

TO BE RESCINDED

3745-52-50

Applicability- exports of hazardous waste to a foreign country.

Regulations in 40 CFR Part 262 subpart H establish requirements applicable to exports of hazardous waste to a foreign country. A "primary exporter" (as defined in 40 CFR 262.81) of hazardous waste shall comply with the special requirements of 40 CFR Part 262 subpart H, and a transporter transporting hazardous waste for export to a foreign country shall comply with applicable requirements of Chapter 3745-53 of the Administrative Code.

[Comment 1: The authorities in 40 CFR Part 262 subpart H, regarding exports of hazardous waste to a foreign country, are not delegable to states. Ohio EPA will recognize the administrator's decisions under these federal regulations.]

[Comment 2: The exercise of foreign relations and international commerce powers is reserved to the federal government under the Constitution. These responsibilities are not delegable to the states. Therefore, the importation and exportation of hazardous waste into and out of the United States is solely regulated by the federal government.]

[Comment 3: 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."]

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CERTIFIED ELECTRONICALLY

Certification

09/21/2020

Date

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