



## Ohio Administrative Code

### Rule 3745-52-42 Exception report for small quantity generators and large quantity generators.

Effective: January 16, 2026

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(A)

(1) A large quantity generator who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within forty-five days after the date the waste was accepted by the initial transporter shall contact the transporter or the owner or operator of the designated facility to determine the status of the hazardous waste.

(2) A large quantity generator shall submit an exception report to Ohio EPA if the generator has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within sixty days after the date the waste was accepted by the initial transporter. The exception report shall include:

(a) A legible copy of the manifest for which the generator does not have confirmation of delivery.

(b) A cover letter signed by the generator or the generator's authorized representative explaining the efforts taken to locate the hazardous waste and the results of those efforts.

(3) Beginning on December 1, 2025, Ohio EPA will no longer accept mailed paper exception reports from large quantity generators. Beginning on December 1, 2025, a large quantity generator shall submit an exception report to the U.S. EPA e-manifest system if the generator has not received a copy of the manifest with the signature of the owner or operator of the designated facility within sixty days after the date the waste was accepted by the initial transporter. The exception report shall include:

(a) A legible copy of the manifest for which the generator does not have confirmation of delivery.

(b) An explanation of the efforts taken to locate the hazardous waste and the results of those efforts.



(B) A small quantity generator of hazardous waste who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within sixty days after the date the waste was accepted by the initial transporter shall:

(1) Submit a legible copy of the manifest, with some indication that the generator has not received confirmation of delivery, to Ohio EPA.

[Comment: The submittal to Ohio EPA need only be a handwritten or typed note on the manifest itself, or on an attached sheet of paper, stating that the return copy was not received.]

(2) Beginning on December 1, 2025, Ohio EPA will no longer accept mailed paper exception reports from small quantity generators. Beginning on December 1, 2025, a small quantity generator shall submit a legible copy of the manifest, with some indication that the generator has not received confirmation of delivery, to the U.S. EPA e-manifest system. Generators that are normally very small quantity generators but are subject to the small quantity generator provisions of paragraph (B) of this rule because of an episodic generation event, pursuant to paragraph (A)(5) of rule 3745-52-232 of the Administrative Code, shall submit a legible copy of the manifest, with some indication that the generator has not received confirmation of delivery, to Ohio EPA.

(C) For rejected shipments of hazardous waste or container residues contained in non-empty containers that are forwarded to an alternate facility by a designated facility using a new manifest [following the procedures of paragraphs (E)(1) to (E)(6) of rule 3745-54-72 or paragraphs (E)(1) to (E)(6) of rule 3745-65-72 of the Administrative Code], the generator shall comply with the requirements of paragraph (A) or (B) of this rule, as applicable, for the shipment that forwards the material from the designated facility to the alternate facility instead of for the shipment from the generator to the designated facility. For purposes of paragraph (A) or (B) of this rule for a shipment that forwards such waste to an alternate facility by a designated facility:

(1) The copy of the manifest received by the generator shall have the handwritten signature of the owner or operator of the alternate facility in place of the signature of the owner or operator of the designated facility; and



(2) The forty-five day or sixty day time frames begin on the date the waste was accepted by the initial transporter who forwards the hazardous waste shipment from the designated facility to the alternate facility.

(D)

(1) Beginning on December 1, 2025, any requirement in rule 3745-52-40 of the Administrative Code for a generator to keep or retain a copy of an exception report is satisfied by retention of a signed electronic exception report in the generator's account on the U.S. EPA e-manifest system, provided that the exception report is readily available if requested by Ohio EPA.

(2) Beginning on December 1, 2025, no generator may be held liable for the inability to produce an electronic exception report for inspection under this rule if the generator can demonstrate that the inability to produce the electronic exception report is due exclusively to a technical difficulty with the e-manifest system for which the generator bears no responsibility.