

3745-273-80 General requirements for petitions to include other wastes under Chapter 3745-273 of the Administrative Code.

- (A) Any person seeking to add a hazardous waste or a category of hazardous waste to Chapter 3745-273 of the Administrative Code may petition for a regulatory amendment under rules 3745-273-80 to 3745-273-81 of the Administrative Code.
- (B) The petitioner shall demonstrate to the satisfaction of the director that regulation under Chapter 3745-273 of the Administrative Code:
- (1) Is appropriate for the waste or category of waste;
 - (2) Will improve management practices for the waste or category of waste; and
 - (3) Will improve implementation of the hazardous waste program.
 - (4) The petition shall be submitted to the director by certified mail and shall include:
 - (a) The petitioner's name and address; and
 - (b) A statement of the petitioner's interest in the subject of the petition; and
 - (c) A description of the subject of the petition, including suggested regulatory language; and
 - (d) A statement of the need and justification for the subject of the petition, including any supporting tests, studies, or other information.
 - (5) The petition should also address as many of the factors listed in rule 3745-273-81 of the Administrative Code as are appropriate for the waste or waste category addressed in the petition.
- (C) The director will evaluate petitions using the factors listed in rule 3745-273-81 of the Administrative Code, and will grant or deny a petition using the factors listed in that rule. The decision will be based on the weight of evidence showing that regulation under Chapter 3745-273 of the Administrative Code is appropriate for the waste or category of waste, will improve management practices for the waste or category of waste, and will improve implementation of the hazardous waste program. If a petition for a regulatory amendment is granted, the director will propose rules pursuant to Chapter 119. of the Revised Code to address the petition.

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