

3745-273-20

**Exports - standards for small quantity handlers of universal waste.**

A small quantity handler of universal waste who sends universal waste to a foreign destination other than to those "Organization for Economic Cooperation and Development (OECD)" countries specified in 40 CFR 262.58(a)(1) (in which case, the handler is subject to the requirements of 40 CFR Part 262 subpart H) must:

- (A) Comply with the requirements applicable to a "primary exporter" in ~~rules 3745-52-53, 3745-52-56, and 3745-52-57 of the Administrative Code~~40 CFR 262.53, 40 CFR 262.56(a)(1) to (a)(4), (a)(6), and (b), and 40 CFR 262.57;
- (B) Export such universal waste only upon consent of the "receiving country" and in conformance with the ~~U.S. EPA~~ "EPA Acknowledgement of Consent" as defined in rules 3745-52-50 to 3745-52-57 of the Administrative Code40 CFR Part 262 subpart E; and
- (C) Provide a copy of the ~~U.S. EPA~~ "EPA Acknowledgement of Consent" for the shipment to the transporter transporting the shipment for export.

[Comment 1: The terms "primary exporter," "receiving country," and "EPA Acknowledgement of Consent" are defined in 40 CFR 262.51.]

[Comment 2: 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 U.S. is solely regulated by the federal government.]

[Comment 3: 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."]

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CERTIFIED ELECTRONICALLY

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Certification

03/06/2012

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Date

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