



Ohio Administrative Code Rule 3745-54-12 Required notices.

Effective: October 5, 2020

(A) The owner or operator of a facility that is arranging or has arranged to receive hazardous waste subject to 40 C.F.R. Part 262 subpart H from a foreign source shall comply with 40 C.F.R. 264.12(a).

[Comment: The exercise of foreign relations and international commerce powers is reserved to the federal government under the 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.]

(B) The owner or operator of a facility that receives hazardous waste from an off-site source (except where the owner or operator is also the generator) shall inform the generator in writing that the owner or operator of the receiving facility has the appropriate permits for, and shall accept, the waste the generator is shipping. The owner or operator shall keep a copy of this written notice as part of the operating record.

(C) Before transferring ownership or operation of a facility during the facility's operating life, or of a disposal facility during the post-closure care period, the owner or operator shall notify the new owner or operator in writing of the requirements of rules 3745-50-40 to 3745-50-235 and Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code.

[Comment: An owner's or operator's failure to notify the new owner or operator of the requirements of Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code does not relieve the new owner or operator of the obligation to comply with all applicable requirements.]

[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."]