

3745-53-10

Applicability- transporter standards.

- (A) Chapter 3745-53 of the Administrative Code establishes standards which apply to persons transporting hazardous waste within the state of Ohio if the transportation requires a hazardous waste manifest under Chapter 3745-52 of the Administrative Code.
- (B) Chapter 3745-53 of the Administrative Code does not apply to on-site transportation of hazardous waste by generators or by owners or operators of permitted hazardous waste management facilities.
- (C) A transporter of hazardous waste also shall comply with Chapter 3745-52 of the Administrative Code; if the transporter does either of the following:
- (1) Transports hazardous waste into the state of Ohio from a foreign country.
 - (2) Mixes hazardous wastes of different United States department of transportation shipping descriptions by placing the hazardous wastes into a single container.
- (D) A transporter of hazardous waste that is being imported or exported to any other country for purposes of recovery or disposal is subject to rules 3745-53-10 to 3745-53-12 of the Administrative Code and to all relevant requirements of rule 3745-52-80 of the Administrative Code and 40 CFR.C.F.R. Part 262 subpart H, including, but not limited to, 40 CFR.C.F.R. 262.83(d) and 262.84(d) for movement documents.
- [Comment: 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.]
- (E) Chapter 3745-53 of the Administrative Code does not apply to transportation during an explosives or munitions emergency response, conducted in accordance with paragraph (G)(8)(a)(iv) or (G)(8)(d) of rule 3745-54-01 of the Administrative Code or paragraph (C)(11)(a)(iv) or (C)(11)(d) of rule 3745-65-01 of the Administrative Code and paragraph (D)(1)(d) or (D)(3) of rule 3745-50-45 of the Administrative Code.
- (F) Rule 3745-266-203 of the Administrative Code identifies how Chapter 3745-53 of the Administrative Code applies to military munitions classified as waste under rule 3745-266-202 of the Administrative Code.

[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."]

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3745-53-11

U.S. EPA identification number- transporters.

(A) A transporter shall not transport hazardous wastes without having received a U.S. EPA identification number.

(B) A transporter who has a mailing address in Ohio and who has not received a U.S. EPA identification number may obtain one by applying to Ohio EPA using Ohio EPA form EPA 9029. Upon receiving the request, Ohio EPA will assign a U.S. EPA identification number to the transporter.

~~[Comment 1: 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." Refer to 3734.15 of the Revised Code for additional requirements for registration and liability of transporters and acceptors of hazardous waste.]~~

[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."]

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03/17/2012, 02/12/2018

3745-53-12**Transfer facility requirements.**

(A) A transporter who stores manifested shipments of hazardous waste in containers that meet the requirements of rule 3745-52-30 of the Administrative Code at a transfer facility for a period of ten days or less is not subject to regulation under rules 3745-50-40 to 3745-50-235 or Chapters 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, 3745-256, or 3745-270 of the Administrative Code with respect to the storage of those wastes.

(B) When consolidating the contents of two or more containers with the same hazardous waste into a new container, or when combining and consolidating two different hazardous wastes that are compatible with each other, the transporter shall mark the transporter's containers of one hundred nineteen gallons or less with all of the following information:

(1) The words "Hazardous Waste."

(2) The applicable EPA hazardous waste numbers in rules 3745-51-20 to 3745-51-24 and 3745-51-30 to 3745-51-35 of the Administrative Code, or in compliance with paragraph (C) of rule 3745-52-32 of the Administrative Code.

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TO BE RESCINDED

3745-53-12 **Transfer facility requirements.**

A transporter who stores manifested shipments of hazardous waste in containers meeting the requirements of rule 3745-52-30 of the Administrative Code at a transfer facility for a period of ten days or less is not subject to regulation under rules 3745-50-40 to 3745-50-235 and Chapters 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, 3745-256, and 3745-270 of the Administrative Code, with respect to the storage of those wastes.

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12/30/1989, 12/07/2000, 12/07/2004, 02/16/2009

3745-53-20**The manifest system and acceptance and handling of hazardous waste.****(A) Requirements for transporters prior to accepting hazardous waste.**

(1) Manifest requirement. A transporter may not accept hazardous waste from a generator unless the transporter is also provided with a manifest form (U.S. EPA form 8700-22, and if necessary, U.S. EPA form 8700-22A) signed in accordance with rule 3745-52-23 of the Administrative Code, or is provided with an electronic manifest that is obtained, completed, and transmitted in accordance with paragraph (A)(3) of rule 3745-52-20 of the Administrative Code, and signed with a valid and enforceable electronic signature as described in 40 C.F.R. 262.25.

(2) Exports. For exports of hazardous waste subject to 40 C.F.R. Part 262 subpart H, a transporter may not accept hazardous waste without a manifest signed by the generator in accordance with this rule, as appropriate, and for exports occurring under the terms of a consent issued by U.S. EPA on or after December 31, 2016, a movement document that includes all information required by 40 C.F.R. 262.83(d).

[Comment: 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.]

(3) Compliance date for form revisions. The revised manifest form and procedures in 40 C.F.R. 260.10, 261.7, 263.20, and 263.21, had an effective date of September 5, 2006. The manifest form and procedures in 40 C.F.R. 260.10, 261.7, 263.20, and 263.21, in the 40 C.F.R. Parts 260 to 265, edition revised as of July 1, 2004, were applicable until September 5, 2006.

(4) Use of electronic manifest legal equivalence to paper forms for participating transporters. Electronic manifests that are obtained, completed, and transmitted in accordance with paragraph (A)(3) of rule 3745-52-20 of the Administrative Code, and used in accordance with this rule in lieu of U.S. EPA forms 8700-22 and 8700-22A, are the legal equivalent of paper manifest forms bearing handwritten signatures, and satisfy for all purposes any requirement in the hazardous waste rules to obtain, complete, sign, carry, provide, give, use, or retain a manifest.

(a) Any requirement in the hazardous waste rules to sign a manifest or manifest certification by hand, or to obtain a handwritten signature, is satisfied

by signing with or obtaining a valid and enforceable electronic signature within the meaning of 40 C.F.R. 262.25(a).

- (b) Any requirement in the hazardous waste rules to give, provide, send, forward, or return to another person a copy of the manifest is satisfied when a copy of an electronic manifest is transmitted to the other person by submittal to the system.
 - (c) Any requirement in the hazardous waste rules for a manifest to accompany a hazardous waste shipment is satisfied when a copy of an electronic manifest is accessible during transportation and forwarded to the person or persons who are scheduled to receive delivery of the waste shipment, except that to the extent that the hazardous materials regulation on shipping papers for carriage by public highway requires transporters of hazardous materials to carry a paper document to comply with 49 C.F.R. 177.817, a hazardous waste transporter shall carry one printed copy of the electronic manifest on the transport vehicle.
 - (d) Any requirement in the hazardous waste rules for a transporter to keep or retain a copy of a manifest is satisfied by the retention of an electronic manifest in the transporter's account on the e-manifest system, provided that such copies are readily available to view and produce if requested by any U.S. EPA or Ohio EPA inspector.
 - (e) No transporter may be held liable for the inability to produce an electronic manifest for inspection under this rule if that transporter can demonstrate that the inability to produce the electronic manifest is exclusively due to a technical difficulty with the U.S. EPA system for which the transporter bears no responsibility.
- (5) A transporter may participate in the electronic manifest system either by accessing the electronic manifest system from the transporter's own electronic equipment, or by accessing the electronic manifest system from the equipment provided by a participating generator, by another transporter, or by a designated facility.
- (6) Special procedures when electronic manifest is not available. If after a manifest has been originated electronically and signed electronically by the initial transporter, and the electronic manifest system becomes unavailable for any reason, then the transporter shall do the following:
- (a) The transporter in possession of the hazardous waste when the electronic manifest becomes unavailable shall reproduce sufficient copies of the printed manifest that is carried on the transport vehicle pursuant to

paragraph (A)(4)(c) of this rule, or obtain and complete another paper manifest for this purpose. The transporter shall reproduce sufficient copies to provide the transporter and all subsequent waste handlers with a copy for the files of the transporter and all subsequent waste handlers, plus two additional copies to be delivered to the designated facility with the hazardous waste.

- (b) On each printed copy, the transporter shall include a notation in the special handling and additional description space (item 14) that the paper manifest is a replacement manifest for a manifest originated in the electronic manifest system, shall include (if not pre-printed on the replacement manifest) the manifest tracking number of the electronic manifest that is replaced by the paper manifest, and also shall include a brief explanation why the electronic manifest was not available to complete the tracking of the shipment electronically.
- (c) A transporter signing a replacement manifest to acknowledge receipt of the hazardous waste shall ensure that each paper copy is individually signed and that a legible handwritten signature appears on each copy.
- (d) From the point at which the electronic manifest is no longer available for tracking the waste shipment, the paper replacement manifest copies shall be carried, signed, retained as records, and given to a subsequent transporter or to the designated facility, following the instructions, procedures, and requirements that apply to the use of all other paper manifests.
- (7) Special procedures for electronic signature methods undergoing tests. If a transporter using an electronic manifest signs this manifest electronically using an electronic signature method which is undergoing pilot or demonstration tests aimed at demonstrating the practicality or legal dependability of the signature method, then the transporter shall sign the electronic manifest electronically and also sign with an ink signature the transporter acknowledgement of receipt of materials on the printed copy of the manifest that is carried on the vehicle in accordance with paragraph (A)(4)(c) of this rule. This printed copy bearing the generator's and transporter's ink signatures also shall be presented by the transporter to the designated facility to sign in ink to indicate the receipt of the waste materials or to indicate discrepancies. After the owner or operator of the designated facility has signed this printed manifest copy with the owner or operator of the designated facility's ink signature, the printed manifest copy shall be delivered to the designated facility with the waste materials.
- (8) [Reserved.]

- (9) Post-receipt manifest data corrections. After the owner or operator of designated facilities have certified to the receipt of hazardous wastes by signing item 20 of the manifest, any post-receipt data corrections may be submitted at any time by any interested person (e.g., waste handler) named on the manifest. Transporters may participate electronically in the post-receipt data corrections process by following the process described in paragraph (L) of rule 3745-54-71 of the Administrative Code, which applies to corrections made to either paper or electronic manifest records.
- (B) Before transporting the hazardous waste, the transporter shall sign and date the manifest acknowledging acceptance of the hazardous waste from the generator. The transporter shall return a signed copy to the generator before leaving the generator's property.
- (C) The transporter shall ensure that the manifest accompanies the hazardous waste. In the case of exports occurring under the terms of a consent issued by U.S. EPA to the exporter on or after December 31, 2016, the transporter shall ensure that a movement document that includes all information required by 40 C.F.R. 262.83(d) also accompanies the hazardous waste. In the case of imports occurring under the terms of a consent issued by U.S. EPA to the country of export or the importer on or after December 31, 2016, the transporter shall ensure that a movement document that includes all information required by 40 C.F.R. 262.84(d) also accompanies the hazardous waste.
- (D) A transporter who delivers a hazardous waste to another transporter or to the designated facility shall do all of the following:
- (1) Obtain the date of delivery and the handwritten signature of that transporter or of the owner or operator of the designated facility on the manifest.
 - (2) Retain one copy of the manifest in accordance with rules 3745-53-22 of the Administrative Code.
 - (3) Give the remaining copies of the manifest to the accepting transporter or designated facility.
- (E) Paragraphs (C), (D), and (F) of this rule do not apply to water (bulk shipment) transporters if the following occur:
- (1) The hazardous waste is delivered by water (bulk shipment) to the designated facility.
 - (2) A shipping paper that contains all the information required on the manifest (excluding the EPA identification numbers, generator certification, and signatures) and, for exports or imports occurring under the terms of a consent

issued by U.S. EPA on or after December 31, 2016, a movement document that includes all information required by 40 C.F.R. 262.83(d) or 262.84(d) accompanies the hazardous waste.

(3) The delivering transporter obtains the date of delivery and handwritten signature of the owner or operator of the designated facility on either the manifest or the shipping paper.

(4) The person who delivers the hazardous waste to the initial water (bulk shipment) transporter obtains the date of delivery and signature of the water (bulk shipment) transporter on the manifest and forwards the manifest to the designated facility.

(5) A copy of the shipping paper or manifest is retained by each water (bulk shipment) transporter in accordance with rule 3745-53-22 of the Administrative Code.

(F) For shipments that involve rail transportation, paragraphs (C), (D) and (E) of this rule do not apply and the following requirements do apply:

(1) When accepting hazardous waste from a non-rail transporter, the initial rail transporter shall do the following:

(a) Sign and date the manifest acknowledging acceptance of the hazardous waste.

(b) Return a signed copy of the manifest to the non-rail transporter.

(c) Forward at least three copies of the manifest to one of the following:

(i) The next non-rail transporter, if any.

(ii) The designated facility, if the shipment is delivered to that facility by rail.

(iii) The last rail transporter designated to handle the waste in the United States.

(d) Retain one copy of the manifest and rail shipping paper in accordance with rule 3745-53-22 of the Administrative Code.

(2) Rail transporters shall ensure that a shipping paper that contains all the information required on the manifest (excluding the EPA identification numbers, generator certification, and signatures) and, for exports or imports occurring under the terms of a consent issued by U.S. EPA on or after December 31, 2016,

a movement document that includes all information required by 40 C.F.R. 262.83(d) or 262.84(d) accompanies the hazardous waste at all times.

[Comment: Intermediate rail transporters are not required to sign the manifest, movement document, or shipping paper.]

(3) When delivering hazardous waste to the designated facility, a rail transporter shall do the following:

(a) Obtain the date of delivery and handwritten signature of the owner or operator of the designated facility on the manifest or the shipping paper (if the manifest has not been received by the facility).

(b) Retain a copy of the manifest or signed shipping paper in accordance with rule 3745-53-22 of the Administrative Code.

(4) When delivering hazardous waste to a non-rail transporter a rail transporter shall do the following:

(a) Obtain the date of delivery and the handwritten signature of the next non-rail transporter on the manifest.

(b) Retain a copy of the manifest in accordance with rule 3745-53-22 of the Administrative Code.

(5) Before accepting hazardous waste from a rail transporter, a non-rail transporter shall sign and date the manifest and provide a copy to the rail transporter.

(G) Transporters who transport hazardous waste out of the United States shall do all of the following:

(1) Sign and date the manifest in the international shipments block to indicate the date that the shipment left the United States.

(2) Retain one copy in accordance with paragraph (D) of rule 3745-53-22 of the Administrative Code.

(3) Return a signed copy of the manifest to the generator.

(4) For paper manifests only:

(a) Send a copy of the manifest to the e-manifest system in accordance with the allowable methods specified in paragraph (A)(2)(e) of rule 3745-54-71 of the Administrative Code.

(b) For shipments initiated prior to December 31, 2017 [the automated export system filing compliance date], when instructed by the exporter to do so, give a copy of the manifest to a U.S. customs official at the point of departure from the United States.

(H) A transporter transporting hazardous waste from a generator who generates greater than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month need not comply with the requirements of this rule or rule 3745-53-22 of the Administrative Code provided that all of the following requirements are met:

(1) The waste being transported pursuant to a reclamation agreement as provided for in paragraph (E) of rule 3745-52-20 of the Administrative Code.

(2) The transporter records, on a log or shipping paper, all of the following information for each shipment:

(a) The name, address, and U.S. EPA identification number of the generator of the waste.

(b) The quantity of waste accepted.

(c) All department of transportation required shipping information.

(d) The date the waste is accepted.

(3) The transporter carries this record when transporting waste to the reclamation facility.

(4) The transporter retains these records for a period of at least three years after termination or expiration of the agreement.

[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."]

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03/17/2012, 02/12/2018

TO BE RESCINDED

3745-53-20 **Acceptance and handling of hazardous waste and the manifest system.**

(A) Manifest requirement. A transporter may not accept hazardous waste from a generator unless the transporter is also provided with a manifest signed in accordance with rule 3745-52-23 of the Administrative Code.

(B) Imports and exports. Imports and exports of hazardous waste are subject to 40 CFR Part 262 subpart H.

[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."]

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3745-53-21

Compliance with the manifest.

(A) ~~The~~ Except as provided in paragraph (B) of this rule, the transporter ~~must~~ shall deliver the entire quantity of hazardous waste which ~~he~~ the transporter has accepted from a generator or transporter to any of the following:

- (1) The designated facility listed on the manifest;.
- (2) The alternate designated facility, if the hazardous waste cannot be delivered to the designated facility because an emergency prevents delivery;.
- (3) The next designated transporter; ~~or~~.
- (4) The place outside the United States designated by the generator.

(B) Exceptions to delivery to specified locations.

(1) Emergency condition. If the hazardous waste cannot be delivered in accordance with paragraph ~~(A)~~(A)(1), (A)(2), or (A)(4) of this rule because of an emergency condition other than rejection of the waste by the designated facility or alternate designated facility, then the transporter ~~must~~ shall contact the generator for further directions and ~~must~~ shall revise the manifest according to the generator's instructions.

(2) Transporters without agency authority. If the hazardous waste is not delivered to the next designated transporter in accordance with paragraph (A)(3) of this rule, and the current transporter is without contractual authorization from the generator to act as the generator's agent with respect to transporter additions or substitutions, then the current transporter shall contact the generator for further instructions prior to making any revisions to the transporter designations on the manifest. The current transporter may thereafter make such revisions if:

(a) The hazardous waste is not delivered in accordance with paragraph (A)(3) of this rule because of an emergency condition; or

(b) The current transporter proposes to change the transporter designated on the manifest by the generator, or to add a new transporter during transportation, to respond to an emergency, or for purposes of transportation efficiency, convenience, or safety; and

(c) The generator authorizes the revision.

(3) Transporters with agency authority. If the hazardous waste is not delivered to the next designated transporter in accordance with paragraph (A)(3) of this rule, and the current transporter has authorization from the generator

to act as the generator's agent, then the current transporter may change the transporter designated on the manifest, or add a new transporter, during transportation without the generator's prior, explicit approval, provided that all of the following are met:

(a) The current transporter is authorized by a contractual provision that provides explicit agency authority for the transporter to make such transporter changes on behalf of the generator.

(b) The transporter enters in item 14 of each manifest for which such a change is made, the following statement of the transporter's agency authority: "contract retained by generator confers agency authority on initial transporter to add or substitute additional transporters on generator's behalf."

(c) The change in designated transporters is necessary to respond to an emergency, or for purposes of transportation efficiency, convenience, or safety.

(4) Generator liability. The grant by a generator of authority to a transporter to act as the agent of the generator with respect to changes to transporter designations under paragraph (B)(3) of this rule does not affect the generator's liability or responsibility to comply with any applicable requirement under Chapter 3745. of the Revised Code, or grant any additional authority to the transporter to act on behalf of the generator.

~~(2)~~(C) If hazardous waste is rejected by the designated facility while the transporter is on the facility's premises, then the transporter ~~must~~shall obtain the following:

~~(a)~~(1) For a partial load rejection or for regulated quantities of container residues, a copy of the original manifest that includes the facility's date and signature, and the manifest tracking number of the new manifest that will accompany the shipment, and a description of the partial rejection or container residue in the ~~"Discrepancy"~~discrepancy block of the original manifest. The transporter ~~must~~shall retain a copy of this manifest in accordance with rule 3745-53-22 of the Administrative Code, and give the remaining copies of the original manifest to the rejecting designated facility. If the transporter is forwarding the rejected part of the shipment or a regulated container residue to an alternate facility or returning ~~it~~the rejected part of the shipment or regulated container residue to the generator, the transporter ~~must~~shall obtain a new manifest to accompany the shipment, and the new manifest ~~must~~shall include all of the information required in either paragraphs (E)(1) to (E)(6) or (F)(1) to (F)(6) of

rule 3745-54-72 of the Administrative Code or paragraphs (E)(1) to (E)(6) or (F)(1) to (F)(6) of rule 3745-65-72 of the Administrative Code.

- (b)(2) For a full load rejection that will be taken back by the transporter, a copy of the original manifest that includes the rejecting facility's signature and date attesting to the rejection, the description of the rejection in the "~~Discrepancy~~" discrepancy block of the manifest, and the name, address, ~~phone~~ telephone number, and U.S. EPA identification number for the alternate facility or generator to whom the shipment ~~must~~ shall be delivered. The transporter ~~must~~ shall retain a copy of the manifest in accordance with rule 3745-53-22 of the Administrative Code, and give a copy of the manifest ~~containing~~ that contains this information to the rejecting designated facility. If the original manifest is not used, then the transporter ~~must~~ shall obtain a new manifest for the shipment and comply with either paragraphs (E)(1) to (E)(6) of rule 3745-54-72 of the Administrative Code or paragraphs (E)(1) to (E)(6) of rule 3745-65-72 of the Administrative Code.

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3745-53-22

Recordkeeping- transporters.

- (A) A transporter of hazardous waste shall keep a copy of the manifest signed by the generator, himself, and the next designated transporter or the owner or operator of the designated facility for a period of three years ~~from~~after the date the hazardous waste was accepted by the initial transporter.
- (B) For shipments delivered to the designated facility by water (bulk shipment), each water (bulk shipment) transporter shall retain a copy of a shipping paper containing all the information required in paragraph (E)(2) of rule 3745-53-20 of the Administrative Code for a period of three years ~~from~~after the date the hazardous waste was accepted by the initial transporter.
- (C) For shipments of hazardous waste by rail in the state of Ohio:
- (1) The initial rail transporter ~~must~~shall keep a copy of the manifest and shipping paper with all the information required in paragraph (F)(2) of rule 3745-53-02 of the Administrative Code for a period of three years ~~from~~after the date the hazardous waste was accepted by the initial transporter; ~~and~~.
 - (2) The final rail transporter ~~must~~shall keep a copy of the signed manifest (or the shipping paper if signed by the designated facility in lieu of the manifest) for a period of three years from the date the hazardous waste was accepted by the initial transporter.

[Comment: ~~intermediate~~Intermediate rail transporters are not required to keep records pursuant to ~~these rules~~the "hazardous waste rules" as defined in rule 3745-50-10 of the Administrative Code.]
- (D) A transporter who transports hazardous waste out of the United States shall keep a copy of the manifest indicating that the hazardous waste left the United States, for a period of three years ~~from~~after the date the hazardous waste was accepted by the initial transporter.
- (E) The periods of retention referred to in this rule are extended automatically during the course of any unresolved action regarding the regulated activity or as requested by the director.

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3745-53-25

Electronic manifest signatures.

Electronic manifest signatures shall meet the criteria described in 40 C.F.R. 262.25(a).

[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."]

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3745-53-30

Immediate action.

- (A) In the event of a discharge of hazardous waste during transportation, the transporter shall take appropriate immediate action to protect human health and the environment. (e.g., notify local authorities and Ohio EPA, dike the discharge area).
- (B) If a discharge of hazardous waste occurs during transportation and an official (state or local government or federal agency) acting within the scope of ~~his~~ official responsibilities determines that immediate removal of such waste is necessary to protect human health or the environment, that official may authorize the removal of the waste by transporters who do not have a U.S. EPA identification number and without the preparation of a manifest.
- (C) An air, rail, highway, or water transporter who has discharged hazardous waste shall:
- (1) Give notice, if required by 49 CFR 171.15, to the "National Response Center" at 800/424-8802.

[Comment: The public utilities commission of Ohio, which has adopted 49 CFR 171.15 by reference, also requires notice of such discharge.]
 - (2) Report in writing as required by 49 CFR 171.16.
 - (3) Give notice to the Ohio EPA "Emergency Response Unit" at 800/282-9378.

[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: 9/29/2021
Five Year Review (FYR) Dates: 6/7/2021 and Exempt

CERTIFIED ELECTRONICALLY

Certification

09/14/2021

Date

Promulgated Under: 119.03
Statutory Authority: 3734.12
Rule Amplifies: 3734.12
Prior Effective Dates: 07/27/1980, 04/15/1981, 05/22/1981 (Emer.),
08/26/1981 (Emer.), 12/02/1981, 05/29/1985 (Emer.),
08/29/1985, 03/09/2001, 12/07/2004, 10/31/2015

3745-53-31

Discharge ~~clean-up~~cleanup.

A transporter shall clean up any hazardous waste discharge that occurs during transportation or take such action as may be required or approved by Ohio EPA, or federal ~~agency personnel, state, or local authorities,~~ so that the hazardous waste discharge no longer presents a hazard to human health or the environment.

Effective: 10/31/2015

Five Year Review (FYR) Dates: Exempt

CERTIFIED ELECTRONICALLY

Certification

10/07/2015

Date

Promulgated Under: 119.03
Statutory Authority: 3734.12
Rule Amplifies: 3734.12
Prior Effective Dates: 04/15/1981, 05/29/1985 (Emer.), 08/29/1985