

3750-30-15 **List or ~~material~~—safety data sheets (~~MSDS~~) reporting requirements for subject facilities.**

- (A) Except as provided in paragraph (C) of this rule, an owner or operator of a facility subject to rule 3750-30-01 of the Administrative Code shall submit a list of any hazardous chemical present at the facility according to the minimum threshold quantity schedule established in paragraph (A) of rule 3750-30-27 of the Administrative Code within three months of first acquiring the regulated quantity of any hazardous chemical to the commission, the committee and the fire department having jurisdiction over the facility.
- (B) The list shall contain the following:
- (1) A listing of the hazardous chemicals for which a ~~material~~—safety data sheet (hereinafter "~~MSDS~~" "SDS") is required, grouped by hazard categories as defined in rule 3750-30-25 of the Administrative Code;
 - (2) The chemical name or common name of each hazardous chemical as provided on the ~~MSDS~~SDS;
 - (3) Except for reporting of mixtures under paragraph (D) of rule 3750-30-27 of the Administrative Code, any hazardous component of each hazardous chemical as provided on the ~~MSDS~~SDS;
 - (4) An indication as to whether the owner or operator has chosen to withhold the chemical identification from disclosure as trade secret pursuant to section 3750.09 of the Revised Code.
- (C) The requirement for filing a list under this rule may be met by completing a facility identification form and the chemical identification and hazard category sections of the annual inventory report form.
- (D) While Ohio's commission and committees prefer the submission of a list as outlined in paragraphs (B) and (C) of this rule, a facility at which no more than ten hazardous chemicals are stored in an amount that exceeds the minimum threshold quantity schedule established in paragraph (A) of rule 3750-30-27 of the Administrative Code, may submit copies of ~~MSDS's~~SDS's.
- (E) Supplemental reporting by an owner or operator is required as follows:
- (1) An owner or operator of a facility that has submitted an ~~MSDS~~SDS under this rule shall provide a revised ~~MSDS~~SDS to the commission, committee and the fire department having jurisdiction over the facility within three months after

discovery of significant new information concerning the hazardous chemical for which the ~~MSDS~~MSDS was submitted.

- (2) After October 17, 1987, the owner or operator of a facility subject to this rule shall submit an ~~MSDS~~MSDS for a hazardous chemical pursuant to paragraph (C) of this rule or a list pursuant to paragraph (A) of this rule within three months after the owner or operator is first required to prepare or have available the ~~MSDS~~MSDS or after a hazardous chemical requiring an ~~MSDS~~MSDS becomes present in an amount exceeding the threshold quantity established in paragraph (A) of rule 3750-30-27 of the Administrative Code.
- (F) The owner or operator of a facility that has not submitted the ~~MSDS~~MSDS for a hazardous chemical present at the facility shall submit the ~~MSDS~~MSDS for any such hazardous chemical to the commission or the committee of such request. The ~~MSDS~~MSDS shall be submitted within thirty days of the receipt of such request.
- (G) The commission shall protect from disclosure trade secret information that is subject to protection under division (B)(2)(d) of section 3750.02 of the Revised Code and rules adopted by the commission under Chapter 3750-60 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 3/17/2021

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3750.02(B)(1)(d)
Rule Amplifies: 3750.07
Prior Effective Dates: 06/30/1990, 04/06/1999