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COMMISSION
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Ohio Administrative Code

Rule 3745-266-508 Shipping non-creditable hazardous waste pharmaceuticals from a healthcare facility, or evaluated hazardous waste pharmaceuticals from a reverse distributor.

Effective: January 16, 2026

(A) Shipping non-creditable hazardous waste pharmaceuticals or evaluated hazardous waste pharmaceuticals. A healthcare facility shall ship non-creditable hazardous waste pharmaceuticals and a reverse distributor shall ship evaluated hazardous waste pharmaceuticals off-site to a designated facility (such as a permitted or permit by rule treatment, storage, or disposal facility) in compliance with:

(1) The following pre-transport requirements, before transporting or offering for transport off-site:

(a) Packaging. Package the waste in accordance with the applicable department of transportation (DOT) regulations on hazardous materials under 49 CFR Part 173, 49 CFR Part 178, and 49 CFR Part 180.

(b) Labeling. Label each package in accordance with the applicable DOT regulations on hazardous materials under 49 CFR Part 172 subpart E.

(c) Marking.

(i) Mark each package of hazardous waste pharmaceuticals in accordance with the applicable DOT regulations on hazardous materials under 49 CFR Part 172 subpart D.

(ii) Mark each container of one hundred-nineteen gallons or less used in such transportation with the following words and information in accordance with the requirements of 49 CFR 172.304: "HAZARDOUS WASTE - Ohio Law Prohibits Improper Disposal. If found, contact the nearest police or public safety authority or the Ohio Environmental Protection Agency. Healthcare Facility's or Reverse distributor's Name and Address _____. Healthcare Facility's or Reverse distributor's EPA Identification Number_____. Manifest Tracking Number _____."

(iii) Lab packs that will be incinerated in compliance with paragraph (C) of rule 3745-270-42 of the Administrative Code are not required to be marked with EPA hazardous waste numbers, except D004, D005, D006, D007, D008, D010, and D011, where applicable. A nationally recognized electronic system, such as bar coding or radio frequency identification tag, may be used to identify the applicable EPA hazardous waste numbers.

(d) Placarding. Placard or offer the initial transporter the appropriate placards according to DOT regulations for hazardous materials under 49 CFR Part 172 subpart F.

(2) The manifest requirements of rules 3745-52-20 to 3745-52-27 of the Administrative Code, except that:

(a) A healthcare facility shipping non-creditable hazardous waste pharmaceuticals is not required to list all applicable EPA hazardous waste numbers in item 13 of U.S. EPA form 8700-22.

(b) A healthcare facility shipping non-creditable hazardous waste pharmaceuticals shall write the word "PHRM" or "PHARMS" in item 13 of U.S. EPA form 8700-22. A healthcare facility also may include the applicable EPA hazardous waste numbers in item 13 of U.S. EPA form 8700-22.

(B) Exporting non-creditable hazardous waste pharmaceuticals or evaluated hazardous waste pharmaceuticals. A healthcare facility or reverse distributor that exports non-creditable hazardous waste pharmaceuticals or evaluated hazardous waste pharmaceuticals is subject to rules 3745-52-80 to 3745-52-84 of the Administrative Code.

[Comment: The exercise of foreign relations and international commerce powers is reserved to the federal government under the U.S. 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. Rules 3745-52-80 to 3745-52-84 of the Administrative Code reflect the federal requirements in 40 CFR Part 262 subpart H.]

(C) Importing non-creditable hazardous waste pharmaceuticals or evaluated hazardous waste pharmaceuticals. Any person who imports non-creditable hazardous waste pharmaceuticals or evaluated hazardous waste pharmaceuticals is subject to rules 3745-52-80 to 3745-52-84 of the

Administrative Code. A healthcare facility or reverse distributor may not accept imported non-creditable hazardous waste pharmaceuticals or evaluated hazardous waste pharmaceuticals unless the healthcare facility or reverse distributor has an Ohio hazardous waste permit or permit by rule that allows the healthcare facility or reverse distributor to accept hazardous waste from off-site.

[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."]