



## Ohio Administrative Code Rule 3745-52-42 Exception report.

Effective: September 29, 2021

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(A)

(1) A generator of one thousand kilograms or greater of hazardous waste in a calendar month, or greater than one kilogram of acute hazardous waste listed in rule 3745-51-31 or paragraph (E) of rule 3745-51-33 of the Administrative Code in a calendar month, who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within thirty-five days after the date the waste was accepted by the initial transporter, shall contact the transporter or the owner or operator of the designated facility to determine the status of the hazardous waste.

(2) A generator of one thousand kilograms or greater of hazardous waste in a calendar month, or greater than one kilogram of acute hazardous waste listed in rule 3745-51-31 or paragraph (E) of rule 3745-51-33 of the Administrative Code in a calendar month shall submit an exception report to Ohio EPA if he has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within forty-five days after the date the waste was accepted by the initial transporter. The exception report shall include:

(a) A legible copy of the manifest for which the generator does not have confirmation of delivery;  
and

(b) A cover letter signed by the generator or his authorized representative explaining the efforts taken to locate the hazardous waste and the results of those efforts.

(B) A generator of greater than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within sixty days after the date the waste was accepted by the initial transporter shall submit to Ohio EPA a legible copy of the manifest, with some indication that the generator has not received confirmation of delivery.



[Comment: The submittal to Ohio EPA need only be a legible handwritten or typed note on the manifest itself, or on an attached sheet of paper, stating that the return copy was not received.]

(C) For rejected shipments of hazardous waste or container residues contained in non-empty containers that are forwarded to an alternate facility by a designated facility using a new manifest [following the procedures of paragraphs (E)(1) to (E)(6) of rule 3745-54-72 or paragraphs (E)(1) to (E)(6) of rule 3745-65-72 of the Administrative Code], the generator shall comply with the requirements of paragraph (A) or (B) of this rule, as applicable, for the shipment that forwards the material from the designated facility to the alternate facility instead of for the shipment from the generator to the designated facility. For purposes of paragraph (A) or (B) of this rule, for a shipment that forwards such waste to an alternate facility by a designated facility:

(1) The copy of the manifest received by the generator shall have the handwritten signature of the owner or operator of the alternate facility in place of the signature of the owner or operator of the designated facility; and

(2) The thirty-five day, forty-five day, or sixty day timeframes begin on the date the waste was accepted by the initial transporter who forwards the hazardous waste shipment from the designated facility to the alternate facility.