

# Where are we Headed with Post-Closure?



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**Answer** - The revision of existing post-closure care (PCC) requirements [KAR 28-29-121(p)] regulations with its accompanying steps.

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# Revision Steps by BWM Staff et al

1. Preparation of **draft revised regulations**.
2. **Internal review** of Step 1 regulations.
3. Selection of **external review** participants (Stakeholders) & their review of draft revision (Steps 1 & 2).
4. Incorporation of Stakeholder's review results to prepare **draft finalized regulations**.
5. **Review** of Step 4 regulations by **Department of Administration (DofA) & Attorney General (AG)** for final BWM revisions.
6. **Public notice & adoption** of regulations

# Estimated Time Frame

The revision process will begin after **other pending regulation processes** are completed in an estimated 6 to 9 months. It is expected that the **internal preparation & review** of revised PCC regulations will require about 3 months (Steps 1 & 2). The **Stakeholder's input** (Steps 3 & 4) should take about 3 months. **DofA, AG and BWM Steps 5 & 6** will require at least 9 months. The projected promulgation date is estimated to be about 1 ¼ years after revision initiation or beginning **2018 at the latest.**

# The opening question has been answered; now what?

I want to give you some tools to move forward if you want to be ready for closure and postclosure of your landfill or landfill units where the **30 year mandatory requirements** can be reduced or terminated with **monetary savings**. The following resources listed on subsequent slides will greatly facilitate this process; but first an advertisement on the next slide.

# So **what's the hurry** for Subtitle D owners & operators given these time constraints?

## **Three reasons:**

1. It takes time & talent (**& money; a negative in the sense that an investment is required**) to get a Reduction &/or Termination (R&/orT) Plan prepared & approved.

**Note: A R&/orT Plan is a prerequisite to shorten the 30 year PCC requirement (*the BIG positive*).**

2. More reliable monitoring et al data are obtained which serve as the basis for a successful R&/orT plan.

So **“What’s the hurry”** reasons  
(continued).

3. **“Time is awasting.”** For example: a recent PCC webinar suggested that use of an **Engineered Synthetic Turf System** could result in annual PC financial assurance, maintenance cost savings of **\$900 per acre** vs. a traditional vegetative soil final cover. **“Time is money”** and early PC can result in saving money.

# BWM Resources

There are several places to start gathering resources to prepare a PCC R&/orT Plan. I will list them and provide handouts to identify their contents:

1. **BWM Website** – see **Handout** of PCC R&/orT related policy, TGD et al documents along with **numerous PPPs**.

# Resources (continued)

2. The latest BWM sponsored stakeholder's meeting was the **PCC R&/or Termination Workshop** held at the Kansas Museum of History in Topeka on September 9, 2015. It was attended by representatives of 10 Subtitle D landfills and two consulting firms; hence, 8 landfills and many consulting firms were not represented. The workshop resources are listed on the previous handout.

# Resources (continued)

3. See **Handout** entitled: “Revised Notes on PCC RTP Topeka Workshop.” These are comments, questions and answers given at the September 9, 2015 meeting.
4. See **Handout** entitled: “Memo for Subtitle D Owners/Operators” which are Carl’s thoughts regarding the successful, early closing a landfill unit or an entire landfill.

# Resources (continued)

## 5. What's coming?

- a. **Promulgation of revised PCC Kansas regulations in early 2018.**
- b. **Possible EPA Subtitle D Guidelines (as presented for Subtitle C last November).**
- c. **Other states are working on PCC plans, e.g., Iowa and Missouri.**

# Summary of Key Points

- **PCC Cost Estimates for Permit Renewals**
  - Environmental monitoring activities defined
- **Renewal Periods**
  - Initially 30 years
  - Cost estimate & financial assurance can drop each year for 10 years
  - Then “rolling 20” will be required unless ....

# Summary (cont.)

- **Develop a PCC R/T Plan w/ current guidance and future regulations**
- **Submit it for review and approval to the BWM**
- **Implement the approved PCC R/T plan**
- **Compile and analyze the data statistically, submit annual reports and 5-year reports to show leachate & air quality trends toward stabilization & equilibrium**

# Summary (cont.)

- **If reports show positive trends > equilibrium and stabilization**
- **PCC cost estimates and FA can continue downward toward 10 years of PCC**
- **If positive trends continue and can show equilibrium/stabilization, PCC cost estimates & FA can continue to decrease toward 0 years**
- **Certification of PCC completion**

# Questions



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