



## Ohio Administrative Code

### Rule 3745-104-40 Substantiating trade secret information.

Effective: August 13, 1999

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(A) An owner or operator claiming that information is trade secret information must substantiate that claim by providing documentation that demonstrates that the claim meets the criteria set forth in section 1333.61 of the Revised Code, as amended.

(B) Information that is submitted as part of the substantiation may be claimed trade secret by marking it as trade secret. Information not so marked will be treated as public and may be disclosed without notice to the owner or operator. If information that is submitted as part of the substantiation is claimed as trade secret, the owner or operator must provide a sanitized and unsanitized version of the substantiation.

(C) The owner, operator, or senior official with management responsibility of the stationary source shall sign a certification that the signer has personally examined the information submitted and that based on inquiry of the persons who compiled the information, the information is true, accurate, and complete, and that those portions of the substantiation claimed as trade secret would, if disclosed, reveal trade secrets.

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