



## Ohio Administrative Code

### Rule 3745-53-20 The manifest system and acceptance and handling of hazardous waste.

Effective: January 16, 2026

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(A)

(1) Manifest requirement. A transporter may not accept hazardous waste from a generator unless the transporter is also provided with a manifest form (U.S. EPA form 8700-22, and if necessary, U.S. EPA form 8700-22A) signed in accordance with the requirements of rule 3745-52-23 of the Administrative Code, or is provided with an electronic manifest that is obtained, completed, and transmitted in accordance with paragraph (A)(3) of rule 3745-52-20 of the Administrative Code, and signed with a valid and enforceable electronic signature as described in rule 3745-52-25 of the Administrative Code.

(2) Exports. For exports of hazardous waste subject to the requirements of rules 3745-52-80 to 3745-52-84 of the Administrative Code, a transporter may not accept hazardous waste without a manifest signed by the generator in accordance with this rule, as appropriate, and a movement document that includes all information required by rule 3745-52-83 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. This is reflected in rules 3745-52-80 to 3745-52-84 of the Administrative Code and in other Ohio rules, as appropriate.]

(3) Compliance date for form revisions. The revised manifest form and procedures in rules 3745-50-10, 3745-51-07, 3745-52-20, and 3745-53-21 of the Administrative Code had an effective date of September 5, 2006. The manifest form and procedures in rules 3745-50-10, 3745-51-07, 3745-52-20, and 3745-53-21 of the Administrative Code, provided in Chapters 3745-50, 3745-51, 3745-52, 3745-53, 3745-54 to 3745-57 and 3745-205, and 3745-65 to 3745-69 and 3745-256 of the Administrative Code were applicable until September 5, 2006.



(4) Use of electronic manifest- legal equivalence to paper forms for participating transporters.

Electronic manifests that are obtained, completed, and transmitted in accordance with paragraph (A)(3) of rule 3745-52-20 of the Administrative Code, and used in accordance with this rule in lieu of U.S. EPA form 8700-22 and U.S. EPA form 8700-22A, are the legal equivalent of paper manifest forms bearing handwritten signatures, and satisfy for all purposes any requirement in the hazardous waste rules to obtain, complete, sign, carry, provide, give, use, or retain a manifest.

(a) Any requirement in the hazardous waste rules to sign a manifest or manifest certification by hand, or to obtain a handwritten signature, is satisfied by signing with or obtaining a valid and enforceable electronic signature within the meaning of rule 3745-52-25 of the Administrative Code.

(b) Any requirement in the hazardous waste rules to give, provide, send, forward, or return to another person a copy of the manifest is satisfied when a copy of an electronic manifest is transmitted to the other person by submittal to the system.

(c) Any requirement in the hazardous waste rules for a manifest to accompany a hazardous waste shipment is satisfied when a copy of an electronic manifest is accessible during transportation and forwarded to the person or persons who are scheduled to receive delivery of the waste shipment, except that to the extent that the hazardous materials regulation on shipping papers for carriage by public highway requires transporters of hazardous materials to carry a paper document to comply with 49 CFR 177.817, a hazardous waste transporter shall carry one printed copy of the electronic manifest on the transport vehicle.

(d) Any requirement in the hazardous waste rules for a transporter to keep or retain a copy of a manifest is satisfied by the retention of an electronic manifest in the transporter's account on the manifest system, provided that such copies are readily available to view and produce if requested by any U.S. EPA or Ohio EPA inspector.

(e) No transporter may be held liable for the inability to produce an electronic manifest for inspection under this rule if that transporter can demonstrate that the inability to produce the electronic manifest is exclusively due to a technical difficulty with the U.S. EPA system for which the transporter bears no responsibility.



(5) A transporter may participate in the electronic manifest system either by accessing the electronic manifest system from the transporter's own electronic equipment, or by accessing the electronic manifest system from the equipment provided by a participating generator, by another transporter, or by a designated facility.

(6) Special procedures when electronic manifest is not available. If after a manifest has been originated electronically and signed electronically by the initial transporter, and the electronic manifest system becomes unavailable for any reason, then:

(a) The transporter in possession of the hazardous waste when the electronic manifest becomes unavailable shall reproduce sufficient copies of the printed manifest that is carried on the transport vehicle pursuant to paragraph (A)(4)(c) of this rule, or obtain and complete another paper manifest for this purpose. The transporter shall reproduce sufficient copies to provide the transporter and all subsequent waste handlers with a copy for the files of the transporter and all subsequent waste handlers, plus two additional copies that will be delivered to the designated facility with the hazardous waste.

(b) On each printed copy, the transporter shall include an annotation in the special handling and additional description space (item 14) that the paper manifest is a replacement manifest for a manifest originated in the electronic manifest system, shall include (if not pre-printed on the replacement manifest) the manifest tracking number of the electronic manifest that is replaced by the paper manifest, and also shall include a brief explanation why the electronic manifest was not available to complete the tracking of the shipment electronically.

(c) A transporter signing a replacement manifest to acknowledge receipt of the hazardous waste shall ensure that each paper copy is individually signed and that a legible handwritten signature appears on each copy.

(d) From the point at which the electronic manifest is no longer available for tracking the waste shipment, the paper replacement manifest copies shall be carried, signed, retained as records, and given to a subsequent transporter or to the designated facility, following the instructions, procedures, and requirements that apply to the use of all other paper manifests.



(7) Special procedures for electronic signature methods undergoing tests. If a transporter using an electronic manifest signs this manifest electronically using an electronic signature method which is undergoing pilot or demonstration tests aimed at demonstrating the practicality or legal dependability of the signature method, then the transporter shall sign the electronic manifest electronically and also sign with an ink signature the transporter acknowledgement of receipt of materials on the printed copy of the manifest that is carried on the vehicle in accordance with paragraph (A)(4)(c) of this rule. This printed copy bearing the generator's and transporter's ink signatures also shall be presented by the transporter to the designated facility to sign in ink to indicate the receipt of the waste materials or to indicate discrepancies. After the owner or operator of the designated facility has signed this printed manifest copy with the owner's or operator's ink signature, the printed manifest copy shall be delivered to the designated facility with the waste materials.

(8) [Reserved.]

(9) Post-receipt manifest data corrections. After the owner or operator has certified that the manifest is complete by signing the manifest at the time of submittal to the U.S. EPA e-manifest system, any post-receipt data corrections may be submitted at any time by any interested person (e.g., waste handler) named on the manifest. If corrections are requested by U.S. EPA for portions of the manifest that a transporter is required to complete, the transporter shall address the data correction within thirty days after the date of the request. Data correction submittals shall be made electronically via the post-receipt data corrections process by following the process described in paragraph (L) of rule 3745-54-71 of the Administrative Code, which applies to corrections made to either paper or electronic manifest records.

(B) Before transporting the hazardous waste, the transporter shall sign and date the manifest acknowledging acceptance of the hazardous waste from the generator. The transporter shall return a signed copy of the manifest to the generator before leaving the generator's property.

(C) The transporter shall ensure that the manifest accompanies the hazardous waste. For exports, the transporter shall ensure that a movement document that includes all information required by paragraph (D) of rule 3745-52-83 of the Administrative Code also accompanies the hazardous waste. For imports, the transporter shall ensure that a movement document that includes all information required by paragraph (D) of rule 3745-52-84 of the Administrative Code also



accompanies the hazardous waste.

(D) A transporter who delivers a hazardous waste to another transporter or to the designated facility shall:

(1) Obtain the date of delivery and the handwritten signature on the manifest of that transporter or of the owner or operator of the designated facility; and

(2) Retain one copy of the manifest in accordance with rule 3745-53-22 of the Administrative Code; and

(3) Give the remaining copies of the manifest to the accepting transporter or designated facility.

(E) The requirements of paragraphs (C), (D), and (F) of this rule do not apply to water (bulk shipment) transporters if:

(1) The hazardous waste is delivered by water (bulk shipment) to the designated facility; and

(2) A shipping paper that contains all the information required on the manifest (excluding the U.S. EPA identification numbers, generator certification, and signatures) and, for exports or imports occurring under the terms of a consent issued by U.S. EPA on or after December 31, 2016, a movement document that includes all information required by paragraph (D) of rule 3745-52-83 or paragraph (D) of rule 3745-52-84 of the Administrative Code accompanies the hazardous waste; and

(3) The delivering transporter obtains the date of delivery and handwritten signature of the owner or operator of the designated facility on either the manifest or the shipping paper; and

(4) The person who delivers the hazardous waste to the initial water (bulk shipment) transporter obtains the date of delivery and signature of the water (bulk shipment) transporter on the manifest and forwards the manifest to the designated facility; and

(5) A copy of the shipping paper or manifest is retained by each water (bulk shipment) transporter in accordance with rule 3745-53-22 of the Administrative Code.



(F) For shipments that involve rail transportation, the requirements of paragraphs (C), (D) and (E) of this rule do not apply and the following requirements do apply:

(1) When accepting hazardous waste from a non-rail transporter, the initial rail transporter shall:

(a) Sign and date the manifest acknowledging acceptance of the hazardous waste;

(b) Return a signed copy of the manifest to the non-rail transporter;

(c) Forward at least three copies of the manifest to:

(i) The next non-rail transporter, if any;

(ii) The designated facility, if the shipment is delivered to that facility by rail; or

(iii) The last rail transporter designated to handle the waste in the United States.

(d) Retain one copy of the manifest and rail shipping paper in accordance with rule 3745-53-22 of the Administrative Code.

(2) Rail transporters shall ensure that a shipping paper that contains all the information required on the manifest (excluding the U.S. EPA identification numbers, generator certification, and signatures) and, for exports or imports occurring under the terms of a consent issued by U.S. EPA on or after December 31, 2016, a movement document that includes all information required by paragraph (D) of rule 3745-52-83 or paragraph (D) of rule 3745-52-84 of the Administrative Code accompanies the hazardous waste at all times.

[Comment: Intermediate rail transporters are not required to sign the manifest, movement document, or shipping paper.]

(3) When delivering hazardous waste to the designated facility, a rail transporter shall:



(a) Obtain the date of delivery and handwritten signature of the owner or operator of the designated facility on the manifest or the shipping paper (if the manifest has not been received by the facility); and

(b) Retain a copy of the manifest or signed shipping paper in accordance with rule 3745-53-22 of the Administrative Code.

(4) When delivering hazardous waste to a non-rail transporter a rail transporter shall:

(a) Obtain the date of delivery and the handwritten signature of the next non-rail transporter on the manifest; and

(b) Retain a copy of the manifest in accordance with rule 3745-53-22 of the Administrative Code.

(5) Before accepting hazardous waste from a rail transporter, a non-rail transporter shall sign and date the manifest and provide a copy to the rail transporter.

(G) Transporters who transport hazardous waste out of the United States shall:

(1) Sign and date the manifest in the international shipments block on the continuation sheet (U.S. EPA form 8700-22A) to indicate the date that the shipment left the United States or has been delivered to a seaport of exit for loading onto an international carrier; and

(2) Retain one copy in accordance with paragraph (D) of rule 3745-53-22 of the Administrative Code.

(3) Compliance date for manifest returns on January 22, 2025. Beginning on January 22, 2025, return signed top copies of the manifest and the continuation sheet to the generator. On December 1, 2025, this paragraph no longer applies, and paragraph (G)(4) of this rule applies instead.

(4) Compliance date for manifest returns on December 1, 2025. Beginning on December 1, 2025, return signed top copies of the manifest and continuation sheet to the exporter.



(H) A transporter transporting hazardous waste from a generator who generates greater than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month need not comply with the requirements of this rule or the requirements of rule 3745-53-22 of the Administrative Code provided that:

(1) The waste being transported pursuant to a reclamation agreement as provided for in paragraph (E) of rule 3745-52-20 of the Administrative Code;

(2) The transporter records, on a log or shipping paper, the following information for each shipment:

(a) The name, address, and U.S. EPA identification number of the generator of the waste;

(b) The quantity of waste accepted;

(c) All department of transportation required shipping information; and

(d) The date the waste is accepted.

(3) The transporter carries this record when transporting waste to the reclamation facility; and

(4) The transporter retains these records for a period of at least three years after termination or expiration of the agreement.

[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."]