



## Ohio Administrative Code Rule 3745-100-13 Trade secret claims.

Effective: December 12, 2020

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[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 paragraph (AA) of rule 3745-100-01 of the Administrative Code titled "Referenced materials."]

The owner or operator of a facility subject to the reporting requirements that claims a trade secret shall conform to the following:

(A) A submitter making a trade secrecy claim under this rule shall submit to entities other than USEPA (for example, the Ohio EPA, local emergency planning committee and local fire department) only the sanitized or public copy of the submission and substantiation.

(B) Method of asserting claims of trade secrecy for information submitted under section 313 of the act.

(1) Submitters may claim as trade secret the specific chemical identity, including the chemical name and other specific identification, of any chemical subject to reporting under section 313.

(2) To make a claim, the submitter shall submit to USEPA the rules adopted by the administrator of USEPA in 40 CFR 350.5.

(C) If a specific chemical identity is submitted under Title III to USEPA, or to a state emergency response commission, designated state agency, local emergency planning committee or local fire department, without asserting a trade secret claim, the chemical identity shall be considered to have been voluntarily disclosed and not a trade secret.

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