit a post-closure care plan to the Agency no later than 90 days after the date that the owner or operator or Agency determines that the hazardous waste management unit must be closed as a landfill, subject to the requirements of Section 724.410. The Agency must approve, disapprove, or modify this plan in accordance with the procedure in 35 Ill. Adm. Code 703 and 705. In accordance with 35 Ill. Adm. Code 703.241, the approved post-closure care plan will become a permit condition.

4) The Agency may request modifications to the plan under the conditions described in subsection (d)(2). The owner or operator must submit the modified plan no later than 60 days after the request, or no later than 90 days if the unit is a surface impoundment or waste pile not previously required to prepare a contingent post-closure care plan. Any modifications requested by the Agency must be approved, disapproved, or modified in accordance with the procedure in 35 Ill. Adm. Code 703 and 705.

(Source: Amended at 42 Ill. Reg. 22614, effective November 19, 2018)