

3701-32-13 Encapsulant requirements.

- (A) Manufacturers of encapsulant products shall demonstrate a design life of twenty years and the safety and durability of their products by:
 - (1) Providing results of testing from an independent laboratory indicating that the product meets the most current performance standards developed by the ASTM for non-reinforced liquid coating encapsulation products or for reinforced liquid coating encapsulation products. The independent laboratory providing the testing shall be accredited by the United States department of commerce, national voluntary laboratory accreditation program; and
 - (2) Submitting results of an assessment from a toxicologist certified by the "American board of toxicology" regarding the potential human health risks that may be attributable to the encapsulant product from repeated or one-time exposures during product preparation, application, curing, and fully cured states. The assessment shall include recommendations regarding occupancy during and after application of the product.
- (B) The director shall issue approval to the manufacturer of an encapsulant product provided the manufacturer has done all of the following:
 - (1) Submitted a complete application form for approval to the director on the form prescribed by the director;
 - (2) Submitted the toxicology assessment results as provided in paragraph (A) of this rule;
 - (3) Paid the non-refundable application fee of five hundred dollars; and
 - (4) Submitted the results from an accredited independent laboratory indicating the product satisfies ASTM standards as provided in paragraph (A) of this rule.
- (C) Subject to Chapter 119. of the Revised Code, the director may refuse to issue, suspend, or revoke approval of an encapsulant product, if the manufacturer or any one of its principal officers:
 - (1) Has obtained or attempted to obtain approval by submitting fraudulent or deceptive information on an application for approval;
 - (2) Fails at any time to meet the qualifications for approval; or
 - (3) Violates or has violated any provisions of Chapter 3742. of the Revised Code or Chapter 3701-32 of the Administrative Code.

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Certification

07/23/2014

Date

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