



Ohio Administrative Code

Rule 3745-53-10 Applicability - transporter standards.

Effective: January 16, 2026

(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.

[Comment: The rules provided in 40 CFR Part 262 and 40 CFR Part 263, and Chapters 3745-52 and 3745-53 of the Administrative Code, establish the responsibilities of generators and transporters of hazardous waste in the handling, transportation, and management of that waste. In those chapters, U.S. EPA and Ohio EPA have expressly included certain rules of the department of transportation (DOT) governing the transportation of hazardous materials. Those rules concern, among other things, labeling, marking, placarding, using proper containers, and reporting discharges. U.S. EPA and Ohio EPA have expressly included the rules in order to satisfy U.S. EPA's statutory obligation to promulgate rules which are necessary to protect human health and the environment in the transportation of hazardous waste. U.S. EPA's and Ohio's inclusion of those DOT rules ensures consistency with the requirements of DOT, and thus avoids the establishment of duplicative or conflicting requirements with respect to these matters. Those U.S. EPA and Ohio EPA rules which apply to both interstate and intrastate transportation of hazardous waste are enforceable by U.S. EPA. DOT has revised the hazardous materials transportation rules in order to encompass the transportation of hazardous waste and to regulate intrastate, as well as interstate, transportation of hazardous waste. Transporters of hazardous waste are cautioned that DOT's rules are fully applicable to the transporter's activities and enforceable by DOT. The DOT rules are codified in title 49 CFR subchapter C.]

(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 abroad; or
- (2) Mixes hazardous wastes of different United States DOT 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 rules 3745-52-80 to 3745-52-84 of the Administrative Code, including, but not limited to, paragraph (D) of rule 3745-52-83 and paragraph (D) of rule 3745-52-84 of the Administrative Code for movement documents.

[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. This is reflected in rules 3745-52-80 to 3745-52-84 of the Administrative Code.]

(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."]