

3745-273-70

Imports of universal waste.

Persons managing universal waste that is imported from a foreign country into Ohio are subject to the applicable requirements of Chapter 3745-273 of the Administrative Code, immediately after the waste enters Ohio, as indicated in paragraphs (A) to (C) of this rule:

- (A) A universal waste transporter is subject to the universal waste transporter requirements of rules 3745-273-50 to 3745-273-56 of the Administrative Code.
- (B) A universal waste handler is subject to the small or large quantity handler of universal waste requirements of rules 3745-273-10 to 3745-273-20 or ~~rules~~ 3745-273-30 to 3745-273-40 of the Administrative Code, as applicable.
- (C) An owner or operator of a destination facility is subject to the destination facility requirements of rules 3745-273-60 to 3745-273-62 of the Administrative Code.
- (D) ~~Reserved.~~ Those managing universal waste that is imported from an "Organization for Economic Cooperation and Development (OECD)" country as specified in 40 CFR 262.58(a)(1) are subject to paragraphs (A) to (C) of this rule in addition to the requirements of 40 CFR Part 262 subpart H.

[Comment 1: 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 2: 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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Certification

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Date

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