

3745-273-89

**Applicability- management standards for Ohio-specific universal wastes.**

(A) Aerosol containers.

(1) Chapter 3745-273 of the Administrative Code applies to persons managing "aerosol containers" as defined in rule 3745-273-09 of the Administrative Code, except as provided in paragraph (A)(2) of this rule.

(2) Chapter 3745-273 of the Administrative Code does not apply to persons managing the following aerosol containers:

(a) Aerosol containers that are not yet a waste under Chapter 3745-51 of the Administrative Code. Paragraph (A)(3) of this rule describes when an aerosol container becomes a waste.

(b) Aerosol containers that are not a hazardous waste. An aerosol container is a hazardous waste if the contents of the container exhibit one or more of the characteristics identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or if the contents of the container are listed in rules 3745-51-30 to 3745-51-35 of the Administrative Code. An aerosol container is not a reactive hazardous waste unless the contents meet the description of "reactivity" in rule 3745-51-23 of the Administrative Code.

(c) Aerosol containers that are empty according to rule 3745-51-07 of the Administrative Code.

(3) Generation of universal waste aerosol containers.

(a) A used, nonempty aerosol container becomes a waste on the date such container is "discarded" as defined in rule 3745-51-02 of the Administrative Code, or on the date such container is not operational.

(b) An unused aerosol container becomes a waste on the date the handler decides to discard it.

(B) Antifreeze.

(1) Chapter 3745-273 of the Administrative Code applies to persons managing "antifreeze" as defined in rule 3745-273-09 of the Administrative Code, except as provided in paragraph (B)(2) of this rule.

(2) Chapter 3745-273 of the Administrative Code does not apply to persons managing the following antifreeze:

(a) Antifreeze that is not yet a waste under Chapter 3745-51 of the Administrative Code. Paragraph (B)(3) of this rule describes when antifreeze becomes a waste.

(b) Antifreeze, including aggregated antifreeze batches, that is not a hazardous waste. Antifreeze is a hazardous waste if the antifreeze exhibits one or more of the characteristics identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or if the antifreeze is contaminated with a listed hazardous waste as identified in rules 3745-51-30 to 3745-51-35 of the Administrative Code.

(c) Antifreeze that subsequent to generation is mixed with "used oil" as defined in rule 3745-279-01 of the Administrative Code, or is mixed with another waste that exhibits one or more of the characteristics identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or is mixed with one or more of the listed hazardous wastes identified in rules 3745-51-30 to 3745-51-35 of the Administrative Code.

[Comment: Antifreeze that is mixed, subsequent to generation, with used oil is defined as either a used oil, subject to regulation under Chapter 3745-279 of the Administrative Code, or as a hazardous waste in accordance with paragraph (B) of rule 3745-279-10 of the Administrative Code.]

(3) Generation of universal waste antifreeze.

(a) Used antifreeze becomes a waste on the date the used antifreeze is "discarded" as defined in rule 3745-51-02 of the Administrative Code.

(b) Unused antifreeze becomes a waste on the date the handler decides to discard the unused antifreeze.

(C) Paint and paint-related wastes.

(1) Chapter 3745-273 of the Administrative Code applies to persons managing "paint" and "paint-related waste" as defined in rule 3745-273-09 of the Administrative Code, except as provided in paragraph (C)(2) of this rule.

(2) Chapter 3745-273 of the Administrative Code does not apply to persons managing the following paint and paint-related wastes:

(a) Paint and paint-related wastes that are not yet a waste under Chapter 3745-51 of the Administrative Code. Paragraph (C)(3) of this rule describes when paint and paint-related waste becomes a waste.

(b) Paint and paint-related waste that is not a hazardous waste. Paint and paint-related waste is a hazardous waste if the paint or paint-related waste exhibits one or more of the characteristics identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or if the paint or paint-related waste is listed in rules 3745-51-30 to 3745-51-35 of the Administrative Code.

(c) Paint and paint-related waste that subsequent to generation is mixed with another waste that is not paint or a paint-related waste that exhibits one or more of the characteristics identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code or is mixed with another waste that is listed in rules 3745-51-30 to 3745-51-35 of the Administrative Code.

(3) Generation of universal waste paint and paint-related waste.

(a) Used paint-related waste becomes a waste on the date the used paint-related waste is discarded.

(b) Unused paint becomes a waste on the date the handler decides to discard the unused paint, or on the date the unused paint is no longer useable.

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CERTIFIED ELECTRONICALLY

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Certification

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Date

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