



Ohio Administrative Code

Rule 3745-267-71 Use of the manifest system - manifest system, recordkeeping, reporting, and notifying - standardized permitting.

Effective: March 7, 2025

- (A) If a facility receives hazardous waste accompanied by a manifest, the owner or operator, or the owner or operator's agent, shall:
- (1) Sign and date each copy of the manifest to certify that the hazardous waste covered by the manifest was received;
 - (2) Note on each copy of the manifest any significant discrepancies in the manifest [as defined in paragraph (A) of rule 3745-267-72 of the Administrative Code];
 - (3) Immediately give the transporter at least one copy of the signed manifest;
 - (4) Within thirty days after the delivery, send a copy of the manifest to the generator;
 - (5) Retain at the facility a copy of each manifest for at least three years after the date of delivery; and
 - (6) If a facility receives from a foreign source hazardous waste subject to rule 3745-52-80 of the Administrative Code or 40 CFR Part 262 subpart H, the receiving facility owner or operator shall:
 - (a) Additionally list the relevant consent number from consent documentation supplied by U.S. EPA to the facility for each waste listed on the manifest, matched to the relevant list number for the waste from block 9b. If additional space is needed, the receiving facility's owner or operator should use continuation sheets (U.S. EPA form 8700-22A); and
 - (b) Mail a copy of the manifest to U.S. EPA using the addresses listed in 40 CFR 262.83(e) within thirty days after delivery until the facility's owner or operator can submit such a copy to the e-manifest system in accordance with paragraph (A)(2)(e) of rule 3745-54-71 of the Administrative Code or paragraph (A)(2)(e) of rule 3745-65-71 of the Administrative Code.



(B) If a facility receives, from a rail or water (bulk shipment) transporter, hazardous waste which is accompanied by a shipping paper containing all the information required on the manifest (excluding the U.S. EPA identification numbers, generator's certification, and signatures), the owner or operator, or the owner or operator's agent, shall:

(1) Sign and date each copy of the manifest or shipping paper (if the manifest has not been received) to certify that the hazardous waste covered by the manifest or shipping paper was received;

(2) Note on each copy of the manifest or shipping paper any significant discrepancies [as defined in paragraph (A) of rule 3745-267-72 of the Administrative Code] in the manifest or shipping paper (if the manifest has not been received). Ohio EPA does not intend that the owner or operator of a facility whose procedures under paragraph (C) of rule 3745-267-13 of the Administrative Code include waste analysis should perform the analysis before signing the shipping paper and giving the shipping paper to the transporter. However, paragraph (B) of rule 3745-267-72 of the Administrative Code requires reporting an unreconciled discrepancy discovered during later analysis.

(3) Immediately give the rail or water (bulk shipment) transporter at least one copy of the manifest or shipping paper (if the manifest has not been received);

(4) Within thirty days after the delivery, send a copy of the signed and dated manifest to the generator; however, if the manifest has not been received within thirty days after delivery, the owner or operator, or the owner or operator's agent, shall send a copy of the shipping paper signed and dated to the generator. Paragraph (C) of rule 3745-52-23 of the Administrative Code requires the generator to send three copies of the manifest to the facility when hazardous waste is sent by rail or water (bulk shipment); and

(5) Retain at the facility a copy of the manifest shipping paper (if signed in lieu of the manifest at the time of delivery) for at least three years after the date of delivery.

(C) Whenever a shipment of hazardous waste is initiated from a facility, the owner or operator of that facility shall comply with the requirements of Chapter 3745-52 of the Administrative Code. The provisions of rules 3745-52-16 and 3745-52-17 of the Administrative Code are applicable to the on-site accumulation of hazardous wastes by generators. Therefore, the provisions of rule 3745-52-



16 or 3745-52-17 of the Administrative Code only apply to owners or operators who are shipping hazardous waste which were generated at the facility.

(D) Pursuant to 40 CFR 262.84(d)(2)(xv), within three working days after the receipt of a shipment subject to rule 3745-52-80 of the Administrative Code or 40 CFR Part 262 subpart H, the owner or operator of a facility shall provide a copy of the movement document bearing all required signatures to the foreign exporter, to the competent authorities of the countries of export and transit that control the shipment as an export and transit that control the shipment as an export and transit shipment of hazardous waste, respectively; and on or after the electronic import-export reporting compliance date, to U.S. EPA electronically using U.S. EPA "Waste Import Export Tracking System (WIETS)," or the successor system. The original copy of the movement document shall be maintained at the facility for at least three years after the date of signature. The owner or operator of a facility may satisfy this recordkeeping requirement by retaining electronically submitted documents in the facility's account on U.S. EPA's WIETS, or the successor system, provided that copies are readily available for viewing and production if requested by any U.S. EPA or Ohio EPA inspector. No owner or operator of a facility may be held liable for the inability to produce the documents for inspection under this rule if the owner or operator of a facility can demonstrate that the inability to produce the document is due exclusively to technical difficulty with U.S. EPA's WIETS, or the successor system, for which the owner or operator of a facility bears no responsibility.

[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."]