



Ohio Administrative Code

Rule 3745-52-81 Definitions - transboundary movement of hazardous waste for recovery or disposal.

Effective: January 16, 2026

[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.]

In addition to the definitions in 40 CFR 260.10, the following definitions apply to 40 CFR Part 262 subpart H:

(A) "Acknowledgement of Consent" or "U.S. EPA Acknowledgement of Consent" means the letter U.S. EPA sends to the exporter that documents the specific terms of the country of import's consent and the countries of transit's consents. The U.S. EPA "Acknowledgement of Consent" meets the definition of an export license in U.S. census bureau regulations 15 CFR 30.1.

(B) [Reserved.]

(C)

(1) "Competent authority" means the regulatory authority or authorities of concerned countries having jurisdiction over transboundary movements of wastes.

(2) "Countries concerned" means the countries of export or import and any countries of transit.

(3) "Country of export" means any country from which a transboundary movement of hazardous wastes is planned to be initiated or is initiated.

(4) "Country of import" means any country to which a transboundary movement of hazardous wastes is planned or takes place for the purpose of submitting the wastes to recovery operations or disposal



operations therein.

(5) "Country of transit" means any country other than the country of export or country of import across which a transboundary movement of hazardous wastes is planned or takes place.

(D) "Disposal operations" means activities which do not lead to the possibility of resource recovery, recycling, reclamation, direct re-use or alternate uses, which include:

(1) D1: release or deposit into or onto land, other than by any of operations D2 to D5 or D12.

(2) D2: land treatment, such as biodegradation of liquids or sludges in soils.

(3) D3: deep injection, such as injection into wells, salt domes, or naturally occurring repositories.

(4) D4: surface impoundment, such as placing of liquids or sludges into pits, ponds, or lagoons.

(5) D5: specially engineered landfill, such as placement into lined discrete cells which are capped and isolated from one another and from the environment.

(6) D6: release into a water body other than a sea or ocean, and other than by operation D4.

(7) D7: release into a sea or ocean, including sea-bed insertion, other than by operation D4.

(8) D8: biological treatment not specified elsewhere in operations D1 to D12, which results in final compounds or mixtures which are discarded by means of any of operations D1 to D12.

(9) D9: physical or chemical treatment not specified elsewhere in operations D1 to D12, such as evaporation, drying, calcination, neutralization, or precipitation, which results in final compounds or mixtures which are discarded by means of any of operations D1 to D12.

(10) D10: incineration on land.

(11) D11: incineration at sea.



- (12) D12: permanent storage.
- (13) D13: interim blending or mixing, before an operation that bears any of the disposal operations D1 to D12.
- (14) D14: interim repackaging, before an operation that bears any of the disposal operations D1 to D12.
- (15) D15: interim storage, before an operation that bears any of the disposal operations D1 to D12.
- (16) DC1: release, including the venting of compressed or liquified gases, or treatment, other than by any of disposal operation codes D1 to D12 (for transboundary movements with Canada only).
- (17) DC2: testing of a new technology to dispose of a hazardous waste (for transboundary movements with Canada only).

(E)

- (1) "Export" means the transportation of hazardous waste from a location under the jurisdiction of the United States to a location under the jurisdiction of another country, or a location not under the jurisdiction of any country, for the purposes of recovery operations or disposal operations therein.
- (2) "Exporter" or "primary exporter on the Resource Conservation and Recovery Act (RCRA) hazardous waste manifest" means the person domiciled in the United States who is required to originate the movement document in accordance with 40 CFR 262.83(d) or the manifest for a shipment of hazardous waste in accordance with 40 CFR 262.70, or rule 3745-52-70 of the Administrative Code, which specifies a foreign receiving facility as the facility to which the hazardous wastes will be sent, or any recognized trader who proposes export of the hazardous wastes for recovery operations or disposal operations in the country of import.

(F)



AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #502200

(1) "Foreign exporter" means the person under the jurisdiction of the country of export who has, or will have at the time the planned transboundary movement commences, possession or other forms of legal control of the hazardous wastes and who proposes shipment of the hazardous wastes to the United States for recovery operations or disposal operations.

(2) "Foreign importer" means the person to whom possession or other form of legal control of the hazardous waste is assigned at the time the exported hazardous waste is received in the country of import.

(3) "Foreign receiving facility" means a facility which, under the importing country's applicable domestic law, is operating or is authorized to operate in the country of import to receive the hazardous wastes and to perform recovery operations or disposal operations on the hazardous wastes.

(G) [Reserved.]

(H) [Reserved.]

(I)

(1) "Import" means the transportation of hazardous waste from a location under the jurisdiction of another country to a location under the jurisdiction of the United States for the purposes of recovery operations or disposal operations therein.

(2) "Importer" means the person to whom possession or other form of legal control of the hazardous waste is assigned at the time the imported hazardous waste is received in the United States.

(J) [Reserved.]

(K) [Reserved.]

(L) [Reserved.]

(M) [Reserved.]



AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #502200

(N) [Reserved.]

(O)

(1) "OECD" means the "Organization for Economic Cooperation and Development."

(2) "OECD area" means all land or marine areas under the national jurisdiction of any "OECD Member country." When the regulations refer to shipments to or from an "OECD Member country," this means "OECD area."

(3) "OECD Member country" means the countries that are members of the OECD and participate in the "Amended 2001 OECD Decision." (U.S. EPA provides a list of "OECD Member countries" at <https://www.epa.gov/hwgenerators/international-agreements-transboundary-shipments-waste>).

(P) [Reserved.]

(Q) [Reserved.]

(R)

(1) "Receiving facility" means a U.S. facility which, under RCRA and other applicable domestic laws, is operating or is authorized to operate to receive hazardous wastes and to perform recovery operations or disposal operations on the hazardous wastes.

(2) "Recovery operations" means activities leading to resource recovery, recycling, reclamation, direct re-use or alternative uses, which include:

(a) R1: use as a fuel (other than in direct incineration) or other means to generate energy.

(b) R2: solvent reclamation or regeneration.

(c) R3: recycling or reclamation of organic substances which are not used as solvents.



- (d) R4: recycling or reclamation of metals and metalcompounds.
- (e) R5: recycling or reclamation of other inorganicmaterials.
- (f) R6: regeneration of acids or bases.
- (g) R7: recovery of components used for pollutionabatement.
- (h) R8: recovery of components used fromcatalysts.
- (i) R9: used oil re-refining or other reuses of previouslyused oil.
- (j) R10: land treatment resulting in benefit to agricultureor ecological improvement.
- (k) R11: use of residual materials obtained from any of therecovery operation codes numbered R1 to R10 or RC1.
- (l) R12: interim exchange of wastes before recycling usingany of the recovery operation codes numbered R1 to R11 or RC1.
- (m) R13: interim accumulation of wastes before recyclingusing any of the recovery operation codes numbered R1 to R11 orRC1.
- (n) RC1: recovery or regeneration of a substance or use orre-use of a recyclable material, other than by any of operations R1 to R10 (fortransboundary shipments with Canada only).
- (o) RC2: testing of a new technology to recycle a hazardousrecyclable material (for transboundary shipments with Canadaonly).
- (p) RC3: interim storage prior to any of operations R1 toR11 or RC1 (for transboundary shipments with Canada only).



AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #502200

(S) [Reserved.]

(T) "Transboundary movement" means any movement of hazardous wastes from an area under the national jurisdiction of one country to an area under the national jurisdiction of another country.

[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."]