

3772-15-02 Independent testing laboratory information, certification period, and certification renewal.

(A) An independent testing laboratory shall submit all information required by the commission and pay a certification fee as described in rule [3772-15-03](#) of the Administrative Code.

(B) An independent testing laboratory's certification expires three years after the date of certification.

(C) A certified independent testing laboratory may request renewal of the certification by completing and submitting, not less than ninety days before the expiration of the certification, the information required by the commission and paying a certification fee as described in rule [3772-15-03](#) of the Administrative Code.

(D) All certified independent testing laboratories shall undergo an investigation at least once every three years, as determined by the commission, to verify that each certified independent testing laboratory remains in compliance with Chapter 3772. of the Revised Code and the rules adopted thereunder.

(E) The independent testing laboratory requesting certification or requesting renewal certification shall provide all information, documents and materials at the independent testing laboratory's sole expense and cost and shall bear the cost of the investigation.

(F) The independent testing laboratory must clearly identify those portions of the information submitted that it deems to be confidential, proprietary commercial information or trade secrets. Information provided as part of the certification process shall be open to public inspection to the extent permitted by section [149.43](#) of the Revised Code and consistent with section [1333.61](#) of the Revised Code. ~~Upon request by a third party for information that the independent testing laboratory has identified as confidential, proprietary commercial information or trade secrets, the commission will notify the independent testing laboratory and, following such notification, will make a determination whether the information must be disclosed. If the commission determines that the information is to be disclosed, the commission shall notify the independent testing laboratory of its decision. Following that notification, the information shall be provided to the third party within a reasonable period of time unless otherwise prohibited from being released. The independent testing laboratory waives any liability of the state of Ohio, the commission, the employees of the commission and its instrumentalities and agents for any damages resulting from any disclosure or publication in any manner.~~