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## Used Oil Management Standards

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40 CFR 279

### Do these regulations apply to my operation?

If your facility generates used oil, collects and markets, and/or burns used oil, it is subject to regulations covered in this summary.

What is Used Oil? *The Environmental Protection Agency's (EPA) regulatory definition of used oil is as follows:*

Used oil is any oil that has been refined from crude oil or any synthetic oil that has been used and as a result of such use is contaminated by physical or chemical impurities. Simply put, used oil is exactly what its name implies, any petroleum-based or synthetic oil that has been used. To meet EPA's definition of used oil it must meet each of three criteria:

1. **Origin** – must have been refined from crude oil or made of synthetic materials
2. **Used** – must have been used as a lubricant, hydraulic fluid, heat transfer fluid, buoyant or other similar purpose.
3. **Contaminated** – by either physical or chemical impurities generated from handling, storing, and processing used oil and could include metal shavings, sawdust, dirt, solvents, halogens, etc.

Examples of "Used Oil" Include\*:

- Synthetic Oil (usually derived from coal, shale or polymer-based starting material.)
- Engine Oil (typically includes gasoline and diesel engine crankcase oil and piston-engine oils from autos, trucks, boats, airplane, trains and heavy equipment.)
- Transmission Fluid
- Refrigeration Oil
- Compressor Oil
- Metalworking Fluids and Oils
- Laminating Oils
- Industrial Hydraulic Fluid
- Electrical Insulating Oil
- Industrial Process Oil
- Oils used as Buoyant

*\*This is not a complete list of all types of used oil.*

However, “Used Oil” is **NOT**:

- Waste oil from bottom clean-out of virgin fuel storage tanks, virgin fuel oil spill cleanups, or other oil wastes that have not actually been “used”
- Antifreeze or kerosene
- Vegetable or animal oils, even when used as a lubricant
- Petroleum distillates used as solvents

Oils that do not meet EPA’s definition of “used oil” can still pose a threat to the environment when disposed of and could be subject to the Resource Conservation and Recovery Act (RCRA) requirements as hazardous waste.

## General Requirements

- Used oil for road oiling and dust suppression is banned.
- There are no accumulation time limits or maximum storage amounts.
- DIYs (do-it-yourselfers), individuals who generate used oil through the maintenance of their personal vehicles, do not fall under this set of regulations.

## What are the benefits of recycling used oil?

Although regulated under RCRA, regulations for used oil are less stringent than those for hazardous waste to encourage recycling. Proper management of used oil, through burning for energy recovery or recycling saves vital resources and eliminates liabilities associated with improper management. Immediate control and clean up of spilled oil also saves resources and helps eliminate surface and ground water contamination.

## Generator Requirements

### STORAGE – WHAT ARE THE LABELING, RECORD KEEPING, AND STORAGE QUANTITY REQUIREMENTS?

- Containers and aboveground tanks used to store used oil must be in good condition and not leaking. Leaking containers must be repaired or replaced.
- Containers and fill pipes must be clearly marked ‘Used Oil’.
- The generator must avoid oil spills and leaks. If oil is spilled/released, it must be immediately collected and properly managed.
- Records documenting the selected management practices (i.e., disposal) should be maintained to verify compliance.
- Generators that have the capacity to store greater than 1,320 gallons of used oil and/or other petroleum products in containers with a 55-gallon capacity or greater must comply with EPA’s Spill Prevention Control and Countermeasure (SPCC) requirements. Contact the IWRC for assistance with SPCC regulations if necessary.

## GENERATOR RECYCLING OPTIONS - HOW DO I RECYCLE MY USED OIL?

- Provide to a used oil marketer. The generator is not required to test the used oil.
- Provide directly to a burner. The generator becomes a marketer and must follow the marketer requirements including testing.
- Burn on site in a used oil furnace. Used oil must be generated on site or collected from DIYs only. The heater must be vented to the outside and have a maximum BTU capacity less than 0.5 million BTU/hr.
- Self-transport used oil in quantities less than 55 gallons to a state-recognized used oil collection center. Contact the IWRC for a local list.

## SHIPPING - IF I CHOOSE NOT TO BURN ON SITE, HOW DO I TRANSPORT THE USED OIL?

A used oil generator must conform to one of the following to transport used oil to a collection center, marketer, or burner:

- **Commercial transport:** Only use transport companies that have an EPA ID Number identifying it as a used oil transporter.
- **Self-Transport:** The generator may transport no more than 55 gallons of used oil at any time to a recognized collection center or an aggregation point that is owned or operated by the generator. Transport must take place in a vehicle owned by the generating business or one of its employees.

## Marketer Requirements

- A marketer must have an EPA identification number and must notify EPA of the type of activity it is engaged in.
- A marketer must have the used oil analyzed to determine if it meets the established fuel specifications. Data should be kept on file for three years.

Material	Off-specification Level (min)
Arsenic	5 ppm
Cadmium	2 ppm
Chromium	10 ppm
Lead	100 ppm
Mercury	4,000 ppm
Total Halogens	0.2 mg/L
Flashpoint	Less than 100°F

- Used oil is considered off-specification if it exceeds any of the following levels:
- Marketers of off-specification used oil must keep records for each shipment that include:
  1. A one-time written and signed notice from the burner (notice must be kept by the marketer for three years) certifying that:
    - The burner has notified EPA stating the location and general description of used oil management activities.
    - The burner will burn the off-specification used oil only in an industrial furnace or boiler.
  2. The name, address, and EPA identification number of the transporter who delivers the oil to the burner.
  3. The name, address, and EPA identification number of the burner who will receive the used oil.
  4. The quantity of used oil shipped.
  5. The date of shipment.
- Marketers of used oil meeting the specifications can sell to any burner. Marketers must keep records for each shipment including:
  1. The name and address of the facility receiving the shipment,
  2. The quantity of used oil shipped,
  3. The date of shipment or delivery, and
  4. A notation of where the used oil analysis and/or record showing the used oil meets specifications is located.

## Burner Requirements

*Used oil **generated and burned on site** in a used oil space heater (i.e., less than 0.5 million BTU/hr) does not need to comply with the following.*

If a burner receives off-specification used oil, the burner must:

- Complete Notification of Hazardous Waste Activity form to obtain an EPA identification number.
- Be an approved burner for off-specification used oil. Approved burners include industrial furnaces, industrial boilers at manufacturing facilities, and utility boilers.
- The burner must notify EPA of facility location and used oil management activities.
- Prior to burning, provide a one-time written and signed notice to the marketer stating that the burner has notified EPA and that off-specification used oil will only be burned in approved burners.
- Burners that treat or blend used oil to meet specifications must obtain analysis documenting specifications. Analysis must be kept for three years.
- If the burner receives an invoice for off-specification used oil, it must be kept for three years.