

3745-52-20

**Manifest - general requirements.****(A) Use requirements.**

(1) A generator who transports, or offers for transport a hazardous waste for offsite treatment, storage, or disposal, or a treatment, storage, ~~and~~ disposal facility who offers for transport a rejected hazardous waste load, ~~must~~shall prepare a manifest ("OMB" control number 2050-0039) on U.S. EPA form 8700-22, and if necessary, U.S. EPA form 8700-22A (the continuation sheet), ~~according to the instructions included in the appendix to 40 CFR Part 262.~~

(2) [Reserved.]

**(3) Electronic manifest. In lieu of using the manifest form specified in paragraph (A) (1) of this rule, a person required to prepare a manifest under paragraph (A) (1) of this rule may prepare and use an electronic manifest, provided that the person does the following:**

**(a) Complies with rule 3745-52-24 of the Administrative Code for use of electronic manifests.**

**(b) Complies with 40 C.F.R. 3.10 for the reporting of electronic documents to U.S. EPA.**

(B) The generator ~~must~~shall designate on the manifest one facility which is permitted to handle the waste described on the manifest.

(C) The generator may also designate on the manifest one alternate facility which is permitted to handle ~~his~~the waste in the event an emergency prevents delivery of the waste to the primary designated facility.

(D) If the transporter is unable to deliver the hazardous waste to the designated facility or the alternate facility, the generator ~~must~~shall either designate another facility or instruct the transporter to return the waste.

(E) ~~The requirements of rules~~Rules 3745-52-20 to 3745-52-57 of the Administrative Code do not apply to hazardous waste produced by generators of greater than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month where both of the following apply:

(1) The waste is reclaimed under a contractual agreement pursuant to which both of the following apply:

(a) The type of waste and frequency of shipments are specified in the agreement;

- (b) The vehicle used to transport the waste to the recycling facility and to deliver regenerated material back to the generator is owned and operated by the reclaimer of the waste; ~~and,~~
- (2) The generator maintains a copy of the reclamation agreement in ~~his~~the files for a period of at least three years after termination or expiration of the agreement.
- (F) ~~The requirements of rules~~Rules 3745-52-20 to ~~3745-52-57~~3745-52-27 of the Administrative Code and paragraph (B) of rule 3745-52-32 of the Administrative Code do not apply to the transport of hazardous wastes on a public or private right-of-way within or along the border of contiguous property under the control of the same person, even if such contiguous property is divided by a public or private right-of-way. Notwithstanding paragraph (A) of rule 3745-53-10 of the Administrative Code, the generator or transporter ~~must~~shall comply with the requirements for transporters ~~set forth~~ in rules 3745-53-30 and 3745-53-31 of the Administrative Code in the event of a discharge of hazardous waste on a public or private right-of-way.

[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 rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]

Effective: 10/5/2020

Five Year Review (FYR) Dates: Exempt

CERTIFIED ELECTRONICALLY

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Certification

09/21/2020

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Date

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