

**NOTICE OF RESCISSION AND ADOPTION OF RULES
OHIO ENVIRONMENTAL PROTECTION AGENCY**

Rules Governing

Hazardous Waste Management

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has final filed the following rules of the Ohio Administrative Code (commonly called the "Set K" rules package):

<u>Rule Number</u>	<u>Rule Title</u>	<u>Action</u>
3745-50-28	Procedures for case-by-case regulation of hazardous waste recycling activities	Amend
3745-50-31	Exemptions	Amend
3745-50-32	Definitions	Amend
3745-50-33	Fees for the off-site disposal of hazardous waste	Amend
3745-50-34	Fees for on-site or satellite disposal of hazardous waste	Amend
3745-50-35	Fees for the treatment of hazardous waste	Amend
3745-50-51	Permit modifications	Amend
3745-50-52	Transfer of permits	Rescind
3745-50-52	Transfer of permits	New
3745-51-01	Purpose and scope of Chapter 3745-51 of the Administrative Code	Amend
3745-51-02	Definition of waste	Amend
3745-51-04	Exclusions	Amend
3745-51-05	Special requirements for hazardous waste generated by conditionally exempt small quantity generators	Amend
3745-51-06	Requirements for recycling materials	Amend
3745-51-07	Residues of hazardous waste in empty containers	Amend
3745-51-23	Characteristic of reactivity	Amend
3745-51-30	Lists of hazardous wastes- general	Amend
3745-51-33	Discarded commercial chemical products, off-specification species, container residues and residues thereof	Amend
3745-51-39	Conditional exclusion for used, broken CRTs and processed CRT glass undergoing recycling	Amend
3745-51-40	Conditional exclusion for used, intact CRTs exported for recycling	Amend
3745-52-10	Applicability- generator standards	Amend
3745-52-20	Manifest- general requirements	Amend
3745-52-23	Manifest; use	Amend
3745-52-34	Accumulation time of hazardous waste	Amend
3745-52-42	Exception report	Amend

<u>Rule Number</u>	<u>Rule Title</u>	<u>Action</u>
3745-52-50	Applicability- exports of hazardous waste to a foreign country	Amend
3745-52-51	Definitions pertaining to exports of hazardous waste to a foreign country	Rescind
3745-52-52	General requirements for exports of hazardous waste to a foreign country	Rescind
3745-52-53	Notification of intent to export to a foreign country	Rescind
3745-52-54	Special manifest requirements	Rescind
3745-52-55	Exception reports	Rescind
3745-52-56	Annual reports	Rescind
3745-52-57	Record keeping	Rescind
3745-52-60	Imports of hazardous waste from a foreign country	Amend
3745-52-200	Definitions for the university lab rules	Amend
3745-52-205	Summary of the requirements of the university lab rules	Amend
3745-53-10	Applicability- transporter standards	Amend
3745-53-11	Registration of hazardous waste transporters	Amend
3745-53-20	Acceptance and handling of hazardous waste and the manifest system	Amend
3745-54-12	Required notices	Amend
3745-54-16	Personnel training	Amend
3745-54-52	Content of contingency plan	Amend
3745-54-71	Use of manifest system	Amend
3745-54-72	Manifest discrepancies	Amend
3745-54-94	Concentration limits	Amend
3745-54-99	Compliance monitoring program	Amend
3745-55-44	Cost estimate for post-closure care	Amend
3745-55-74	Inspections	Amend
3745-55-75	Containment	Amend
3745-57-43	Performance standards	Amend
3745-57-72	Corrective action management units (CAMUs)	Amend
3745-57-91	Environmental performance standards	Amend
3745-65-12	Required notices	Amend
3745-65-16	Personnel training	Amend
3745-65-19	Construction quality assurance (CQA) program	Amend
3745-65-52	Content of contingency plan	Amend
3745-65-71	Use of manifest system	Amend
3745-65-72	Manifest discrepancies	Amend
3745-65-77	Additional reports	Amend
3745-66-18	Post-closure plan; amendment of plan	Amend
3745-66-74	Inspections	Amend
3745-266-20	Applicability- recyclable materials used in a manner constituting disposal	Amend

<u>Rule Number</u>	<u>Rule Title</u>	<u>Action</u>
3745-266-70	Applicability and requirements- recyclable materials utilized for precious metal recovery	Amend
3745-266-80	Applicability and requirements- spent lead-acid batteries being reclaimed	Amend
3745-266-104	Standards to control organic emissions	Amend
3745-270-01	Purpose, scope, and applicability- land disposal restrictions	Amend
3745-270-02	Definitions applicable in the land disposal restrictions rules	Amend
3745-270-03	Dilution prohibited as a substitute for treatment	Amend
3745-270-04	Treatment surface impoundment exemption	Amend
3745-270-05	Procedures for case-by-case extensions to an effective date	Amend
3745-270-06	Petitions to allow land disposal of a waste prohibited under rules 3745-270-30 to 3745-270-39 of the Administrative Code	Amend
3745-270-07	Testing, tracking, and recordkeeping requirements for generators, treaters, and disposal facilities	Amend
3745-270-31	Waste specific prohibitions- dioxin-containing wastes	Amend
3745-270-40	Applicability of treatment standards	Amend
3745-270-44	Variance from a treatment standard	Amend
3745-270-50	Prohibition on storage of restricted wastes	Amend
3745-273-03	Applicability- management standards for universal waste- pesticides	Amend
3745-273-08	Applicability- household and conditionally exempt small quantity generator waste	Amend
3745-273-20	Exports- standards for small quantity handlers of universal waste	Amend
3745-273-40	Exports- standards for large quantity handlers of universal waste	Amend
3745-273-56	Exports- standards for universal waste transporters	Amend
3745-273-70	Imports of universal waste	Amend

The Director's order of rescission and adoption was issued on March 6, 2012. **These rescissions and adopted rules will become effective on March 17, 2012.**

The Director's action in this matter is pursuant to the procedural requirements of Ohio Revised Code Chapter 119 and is based upon the record of the public hearing conducted by Ohio EPA on January 6, 2012, and comments received during the public comment period.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days after filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at 77 South High Street, 17th Floor, Columbus, OH 43215. Ohio EPA is located at 50 West Town Street, Suite 700, Columbus, Ohio, 43215.