

7035.2635 CLOSURE PROCEDURES.

Subpart 1. **Completion of closure activities.** Within 30 days after receiving the last shipment of waste, the owner or operator must begin the final closure activities outlined in the approved closure plan for the solid waste management facility or closure document. Closure activities must be completed according to the approved closure plan. The commissioner may approve a longer period if the owner or operator demonstrates that the closure activities will take longer due to adverse weather or other factors not in the control of the owner or operator.

Subp. 2. **Closure procedures.** If one or more of the conditions of part 7035.2625, subpart 1 exists, the owner or operator must:

A. Complete the appropriate activities outlined in the approved closure plan, closure document, stipulation agreement, and parts 7035.2815 to 7035.2915, as appropriate.

B. Complete final closure activities consisting of at least:

(1) posting a notice of closure at least 60 days before closure at the entrance by signs indicating the date of closure and alternative solid waste management facilities;

(2) publishing a notice of closure in a local newspaper 30 days before closure and providing a copy of the notice to the commissioner within ten days after the date of publication; and

(3) submitting to the county recorder and the commissioner a detailed description of the waste types, including mixed municipal, industrial, and demolition debris, accepted at the facility and what the facility was used for, together with a survey plat of the site. The plat must be prepared and certified by a land surveyor registered in Minnesota. The landowner must record a notation on the deed to the property or on some other instrument normally examined during a title search, that will in perpetuity notify any potential purchaser of the property of any special conditions or limitations for use of the site, as set out in the closure plan and closure document.

Subp. 3. **Certification of closure.** For solid waste disposal facilities, when the final facility or fill phase closure is completed, the owner shall submit to the commissioner certification by the owner and an engineer registered in Minnesota that the facility or phase has been closed in accordance with subpart 2. The certification must contain: a completed and signed Site Closure Record and as-built plans showing changes from the original design plans; testing results indicating compliance with final cover, waste removal, equipment decontamination, and other closure requirements; and other forms of documentation such as pictures showing the construction techniques used during closure. The final facility closure certification must include a copy of the notation filed with the county recorder and carrying the recorder's seal. For all other facilities, the owner or operator shall submit to

the commissioner a document including certification under part 7001.0070, demonstrating that all steps in the closure plan have been completed.

Statutory Authority: *MS s 115.03; 115A.97; 116.07*

History: *13 SR 1150; 16 SR 2321; 30 SR 529*

Published Electronically: *September 7, 2006*