

3745-273-80

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

- (A) ~~Any~~ Except as provided in paragraph (D) of this rule, 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 and 3745-50-20 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 meets the following:
- (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 the following:
 - (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~~shall evaluate petitions using the factors listed in rule 3745-273-81 of the Administrative Code, and ~~will~~shall grant or deny a petition using the factors listed in that rule. The decision ~~will~~shall 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~~shall propose rules pursuant to Chapter 119. of the Revised Code to address the petition.
- (D) Hazardous waste pharmaceuticals are regulated by rules 3745-266-500 to 3745-266-510 of the Administrative Code and may not be added as a category

of hazardous waste for management in accordance with Chapter 3745-273 of the Administrative Code.

Effective: 10/5/2020
Five Year Review (FYR) Dates: 7/13/2020 and 10/05/2025

CERTIFIED ELECTRONICALLY

Certification

09/21/2020

Date

Promulgated Under: 119.03
Statutory Authority: 3734.12
Rule Amplifies: 3734.12
Prior Effective Dates: 09/02/1997