



Ohio Administrative Code

Rule 3745-50-02 Business confidentiality - hazardous waste management.

Effective: January 16, 2026

(A) Any information provided to Ohio EPA under Chapters 3745-50, 3745-51, 3745-52, 3745-53, 3745-54 to 3745-57 and 3745-205, 3745-65 to 3745-69 and 3745-256, 3745-266, and 3745-270 of the Administrative Code may be made available to the public to the extent and in the manner authorized by rule 3745-49-03 of the Administrative Code.

(B) Except as provided under paragraphs (C) and (D) of this rule, any person who submits information to Ohio EPA in accordance with Chapters 3745-50, 3745-51, 3745-52, 3745-53, 3745-54 to 3745-57 and 3745-205, 3745-65 to 3745-69 and 3745-256, 3745-266, and 3745-270 of the Administrative Code may assert a claim of business confidentiality covering all or part of that information by following the procedures provided in rule 3745-49-03 of the Administrative Code. Information covered by such a claim may be disclosed by Ohio EPA only to the extent, and by means of the procedures, provided in rule 3745-49-03 of the Administrative Code.

(C)

(1) After August 6, 2014, no claim of business confidentiality may be asserted by any person with respect to information that may be prepared and used under paragraph (A)(3) of rule 3745-52-20 of the Administrative Code that is provided via:

- (a) A hazardous waste manifest (U.S. EPA form 8700-22); or
- (b) A hazardous waste manifest continuation sheet (U.S. EPA form 8700-22A); or
- (c) An electronic manifest format.

(2) When the electronic or paper manifest is a complete and final document as described in paragraph (C)(3) of this rule, U.S. EPA or Ohio EPA may make available to the public:



(a) Any electronic manifest that is prepared and used inaccordance with paragraph (A)(3) of rule 3745-52-20 of the Administrative Code;or

(b) Any paper manifest that is submitted to U.S. EPA's wasteimport-export tracking system under rule 3745-54-71 or 3745-65-71 of theAdministrative Code.

(3) Electronic manifests and paper manifests submitted to the system are considered by Ohio EPA and U.S. EPA to be complete and final documents and publicly available information ninety days after the delivery to the designated facility of the hazardous waste shipment that is identified in the manifest.

(D)

(1)

(a) After June 26, 2018,whether the information is submitted electronically into U.S. EPA's waste import-export tracking system or in paper format, no claim of businessconfidentiality may be asserted by any person with respect to information incathode ray tube export documents that are prepared, used, and submitted underparagraph (A)(5) of rule 3745-51-39 or paragraph (A) of rule 3745-51-41 of theAdministrative Code, and with respect to information in hazardous waste export, import, and transit documents that are prepared, used, and submitted under rule3745-52-82, 3745-52-83, 3745-52-84, 3745-53-20, 3745-54-12, 3745-54-71,3745-65-12, 3745-65-71, or 3745-267-71 of the Administrative Code.

(b) After January 22, 2025, whether the information issubmitted electronically into U.S. EPA's waste import-export trackingsystem or in paper format, no claim of business confidentiality may be assertedby any person with respect to information in hazardous secondary materialexport documents that are prepared, used, and submitted under paragraph (A)(25)of rule 3745-51-04 of the Administrative Code.

(2) When the electronic or paper documents described in paragraph (D)(1) of this rule are considered to be final documents as described in paragraph (D)(3) of this rule, U.S. EPA or Ohio EPA may make available to the public:



(a) Any cathode ray tube export documents that are prepared, used, and submitted under paragraph (A)(5) of rule 3745-51-39 and paragraph (A) of rule 3745-51-41 of the Administrative Code;

(b) Any hazardous waste export, import, and transit documents that are prepared, used, and submitted under rules 3745-52-82, 3745-52-83, 3745-52-84, 3745-53-20, 3745-54-12, 3745-54-71, 3745-65-12, 3745-65-71, and 3745-267-71 of the Administrative Code; and

(c) After January 22, 2025, Ohio EPA or U.S. EPA may make available to the public any hazardous secondary material export documents that are prepared, used, and submitted under paragraph (A)(25) of rule 3745-51-04 of the Administrative Code on March first of the calendar year after the related hazardous secondary material exports occur, when these documents are considered by Ohio EPA and U.S. EPA to be final documents.

(3) Submitted electronic and paper documents that are related to hazardous waste exports, imports and transits, and cathode ray tube exports are considered by Ohio EPA and U.S. EPA to be final documents on March first of the calendar year after the related cathode ray tube exports or hazardous waste exports, imports, or transits occur.

[Comment 1: For additional information regarding business confidentiality, see rule 3745-49-03 of the Administrative Code.]

[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."]