

3750-60-01 **Definitions.**

(A) As used in this chapter:

- (1) "Business confidentiality" or "confidential business information" includes the concept of trade secrecy and other related legal concepts which give (or may give) a business the right to preserve the confidentiality of business information and to limit its use or disclosure by others in order that the business may obtain or retain business advantages it derives from its right in the information.
- (2) "Claimant" means a person submitting a claim of trade secrecy to the commission in connection with a chemical listed or identified by the commission under division (C)(5) of section 3750.02 of the Revised Code otherwise required to be disclosed in a report or other filing made pursuant to sections 3750.04, 3750.05, 3750.07, and 3750.08 of the Revised Code.
- (3) "Petitioner" means any person who submits a petition under rule 3750-60-60 of the Administrative Code requesting disclosure of a chemical identity claimed as a trade secret.
- (4) "Sanitized" means a version of a document or report from which information claimed as a trade secret or confidential has been omitted or is withheld.
- (5) "Senior management official" means an official with management responsibility for the person or persons completing the report, or the manager of environmental programs for the facility or establishments, or for the corporation owning or operating the facility or establishments responsible for certifying similar reports under other environmental regulatory requirements.
- (6) "Special chemical identity" means the chemical name, Chemical Abstracts Service (CAS) Registry Number, or any other information that reveals the precise chemical designation of the substance. Where the trade name is reported in lieu of the specific chemical identity, the trade name will be treated as the specific chemical identity for purposes of this chapter.
- (7) "Substantiation" means the written answers submitted to the commission by the claimant under rule 3750-60-20 of the Administrative Code in support of a claim that a chemical identity is a trade secret.
- (8) "Trade secrecy claim" means a submittal under sections 3750.04, 3750.05, 3750.07, and 3750.08 of the Revised Code in which a chemical identity is claimed as a trade secret, and is accompanied by a substantiation in support of the claim of trade secrecy for chemical identity.

- (9) "Trade secret" means any confidential formula, pattern, process, device, information or compilation of information that is used in the claimant's business and which gives the claimant's an opportunity to obtain an advantage over competitors who do not know or use it.
- (10) "Unsanitized" means a version of a document or report from which information claimed as a trade secret or confidential has not been omitted or withheld.

Effective: 01/02/2007

R.C. 119.032 review dates: Exempt

CERTIFIED ELECTRONICALLY
Certification

12/19/2006
Date

Promulgated Under: 119.03
Statutory Authority: 3750.02(B)(1)(i), 3750.02(B)(2)(d), 3750(B)(5), and
3750.02(B)(14)
Rule Amplifies: 3750.09
Prior Effective Dates: 6/30/93