

TO BE RESCINDED

3745-52-60

Imports of hazardous waste from a foreign country.

- (A) Any person who imports hazardous waste from a foreign country into the state of Ohio shall comply with Chapter 3745-52 of the Administrative Code and the special requirements of 40 CFR Part 262 subpart H.

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

- (B) When importing hazardous waste from a foreign country into Ohio a person shall comply with rule 3745-52-20 of the Administrative Code for the manifest except that:
- (1) In place of the generator's name, address, and U.S. EPA identification number, the name and address of the foreign generator and the importer's name, address, and U.S. EPA identification number shall be used.
 - (2) In place of the generator's signature on the certification statement, the Ohio importer or the Ohio importer's agent shall sign and date the certification and obtain the signature of the initial transporter.
- (C) A person who imports hazardous waste may obtain the manifest form from any source that is registered with U.S. EPA as a supplier of manifests (e.g., states, waste handlers, or commercial forms printers).
- (D) In the "International Shipments" block, the importer shall check the import box and enter the point of entry (city and state) into the United States.
- (E) The importer shall provide the transporter with an additional copy of the manifest to be submitted by the receiving facility to U.S. EPA in accordance with paragraph (A)(3) of rule 3745-54-71 and paragraph (A)(3) of rule 3745-65-71 of the Administrative Code.

[Comment 1: 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 2: 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: 7/13/2020

CERTIFIED ELECTRONICALLY

Certification

09/21/2020

Date

Promulgated Under: 119.03
Statutory Authority: 3734.12
Rule Amplifies: 3734.12
Prior Effective Dates: 12/30/1989, 12/07/2004, 02/16/2009, 03/17/2012,
02/12/2018