

DEQ Guidance on Recordkeeping and Reporting

Regulatory Reference: OAC 252:515-19-40

Applicability. All solid waste disposal facilities.

Purpose. To provide guidance on the records to be maintained in the facility operating record and submitted to the DEQ.

Technical Discussion. All solid waste disposal facilities are required to maintain an operating record containing all records concerning the planning, construction, operation, closing and, if applicable, post-closure monitoring of the facility.¹ Preferably, the operating record should be maintained at the disposal facility; however, an off-site location near the facility which is under the direct control of the owner/operator and accessible during DEQ inspections can be used. For the purposes of this rule, facility records maintained by consultants cannot be considered part of the operating record.

Various Subchapters of OAC 252:515 identify records that must be maintained and/or submitted to the DEQ. This guidance will identify those records so that owner/operators can ensure all required records are being maintained and submitted in a timely manner.

Subchapters 3 through 31 - Permit Applications and Related Documents

- All applications for new and modified permits must be submitted to the DEQ and maintained in the operating record. The permit application includes all text related to the application as well as all maps, drawings, construction plans, QA/QC reports, legal access documents, public notices, etc. required by other Subchapters.
- All correspondence to/from the DEQ related to the permit application must be maintained in the operating record.
- A copy of the approved permit and all associated modifications must be maintained in the operating record.

Subchapter 9 - Groundwater Monitoring and Corrective Action

- Within 60 days of groundwater sampling, a copy of groundwater monitoring results and associated statistical analysis (or cumulative analysis data for C/D landfills) must be placed in the operating record and submitted to the DEQ.
- Within 14 days of determining there is a statistically significant increase (SSI) in one or more monitoring constituents, the DEQ must be notified of the SSI in writing and a copy of the notice placed in the operating record.
- Within 90 days of determining there is a statistically significant increase, either an assessment monitoring program, or a demonstration that the increase was not caused by the facility, must be submitted to the DEQ and placed in the operating record.

¹ This includes all correspondence to/from the DEQ.

- Within 14 days of receiving the results from an assessment monitoring event, the DEQ must be notified of the constituents that were detected.
- Prior to a public meeting to discuss an assessment of corrective measures, the DEQ must be provided with:
 - an affidavit (with a copy of the published notice) showing that public notice of the meeting was published in a local newspaper;
 - copies of certified mail receipts showing that the entities identified in OAC 252:515-9-113(b) were notified of the public meeting; and
 - property and mineral ownership maps covering the area within a 2 mile radius of the facility.
- Within 60 days of the public meeting to discuss an assessment of corrective measures, a proposed remedy must be submitted to DEQ for approval and a copy placed in the operating record.
- When the remedy is complete, a certification signed by the owner/operator and a qualified groundwater scientist must be submitted to the DEQ for approval and the approved certification placed in the operating record.

Subchapter 13 - Leachate Collection and Management

- Documentation must be submitted to the DEQ and maintained in the operating record showing any underground storage tanks used to store leachate meet the requirements of the Oklahoma Corporation Commission at OAC 165:25, Subchapter 1, Part 8.
- Plans for leachate recirculation and/or irrigation must be submitted to the DEQ and maintained in the operating record, as well as all correspondence to/from DEQ related to those plans.
- Any testing results required by leachate recirculation/irrigation plans must be submitted to DEQ and maintained in the operating record.
- If leachate is discharged to a POTW, a copy of a letter from the POTW stating it will accept the leachate must be placed in the operating record and submitted to the DEQ.
- The results of any testing required by the POTW must be maintained in the operating record.
- If leachate is discharged under an OPDES permit, a copy of the permit must be maintained in the operating record.
- Any testing required by the OPDES permit must be submitted to DEQ and maintained in the operating record.

NOTE: Quarterly leachate reports are no longer required to be maintained or submitted.

Subchapter 15 - Methane Gas Monitoring and Control

- Within 30 days of monitoring, gas-monitoring results should be submitted to the DEQ and placed in the operating record.²

² While the rules don't give a specific time to submit the gas monitoring results, the rules require a remediation plan to be submitted within 30 days of detecting an exceedance. Therefore, it would make sense that the gas monitoring results would be submitted at the same time.

- Within 7 days of detection of an exceedance, submit a written notice to the DEQ of the exceedance and the steps taken to protect human health. A copy of this notice must also be placed in the operating record.
- Within 30 days of detection of an exceedance, a remediation plan must be submitted to the DEQ and a copy placed in the operating record.
- Written notification must be provided to the DEQ when the remediation plan is implemented, and a copy of that notice placed in the operating record.

Subchapter 17 - Stormwater Management

- A copy of the Stormwater Pollution Prevention Plan and OPDES Sector L permit must be maintained in the operating record.
- A copy of the OPDES stormwater permit for construction sites must be maintained in the operating record for any on- or off-site soil borrow areas of 5 acres or more in size.
- OPDES Sector L visual monitoring and Numeric Effluent Limitation Monitoring results must be maintained in the operating record.
- The Annual Comprehensive Site Compliance Evaluation Report must be submitted to the DEQ's WQD no later than December 1st of each year.
- All NELM monitoring results must be submitted to the DEQ no later than October 29th of each year for the period October 2nd of the previous year to October 1st of the current year.

Subchapter 19 - Operational Requirements

- Copies of random waste screening inspections must be maintained in the operating record.³
- Monthly waste receipt reports must be submitted to the DEQ and a copy placed in the operating record no later than the 15th of the month following the reporting month.⁴
- To avoid penalties, quarterly returns and fees for landfills must be submitted to the DEQ within 30 days of the end of the quarter.⁵ A copy of the quarterly return must be maintained in the operating record.
- Copies of approved out-of-state waste disposal plans must be on file with the DEQ and maintained in the operating record, as well as all correspondence to/from DEQ related to the development of the approved plan.
- The DEQ must be notified at least 5 working days in advance of any proposed changes to an approved out-of-state waste disposal plan.
- Copies of initial design capacity reports required by the New Source Performance Standards (NSPS), as well as required updates to the design capacity, must be submitted to the DEQ and placed in the operating record.
- Copies of all test results required by NSPS must be submitted to DEQ and maintained in the operating record.

³ An example of a waste screening checklist is included with this guidance.

⁴ Monthly reports are not required to be submitted to the DEQ for large NHIW generator landfills, generator owned and operated NHIW monofills, transfer stations, and processing facilities (including incinerators and regulated medical waste facilities). However, records identifying the amount of waste received must be maintained in the operating record and made available to DEQ upon request.

⁵ Returns and fees submitted later than this are subject to penalties and are not eligible for the handling waiver.

- Landfills accepting asbestos must maintain the records identified in the Management of Friable Asbestos guidance document.
- Composting facilities must maintain records documenting when windrows were turned, windrow temperatures, and the amount of waste received, processed, and distributed.

Subchapter 21 - Waste Tire Processing, Certification, Permits, and Compensation

Waste tire facilities

- Records of gross and tare weights of each vehicle must be maintained in the operating record.
- A daily log for each load of tires received must be maintained in the operating record. The daily log must include the name and address of the hauler, the number of tires from each tire source, the name and address of each tire source, the number of tires processed each day, and the use and destination of each daily outbound load of processed tire material.
- No later than the 10th of each month, a monthly report must be submitted to the DEQ identifying the following for the previous month: the number of tires received, the number of tires from community-wide clean up events, the number of tires from PCL dumps, a summary of destinations and intended uses of processed tire material, the number of tons of processed tire material provided for each market category, and the number of tires provided to waste tire incinerators that were not useable by the incinerator. The monthly report must also be maintained in the operating record.
- No later than the 10th of the month following the end of each calendar quarter, a quarterly report must be submitted to the DEQ identifying the following for the previous quarter: statewide collection efforts and documentation the scales were certified in accordance with Department of Agriculture requirements. The quarterly report must also be maintained in the operating record.
- All copies of waste tire manifests must be maintained in the operating record.
- All records required by the Oklahoma Tax Commission for reimbursement purposes must be maintained in the operating record.

Entities installing river bank stabilization or other conservation projects⁶

- A copy of the permit or other authorization for the project must be maintained.
- A copy of the project completion report must be submitted to the DEQ and retained by the installer.
- Copies of any letters to/from the DEQ related to the project must be retained by the installer.

Waste tire baling entities⁷

- A copy of a waste tire baling plan must be submitted to the DEQ and maintained in the operating record.
- A copy of the project completion report must be submitted to the DEQ and retained by the entity.
- Copies of any letters to/from the DEQ related to the plan must be maintained in the operating record.

⁶ Records must be maintained by the entity for at least 3 years after completion of the project.

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Subchapter 23 - Regulated Medical Waste Facilities

- A copy of the approved certificate of need must be in the operating record.
- Copies of emergency response agreements must be maintained in the operating record.
- The operating record must include records of when waste was placed into and removed from storage.
- Records of any tests done on a regulated medical waste incinerator must be maintained in the operating record.
- Incinerator monitoring data must be maintained for at least 2 years. Such data includes waste feed rates, fuel and combustion gas flows, oxygen and carbon monoxide, and temperature.
- Testing and disposal records for incinerator ash must be maintained in the operating record.
- For regulated medical waste incinerators, an NHIW notification/certification form and associated documentation showing the ash is non-hazardous must be submitted to the DEQ.

Subchapter 25 - Closure and Post-Closure Care

- Copies of closure and post-closure plans, all amendments, maps, drawings, construction plans, QA/QC reports, legal access documents, etc. required by the plans must be submitted to the DEQ and maintained in the operating record. All correspondence to/from the DEQ related to the permit application must also be maintained in the operating record.
- Documentation of all activities performed for closure must be submitted to the DEQ with the final closure report and placed in the operating record.
- A copy of the land records notice as recorded must be submitted to the DEQ at the conclusion of closure activities.
- All correspondence to/from the DEQ related to closure and/or post-closure activities must be maintained in the operating record.
- No later than April 1st of each year, a post-closure maintenance and monitoring report must be submitted to the DEQ, and a copy placed in the operating record.
- At the conclusion of post-closure, a Certification of Post-closure Performance must be submitted to the DEQ.

Subchapter 27 - Cost Estimates and Financial Assurance

- Copies of all cost estimates and financial assurance documents must be submitted to the DEQ and maintained in the operating record. This includes all correspondence to/from DEQ related to these documents.
- When a surety bond, letter of credit, certificate of deposit, or insurance⁸ is used as the financial assurance mechanism, an original and one copy of the instrument must be submitted to the DEQ.
- No later than April 1st of each year, life of site calculations must be submitted to the DEQ, identifying the life of the site as of December 31st of the previous year. The calculations must also be placed in the operating record. This includes all correspondence to/from DEQ related to this calculation.

⁸ The actual policy, not a certificate, must be submitted to DEQ.

- No later than April 1st of each year, cost estimates must be recalculated or adjusted for inflation, and the new figures submitted to the DEQ. The calculations must also be placed in the operating record. This includes all correspondence to/from DEQ related to this calculation.
- For all financial assurance mechanisms except the corporate test/guarantee and local government test/guarantee, no later than April 9th of each year, documentation must be submitted to the DEQ to demonstrate financial assurance mechanisms were updated and/or payments made based on the revised cost estimates. The documentation must also be placed in the operating record.
- If the corporate test/guarantee is used as a financial assurance mechanism, no later than 90 days after the end of the corporate fiscal year, the records identified in OAC 252:515-27-81(c) must be submitted to the DEQ and placed in the operating record.
- If the local government test/guarantee is used as a financial assurance mechanism, no later than 180 days after the end of the local government fiscal year, the records identified in OAC 252:515-27-82(h) must be submitted to the DEQ and placed in the operating record.

Subchapter 29 - Exclusion of Prohibited Wastes

- A copy of the Waste Exclusion Plan must be maintained in the operating record and submitted to the DEQ. This includes all correspondence to/from the DEQ related to the plan.
- Copies of all random inspections must be maintained in the operating record. Such records must include the date and time of the inspection, the name of the person conducting the inspection, and the results of the inspection.⁹
- No later than the next working day, the DEQ must be notified of any rejected loads.¹⁰ The notification must include: (1) the date of rejection; (2) the name, address, and phone number of the waste generator; (3) the name of the driver; (4) transporter tag number and (5) transporter name, address, contact name, and phone number. This information must also be maintained in the operating record.
- When necessary, documentation to verify proper disposal of rejected wastes must be maintained in the operating record.
- Copies of personnel training must be maintained in the operating record.¹¹

Subchapter 31 - NHIW Management

- Generators disposing of more than 10 cubic yards of NHIW per calendar month off site in an Oklahoma landfill must submit an NHIW Notification/Certification to the DEQ for each NHIW to be disposed.
- No later than the last day of the month, commercial landfills accepting NHIW must submit a report to the DEQ itemizing the type, quantity, and source of NHIW received from persons disposing of more than 10 cubic yards of NHIW the previous month. This report must also be maintained in the operating record.

⁹ Attachment 1 is an example of a random inspection sheet that will meet the requirements of the rule.

¹⁰ Telephone notification will suffice.

¹¹ This includes the training dates, curriculum, and attendees.

XYZ LANDFILL
RANDOM WEP INSPECTION CHECKLIST [EXAMPLE]

Use checklist for all suspicious loads and for 5% of all incoming loads of solid waste.

Date: _____

Time: _____ am/pm

Customer Name: _____

Vehicle License Plate # and State: _____

Type of Waste (check all that apply):

- | | |
|--|-------------------------------------|
| ☐ Household | ☐ Commercial |
| ☐ Construction / Demolition | ☐ Industrial |
| ☐ Other _____ | |

Identify All Unauthorized Wastes Present

- | | |
|--|--|
| ☐ Hazardous (corrosive, ignitable, reactive, TCLP toxic, or listed hazardous waste) | |
| ☐ Radioactive | ☐ Untreated Regulated Medical |
| ☐ PCB | ☐ Automobile Batteries |
| ☐ Unauthorized Liquid | ☐ Non-conforming NHIW |
| ☐ Other _____ | |

Waste accepted?

- ☐ Yes
☐ No

If no, what was done with the waste?

Additional Comments

Inspector's Name (Print)

Driver's Name (Print)

Inspector's Signature

Driver's Signature

Notification of unauthorized waste:

- ☐ DEQ Land Protection Division (405.702.5100)
Name / Date
- ☐ Waste Hauler
Name / Date
- ☐ Waste Generator
Name / Date