Standards for sufficiency of substantiation of a trade secret claim.

(A) The claimant withholding specific chemical identity from required submissions under sections 3750.04, 3750.05, 3750.07, and 3750.08 of the Revised Code must make factual assertions that are sufficient to support a conclusion that the chemical identity is a trade secret. These assertions are made by completely answering all the questions of rule 3750-60-20 of the Administrative Code.

(B) The commission has adopted under rule 3750-60-50 of the Administrative Code sufficiency criteria which are standards used to determine whether the claimant has established a prima facie case for trade secrecy.

(C) The facts asserted under rule 3750-60-20 of the Administrative Code will be considered against the sufficiency criteria to make a trade secret determination of rule 3750-60-50 of the Administrative Code.
Effective: June 30, 1993

Original signed by: Kenneth A. Schultz, Acting Chairman, State Emergency Response Commission
Certification

June 11, 1993
Date

Promulgated under: R.C. Chapter 119
Rule amplifies: R.C. Section 3750.09
Rule authorized by: R.C. sections 3750.02(B)(1)(i), 3750.02(B)(2)(d), 3750(B)(5), and 3750.02(B)(14)
Prior effective dates: None