

**RESPONSE 86**

## 5.2 Certification of Final Facility Closure

Certification of final facility closure will be accomplished in accordance with 30 TAC §330.461, as outlined below.

- ~~—~~ No later than 90 days before final site closure begins  
Public notice for the final closure of the facility will be published in the newspaper with the largest circulation in the area of the site. The name, address and location of the facility, the permit number, and the last date that waste will be received are to be included in the published notice. Adequate copies of the approved final closure and post-closure plans will be provided for public review.
- Written notification of the intent to close the facility will be provided to the Executive Director and placed in the operating record.
  - After notification to the executive director. The owner or operator shall post a minimum of one sign at the main entrance and all other frequently used points of access for the facility notifying all persons who may utilize the facility of the date of the closing for the entire facility and the prohibition against further receipt of waste materials after the stated date. Further, suitable barriers shall be installed at all gates or access points to adequately prevent the unauthorized dumping of waste at the closed facility.
- Within 10 days of completion of the site closure activities:
- A certified copy of an "affidavit to the public" by the City of Temple will be submitted to the Executive Director by registered mail.
  - ~~will be submitted to the TCEQ by registered mail~~ in accordance with 30 TAC §330.19 and a copy will be placed in the site's operating record. The affidavit will include a metes and bounds description of the limits of the disposal areas. The affidavit will also include a notice that any future use of the land is restricted.
  - A certified notation on the deed to the facility or site property, or on some other instrument that is normally examined during title searches, that will in perpetuity notify any potential purchaser of the property that the land has been used as a landfill and that future uses of the land are restricted will be filed and recorded in the deed records of the office of the County Clerk of Bell County. A certified copy of the modified deed will be submitted to the TCEQ, and a copy will be placed in the site's operating record. In accordance with 30 TAC §330.461(d), the owner of the facility may request permission from the TCEQ to remove the notation from the deed if all wastes are removed from the facility in accordance with 30 TAC §330.7(a) (relating to the permit required).
  - The City of Temple will submit to the TCEQ by registered mail a documented certification, signed by an independent licensed professional engineer, verifying that final closure has been completed in accordance with this Closure Plan. The submittal to the TCEQ will include all applicable documentation necessary to certify final closure. Once approved, the certification will be placed in the site's operating record.

Following receipt of the required final closure documents and an inspection report from the TCEQ's regional office verifying proper closure of the facility according to the approved closure plan, the TCEQ may acknowledge the termination of operation and closure of the facility and deem it properly closed. Post-closure care maintenance will begin immediately upon the date of final closure as approved by the TCEQ.

All post-closure land use will comply with 30 TAC §330.463, as indicated in the Post-Closure Plan. Appendix III-7B, TCEQ Closure Plan Form, provides guidance to detail the plan for closure of a landfill unit, closure of associated storage or processing units, and final closure of the facility to meet the requirements in 30 TAC Chapter 330, §330.63(h) and 30 TAC Chapter 330 Subchapter K for a MSW Type I facility.