

**Disclosure of trade secret information.**

- (A) Nothing under these rules and regulations adopted by the commission pursuant to division (B)(5) of section 3750.02 of the Revised Code shall authorize any person to withhold information which is required to be disclosed in accordance with divisions (C), (D), and (E) of section 3750.09 of the Revised Code.
- (B) A member of the commission, officer or employee of the environmental protection agency, member or employee of the committee, or officer or employee of a fire department shall not request the owner or operator of a facility subject to Chapter 3750 of the Revised Code to submit to him a trade secret claim or copy thereof, report required by sections 3750.04, 3750.05, 3750.07, and 3750.08 of the Revised Code, substantiation of the trade secret or copy thereof, or explanation or supporting information pertaining to a trade secret or copy thereof, that contains any information claimed or determined to be a trade secret pursuant to rules 3750-60-05 and 3750-60-07 of the Administrative Code, or identified as confidential business information as provided under rule 3750-60-25 of the Administrative Code. If any such member, officer, or employee knows or has reason to believe that any such trade secret claim, report, substantiation or explanation or supporting information pertaining to a trade secret claim contains such information, he shall immediately return it to the owner pursuant to the procedures established in division (F)(1) and (2) of section 3750.09 of the Revised Code.
- (C) No member of the commission or his designees, officer, or employee of the environmental protection agency, member or employee of a committee, health professional, physician, nurse, or other person who receives information claimed or determined as a trade secret under rules 375-60-05 and 3750-60-07 of the Administrative Code, or who receives confidential business information identified under rule 3750-60-25 of the Administrative Code, shall release the information to any person not authorized to have that information. Civil and criminal violations for the release of trade secret or confidential information are set forth under section 3750.20 of the Revised Code and division (B)(3) of section 3750.99 of the Revised Code.

Effective: June 30, 1993

Original signed by: Kenneth A. Schultz, Acting Chairman, State  
Emergency Response Commission  
Certification

June 11, 1993  
Date

Promulgated under: R.C. Chapter 119  
Rule amplifies: R.C. Section 3750.09  
Rule authorized by: R.C. sections 3750.02(B)(1)(i),  
3750.02(B)(2)(d), 3750(B)(5), and 3750.02(B)(14)  
Prior effective dates: None