

3745-100-05 **Covered facilities for toxic chemical release reporting.**

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (FF) of rule 3745-100-01 of the Administrative Code titled "Referenced materials."]

A facility that meets all of the following criteria for a calendar year is a covered facility for that calendar year and must report under rule 3745-100-07 of the Administrative Code.

- (A) The facility has ten or more full-time employees.
- (B) The facility is in a standard industrial classification (SIC) (as in effect on January 1, 1987) major group or industry code listed in paragraph (A) of rule 3745-100-17 of the Administrative Code for which the corresponding North American industry classification (NAICS) (as in effect on January 1, 2007, for reporting year 2008 and thereafter) subsector and industry codes are listed in paragraphs (B) and (C) of rule 3745-100-17 of the Administrative Code) by virtue of the fact that the facility meets one of the following criteria:
 - (1) The facility is an establishment with a primary SIC major group or industry code listed in paragraph (A) of rule 3745-100-17 of the Administrative Code, or a primary NAICS subsector or industry code listed in paragraph (B) or (C) of rule 3745-100-17 of the Administrative Code.
 - (2) The facility is a multi-establishment complex where all establishments have primary SIC major group or industry codes listed in paragraph (A) of rule 3745-100-17 of the Administrative Code, or primary NAICS subsector or industry codes listed in paragraph (B) or (C) of rule 3745-100-17 of the Administrative Code.
 - (3) The facility is a multi-establishment complex in which one of the following is true:
 - (a) The sum of the value of services provided and/or products shipped and/or produced from those establishments that have primary SIC major group or industry codes listed in paragraph (A) of rule 3745-100-17 of the Administrative Code, or primary NAICS subsector or industry codes listed in paragraph (B) or (C) of rule 3745-100-17 of the Administrative Code is greater than fifty per cent of the total value of all services provided and/or products shipped from and/or produced by all establishments at the facility.
 - (b) One establishment having a primary SIC major group or industry code listed in paragraph (A) of rule 3745-100-17 of the Administrative Code, or a

primary NAICS subsector or industry code listed in paragraph (B) or (C) of rule 3745-100-17 of the Administrative Code contributes more in terms of value of services provided and/or products shipped from and/or produced at the facility than any other establishment within the facility.

- (c) The facility manufactured (including imported), processed or otherwise used a toxic chemical in excess of an applicable threshold quantity of that chemical as set forth in rule 3745-100-06, 3745-100-14, or 3745-100-16 of the Administrative Code.

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Certification

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