

# Standards For The Management Of Used Oil



Alabama Department Of Environmental  
Management

Land Division  
Hazardous Waste Branch

Revised May 2005

The State of Alabama adopted, effective January 5, 1995, the recycled used oil management standards contained in Chapter 279 of Title 40 of the Code of Federal Regulations (40 CFR 279), which were promulgated by the EPA in Volume 50 of the Federal Register, September 10, 1992. Alabama's version of the used oil management standards is contained in Chapter 335-14-17 of Division 14 of the Alabama Department of Environmental Management's Administrative Code and, with only a few exceptions, is essentially the same as those contained in 40 CFR 279. Chapter 335-14-17 applies to used oil generators, collectors, transporters, processors and re-refiners, burners, and marketers of used oil. The new standards subsume the previous standards for burning used oil for energy recovery formerly contained in Chapter 335-14-7-.05 (40 CFR 266, Subpart E).

This summary is intended to function only as a general guide to the used oil management standards found in Chapter 335-14-17 of ADEM's Administrative Code, Division 14. A complete copy of Chapter 335-14-17 should be used to determine exactly which compliance issues apply to any particular facility. Copies of the Division 14 regulations can be obtained on our website at [www.adem.state.al.us](http://www.adem.state.al.us) or by writing to:

Office of General Counsel  
Alabama Department of Environmental Management  
P.O. Box 301463  
Montgomery, Alabama 36130-1463

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## What Is Used Oil ?

Rule 335-14-17-.02(1) identifies those materials that are subject to regulation as used oil. In addition to the automobile crankcase oil that is traditionally referred to as “used oil”, this definition includes nearly any of the petroleum based or synthetic substances that are used for lubrication, heat transfer, or hydraulic fluid.

### Examples of used oil:

- ◆ Transmission fluid
- ◆ Brake fluid
- ◆ Power steering fluid
- ◆ Off-road engine oil
- ◆ Compressor oil
- ◆ Bearing oil
- ◆ Hydraulic oil
- ◆ Gear oil
- ◆ Electrical oil
- ◆ Grease
- ◆ Refrigeration oil
- ◆ Buoyancy oils
- ◆ Isolation oils
- ◆ Rolling oil
- ◆ Cutting oil

### Examples of materials that are not used oil:

- ✓ Waste oil-oil that has not been used
- ✓ Solvents-petroleum based materials used for their solvent or cleaning properties, such as mineral spirits
- ✓ Vegetable oil
- ✓ Animal oil
- ✓ Antifreeze



did you know?

did you know?

**Just one gallon of used oil can pollute 1,000,000 gallons of fresh water.**

## Is All Used Oil Regulated By The Used Oil Management Standards?

Only used oil that is intended to be recycled is regulated under the used oil management standards of Chapter 335-14-17 (40 CFR 279). The used oil management standards assume that all materials meeting the definition of used oil are destined for recycling until the materials are actually disposed of or are sent for disposal.

Used oil that is disposed of or used in a manner constituting disposal is not regulated under the used oil management standards, but is instead classified as a solid waste by ADEM's Administrative Code, Chapter 335-14-2 (40 CFR, Part 261) and by Rule 335-14-17-.09. A person who generates a solid waste must determine if that waste is a hazardous waste pursuant to Rule 335-14-3-.01(2) (40 CFR 262.11). Used oil that is disposed of or used in a manner constituting disposal is fully regulated as a hazardous waste under the ADEM Administrative Code, Division 14, if it exhibits any of the characteristics of a hazardous waste or has been mixed with a hazardous waste.

## Do The Hazardous Waste Regulations Apply To Used Oil ?

In most cases, the hazardous waste regulations do not apply to used oil that is intended to be recycled. Rule 335-14-17-.02(1)(a) states that used oil is regulated as recyclable used oil under the used oil management standards, even if the used oil exhibits any of the characteristics of hazardous waste. In fact, used oil that is destined for recycling can only become a hazardous waste if the used oil is mixed with a hazardous waste.

The exact regulatory status of the mixture of used oil and hazardous waste depends on the type of hazardous waste mixed with the used oil.

- Rule 335-14-17-.02(1)(b)2. states that mixtures of characteristic hazardous waste and used oil are regulated as a hazardous waste if the mixture exhibits *any* characteristic of a hazardous waste. The characteristic exhibited by the mixture need not be from the hazardous waste.
- Rule 335-14-17-.02(1)(b)1. states that mixtures of used oil and a listed hazardous waste are regulated as hazardous waste.

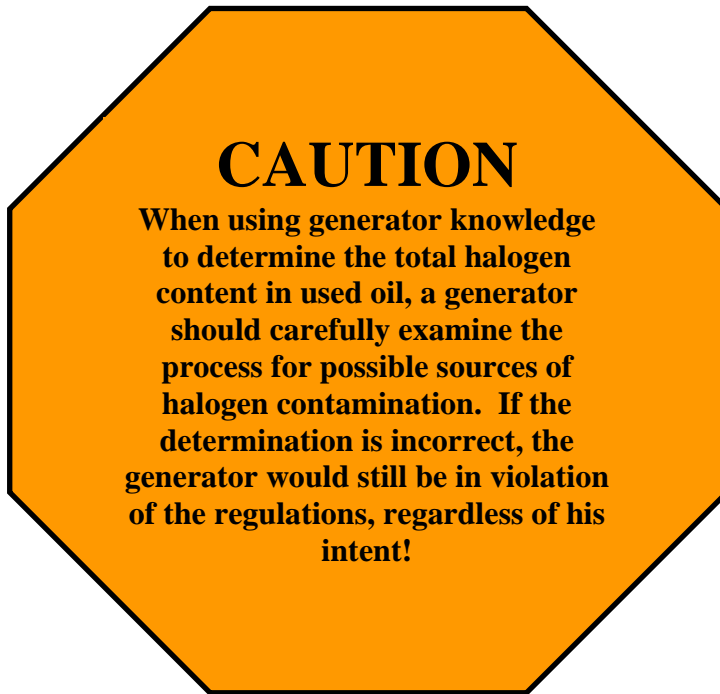
### **RULE OF THUMB:**

**If used oil that is destined for recycling is not mixed with other materials, then it can not become a hazardous waste!**

# How Do I Prove That My Used Oil Isn't A Hazardous Waste?

Used oil regulated under the used oil management standards undergoes a less strict hazardous waste determination known as the **Rebuttable Presumption Rule**.

**To make the Rebuttable Presumption determination, first determine the level of total halogens in the used oil.** A used oil handler may determine the level of total halogens in one of two ways:



Analysis- Several EPA-approved test methods that will determine the level of total halogens in used oil are available, but the easiest are the Clor-D-Tect field test kits (Method 9077). These test kits contain everything that is needed to perform the test and the results are available in just a few minutes.

Generator Knowledge-A generator may use his knowledge of the processes that produced the used oil to determine the level of total halogens in the oil. **However, only the original generator of the oil may use generator knowledge to make the halogen content**

**determination.** Subsequent handlers of oil (i.e. transporters, processors, burners, etc.) may rely upon the original generator's determination, but would not be able to make a determination based on generator knowledge because they would not have all the information necessary to make such a determination.

- **If the level of total halogens in the used oil is less than 1000 parts per million,** the used oil is regulated as used oil.
- **If the level of total halogens in the used oil is greater than 1000 parts per million,** the used oil is presumed to be a hazardous waste because it has been mixed with a halogenated hazardous waste listed in Rule 335-14-2-.04. Unless the handler of the used oil can demonstrate that the used oil was not mixed with a hazardous waste, then the used oil must be handled as a hazardous waste. To rebut this presumption, a handler can demonstrate that the used oil does not contain significant concentrations of the listed halogenated hazardous constituents. This can be achieved in one of two ways:

Analysis-Generally, if used oil does not contain over 100 ppm total of the halogenated hazardous constituents listed in Rule 335-14-2-.04, then

it passes the Rebuttable Presumption determination and is regulated as used oil.

Generator Knowledge-If the generator can demonstrate that the halogen contamination comes from a source other than a halogenated hazardous waste listed in Rule 335-14-2-.04, then the used oil passes the Rebuttable Presumption determination and is regulated as used oil. Remember, only the original generator can make a claim of generator knowledge.

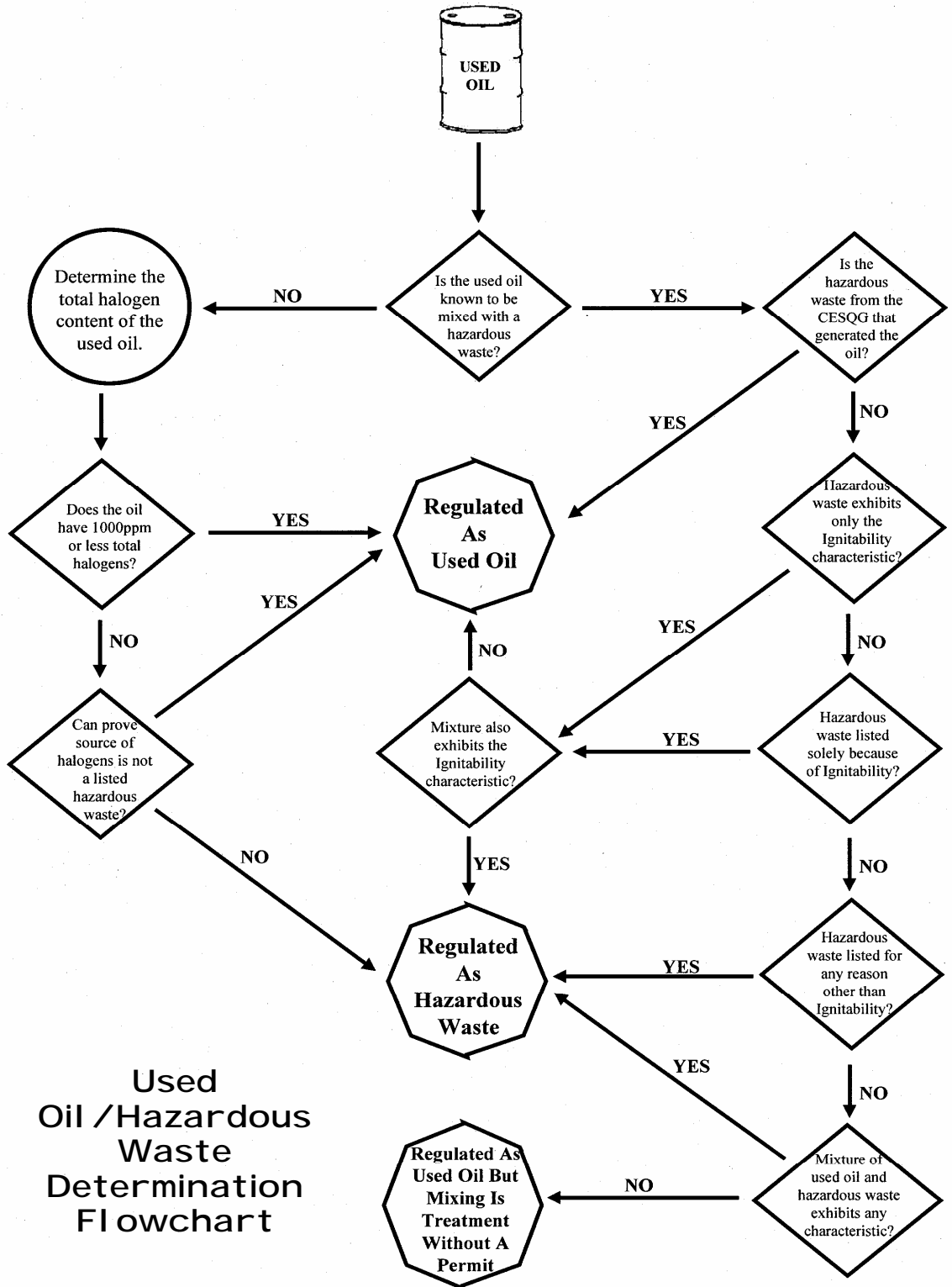
## { Frequently Asked Questions }

**Q** Do the management standards in Chapter 335-14-17 of the ADEM Division 14 regulations pertain to facilities that are sending used oil for disposal?

**A** No. The Department presumes that used oil is to be recycled unless a used oil handler disposed of used oil, or sends used oil for disposal. Chapter 335-14-17 management standards apply to used oil until a facility disposes of the used oil or sends it for disposal. If the used oil is to be disposed, a used oil handler would have to make a waste determination outlined in Chapter 335-14-3. Used oil that has been mixed with a listed hazardous waste or that exhibits a characteristic of hazardous waste must be managed as a hazardous waste under the hazardous waste regulations of Chapters 335-14-1 through 335-14-9 when it is disposed or sent for disposal. Conversely, used oil that is not hazardous must be managed as a solid waste under the ADEM Division 13 regulations if disposed or sent for disposal.

**Q** Are conditionally exempt small quantity generators (CESQGs) of hazardous waste exempt from the used oil management standards in Chapter 335-14-17?

**A** Chapter 335-14-17 does not contain an exemption for any class of generators based on used oil generation rate. As a result, all used oil generators producing used oil through commercial or industrial operations and vehicle services are subject to the same uniform standards. Only the individuals listed in 335-14-17-.03(1)(a)1-4 are exempt from the generator requirements.



The used oil flowchart is intended to assist used oil handlers in determining whether a particular lot of used oil is regulated under the used oil management standards of Chapter 335-14-17 or the hazardous waste regulations of Chapters 335-14-1 through 335-14-9. The flowchart was created as a general guideline to make the used oil/hazardous waste determination easier. It is not intended as a substitute for a thorough knowledge of the Division 14 regulations.

# How Are Mixtures Of Used Oil And Other Materials Regulated?

## Materials containing or otherwise contaminated with used oil:

Except when burned for energy recovery, materials containing or otherwise contaminated with used oil are not subject to regulation as used oil provided the used oil has been properly drained or removed to the extent possible. No visible signs of free-flowing used oil should remain in or on the material. If the remaining materials are a solid waste, then they are subject to a hazardous waste determination and regulation as hazardous waste if they display a characteristic of hazardous waste or are mixed with a hazardous waste listed in Rule 335-14-2-.04. If the materials are not a hazardous waste and are disposed of, then they are subject to Division 13 regulations.

## Materials derived from used oil:

- \* Materials that are reclaimed from used oil that are used beneficially and are not burned for energy recovery are not used oil or a solid waste and are therefore not subject to regulation as a used oil or as a hazardous waste.
- \* Materials that are produced from used oil and are burned for energy recovery are subject to regulation as used oil.
- \* Materials derived from used oil that are disposed of or are used in a manner constituting disposal are solid wastes and are therefore subject to a hazardous waste determination.
- \* Re-refining distillation bottoms that are used as feedstock to manufacture asphalt products are not subject to regulation as used oil or as a hazardous waste at this time.

## Wastewater:

Wastewaters, the discharge of which are subject to either Section 402 or Section 307(b) of the Clean Water Act (including wastewaters at facilities which have eliminated the discharge of wastewater), contaminated with de minimis quantities of used oil are not subject to regulation as used oil.

## Mixtures of used oil with products:

Mixtures of used oil with products are subject to regulation as used oil, except for mixtures of used oil and diesel fuel mixed onsite by the generator of the used oil for use in the generator's own vehicles once the used oil and diesel fuel have been mixed.

## PCB Contaminated used oil:

Used oil containing quantifiable levels of PCBs (2 ppm or greater) are subject to regulation under 40 CFR 761.20(e), as well as regulation as used oil.

Used oil introduced into crude oil pipelines or a petroleum refining facility:

- \* Used oil mixed with crude oil or natural gas liquids for insertion into a crude oil pipeline is only subject to regulation before mixing.
- \* Mixtures of less than 1% used oil and crude oil or natural gas liquids that are being stored or transported to a crude oil pipeline or petroleum refining facility for insertion into the process before crude distillation or catalytic cracking are not regulated as used oil.
- \* Used oil inserted into the petroleum refining process before catalytic cracking or crude distillation is not regulated as used oil provided the used oil constitutes less than 1% of the crude oil feed to any petroleum refining process unit at any given time.
- \* Except as provided below, used oil that is introduced into a petroleum refining process after crude distillation or catalytic cracking is regulated as used oil unless it meets the specifications of Rule 335-14-17-.02(2).
- \* Used oil that is incidentally captured by a hydrocarbon recovery system or wastewater treatment system as part of routine operations at a petroleum refining facility and inserted into the petroleum refining process at any point is not regulated as used oil.
- \* Tank bottoms from stock tanks containing exempt mixtures of used oil and crude oil or natural gas liquids are not regulated as used oil.

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## Used Oil Prohibitions

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- Used oil may not be stored in surface impoundments or waste piles unless they are subject to regulation under Chapters 335-14-5 or 335-14-6.
- Used oil may not be used as a dust suppressant.
- Used oil fuel that exceeds any specification level is termed "off-specification" used oil fuel. Off-specification used oil may be burned for energy recovery in only the following units:
  - Industrial furnaces identified in Rule 335-14-1-.02(1);
  - Boilers, as defined in Rule 335-14-1-.02(1), that are identified as follows:
    - \* Industrial boilers located on the site of a facility engaged in a manufacturing process where substances are transformed into new products, including the component parts of products, by mechanical or chemical processes;
    - \* Utility boilers used to produce electric power, steam, heated or cooled air, or other gases or fluids for sale; or
    - \* Used oil-fired space heaters provided that the burner meets the provisions of Rule 335-14-17-.03(5).
- Hazardous waste incinerators subject to regulation under Rules 335-14-5-.15 and 335-14-6-.15.

## What Are The Used Oil Specifications?

The specification determination only applies to used oil fuels which are going to be burned for energy recovery and not to used oil that is to be recycled or to used oil destined for disposal. Used oil to be burned for energy recovery and any fuel produced from used oil by used oil processing, blending, or other treatment is subject to the used oil management standards unless it is found not to exceed any of the allowable levels of the constituents and properties listed below. Once used oil to be burned for energy recovery has been shown not to exceed any specification and the person making that showing complies with Rules 335-14-17-.08(3), (4), and (5)(b), the used oil is no longer subject to 335-14-17. Used oil fuel that exceeds any specification level is termed "off-specification" used oil fuel.

<b>Used Oil Fuel Specification Levels</b>	
<b>Constituent/Property</b>	<b>Allowable Level</b>
Arsenic <sup>1</sup>	5 ppm maximum
Cadmium <sup>1</sup>	2 ppm maximum
Chromium <sup>1</sup>	10 ppm maximum
Lead <sup>1</sup>	100 ppm maximum
Flash Point	100°F minimum
Total Halogens <sup>1</sup>	4000 ppm maximum

<sup>1</sup>These figures are based on testing for totals, not TCLP.

A generator, transporter, processor/re-refiner, or burner may determine that used oil that is to be burned for energy recovery meets the fuel specifications of Rule 335-14-17-.02(2). The entity that makes the specification determination on used oil fuel becomes subject to the marketer standards found in Rule 335-14-17-.08.

# Who Do The Used Oil Standards Apply To?



## Used Oil Generators

A used oil generator is any person, by site, whose act or process produces used oil or whose act first causes used oil to become subject to regulation. Used oil generators must comply with Rule 335-14-17-.03 of the ADEM Administrative Code, Division 14. The standards for used oil generators apply to all used oil generators except:

1. Household "do-it-yourself" (DIY) generators;
2. Vessels at sea or port prior to transporting the oil ashore;
3. Mixtures of used oil and diesel fuel mixed by the generator of the used oil for use in the generator's own vehicles; and
4. Farmers who generate an average of 25 gallons per month or less of used oil from machinery used on the farm.

## Used Oil Transporters

A used oil transporter is any person who transports used oil, any person who collects used oil from more than one generator and transports the collected oil, and owners and operators of transfer facilities. Transporters who import used oil from abroad or who export used oil outside of the United States are subject to the used oil transporter standards from the time the used oil enters to the time the used oil exits the United States. Used oil transporters must comply with Rule 335-14-17-.05 of the ADEM Administrative Code, Division 14. This includes obtaining a transporter permit from ADEM and being able to demonstrate financial assurance. The used oil transporter standards apply to all transporters except:



1. Onsite transporters;
2. Generators who transport shipments of 55 gallons or less from the generator in a vehicle owned by the generator to a recognized used oil collection center or an aggregation point owned or operated by the same generator; and
3. Transportation of used oil generated by household DIY generators from the initial generator to a regulated used oil handler.

## Used Oil Transporter Transfer Facilities

A used oil transfer facility is any transportation related facility including loading docks, parking areas, storage areas, and other areas where shipments of used oil are held for more than 24 hours and not greater than 35 days during the normal course of transportation. Used oil transfer facilities must comply with Rule 335-14-17-.05 of the ADEM Administrative Code, Division 14. Used oil transfer facilities that store used oil for more than 35 days are also subject to regulation under 335-14-17-.06 of the ADEM Administrative Code, Division 14.

## Used Oil Processors

A used oil processor is an owner or used oil. Processing means chemical produce from used oil, or to make used of, fuel oils, lubricants, or other used processors must comply with Rule Administrative Code, Division 14. and re-refiners except:



operator of a facility that processes or physical operations designed to oil more amenable for the production oil derived products. Used oil 335-14-17-.06 of the ADEM This definition applies to all processors

1. Transporters that conduct incidental processing operations that occur during the normal course of transportation and
  2. Burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning.
- Preparedness and Prevention – Used oil processors and re-refiner facilities must comply with preparedness and prevention requirements that are very similar to those required for large quantity generators of hazardous waste. The facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water which could threaten human health or the environment. Provisions must also be made to deal with any emergencies that do occur.
  - Contingency Plan and Emergency Procedures - Used oil processors and re-refiner facilities must also create a contingency plan designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water. This plan is very similar to the contingency plan required for large quantity generators of hazardous waste.
  - Analysis Plan - Used oil processors and re-refiner facilities must develop and follow a written analysis plan describing the procedures that will be used to comply with the analysis requirements of the Rebuttable Presumption Rule and, if applicable, the on-specification used oil fuel determination. The owner or operator must keep the plan at the facility. At a minimum, the plan must specify whether sample analyses or knowledge of the halogen content of the used oil will be used to make the hazardous waste determination, the sampling method used to obtain representative samples to be analyzed, the frequency of sampling to be performed, and whether the analysis will be performed on-site or off-site.

did you know?  
did you know?

**It takes 42 gallons of crude oil, but only 1 gallon of used oil, to produce 2.5 quarts of new, high-quality lubricating oil.**

## Off-Specification Used Oil Fuel Burners

A used oil burner is a facility where used oil not meeting the specification requirements in Rule 335-14-17-.02(2) is burned for energy recovery in an industrial furnace, boiler, or hazardous waste incinerator. Used oil burners must comply with Rule 335-14-17-.07 of the ADEM Administrative Code, Division 14.



## Used Oil Fuel Marketers

A used oil fuel marketer is any person who either directs a shipment of off-specification used oil from their facility to a used oil burner, or first claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in Rule 335-14-17-.02(2). Used oil marketers must comply with Rule 335-14-17-.08 of the ADEM Administrative Code, Division 14.

# Frequently Asked Questions

**Q** What is the proper way to clean up a used oil spill?

**A** Upon detection of a used oil release that is not subject to the corrective action requirements of Division 335-6, Volume 2 of the ADEM Administrative Code, a facility must stop the release, contain the released used oil, clean up and properly manage the released used oil in accordance with all applicable ADEM Division 13 and 14 regulations and repair or replace any leaking containers or tanks.

**Q** Is a permit required to haul used oil from one site to another within the facility?

**A** No. The management standards for used oil transporters do not apply to on-site transportation. However, any used oil in excess of 55 gallons that is to be transported off-site, should only be transported by a permitted transporter.

# What Are The Requirements For Used Oil Storage?

Used oil must only be stored in tanks, containers, or units regulated under 335-14-5 or 335-14-6. Containers must always be maintained in the following manner:

- Used oil containers must always be closed except when necessary to add or remove used oil.
- Used oil storage containers and aboveground storage tanks must be labeled with the words “Used Oil” and the label must be legible from 25 feet.
- Used oil storage containers must be maintained in good condition, free of leaks.
- The owner or operator must use appropriate controls to prevent spills and overflows from used oil storage tanks. These include, but are not limited to:
  - Spill prevention controls in the form of check valves, dry disconnect couplings, or similar devices;
  - Overflow controls for continuously fed used oil tanks in the form of level sensing devices, high level alarms, etc.;
  - Freeboard controls in open used oil tanks; or
  - Direct observation by persons adding used oil to tank.
- Fill pipes used to transfer used oil into underground tanks must be labeled with the words “Used Oil.”
- Containers and tanks used to store used oil at transfer facilities must be equipped with secondary containment that meets the requirements of 335-14-17-.05(7)(e-g).

## 〔 Frequently Asked Questions 〕

**Q** How do I manage my used oil filters?

**A** Rule 335-14-2-.01(4)(b)13. exempts non-terne plated used oil filters that are not mixed with a listed waste from the definition of a hazardous waste if these oil filters have been gravity hot-drained using one of the following methods:

1. Puncturing the filter anti-drain back valve or the filter dome end and hot-draining;
2. Hot-draining and crushing;
3. Dismantling and hot-draining; or
4. Any other equivalent hot-draining method which will remove the free-flowing used oil.







In addition, used oil filters that are gravity hot drained (as described above) are also exempted from the definition of a hazardous waste and RCRA regulation if they are destined to be recycled for their metal content.

## What Are The Notification Requirements For Used Oil Facilities?

- Used oil generators that generate an average of greater than 25 gallons of used oil per month in a calendar year must obtain an EPA Identification Number prior to generating used oil.
- Used oil transporters must obtain an EPA Identification Number prior to transporting used oil.
- Used oil processors and re-refiners must obtain an EPA Identification Number prior to processing/re-refining used oil.
- Used oil burners who burn off-specification used oil for energy recovery must obtain an EPA Identification Number prior to the burning of used oil.

### Mechanics Of Notification:

A used oil facility must submit a correct and complete ADEM Form 8700-12 (including all appropriate attachment pages and fees) reflecting current used oil activities to the Department annually according to the following schedule. The Department must receive the ADEM Form 8700-12, Notification of Regulated Waste Activity, (including all appropriate attachment pages and fees) no later than the 15<sup>th</sup> day of the specified month.

If Your Facility Is Located In The County Of...	Submit Form 8700-12 By The 15 <sup>th</sup> Of...
Colbert, Fayette, Franklin, Greene, Hale, Lamar, Lauderdale, Lawrence, Limestone, Marion, Morgan, Pickens, Sumter, Tuscaloosa, Walker, Winston	 <b>February</b>
Blount, Cherokee, Cullman, DeKalb, Etowah, Jackson, Madison, Marshall, St. Clair	 <b>April</b>
Jefferson	 <b>June</b>
Calhoun, Chambers, Clay, Cleburne, Coosa, Elmore, Lee, Macon, Montgomery, Randolph, Shelby, Talladega, Tallapoosa	 <b>August</b>
Autauga, Baldwin, Barbour, Bibb, Bullock, Butler, Chilton, Choctaw, Clarke, Coffee, Conecuh, Covington, Crenshaw, Dale, Dallas, Escambia, Geneva, Henry, Houston, Lowndes, Marengo, Monroe, Perry, Pike, Russell, Washington, Wilcox	 <b>October</b>
Mobile	 <b>December</b>

The submitted ADEM Form 8700-12 is not considered complete without payment of all applicable fees and a cover letter. The letter must include the following:

1. Type of activity/activities generating the used oil (or for transporters, the type of transport activity);
2. The approximate volume of used oil typically generated per year;
3. The location of all aggregation points (or for transporters, transfer facilities) at which oil is stored;
4. The name and telephone number for a contact at each aggregation point (or for transporters, at each transfer facility).

# How Are Used Oil Collection Centers And Aggregation Points Regulated?

I. Do-it-yourself (DIY) used oil collection centers: A DIY used oil collection center is any site or facility that accepts/aggregates and stores used oil collected only from household do-it-yourself generators. Owners or operators of such facilities must comply with the used oil generator standards found in Rule 335-14-17-.03.

II. Used oil collection centers: A used oil collection center is any site or facility that accept/aggregates and stores used oil collected from generators regulated under Rule 335-14-17-.03 of the ADEM Administrative Code who bring used oil to the collection center in shipments of less than 55 gallons. Used oil collection centers may also accept used oil from household DIY generators. Owners or operators of such facilities must comply with the used oil generator standards found in Rule 335-14-17-.03.

III. Used oil aggregation points owned by the used oil generator: A used oil aggregation point is any site or facility that accepts, aggregates and/or stores used oil collected only from other used oil generation sites owned or operated by the owner or operator of the aggregation point, from which used oil is transported to the aggregation point in shipments of no more than 55 gallons. Used oil aggregation points may also accept used oil from household DIY generators. Owners or operators of such facilities must comply with the used oil generator standards found in Rule 335-14-17-.03.

IV. Liability exemption - Service Station Dealers (SSD), as defined by CERCLA section 101(37), will become eligible for the exemption from generator liability under section 107(a)(3) of CERCLA and transporter liability under section 107(a)(4) if the service station meets the following requirements:

1. The SSD must be in compliance with the used oil management standards given above;
2. The used oil must not be mixed with any other hazardous substance;
3. The SSD must accept DIY used oil;
4. The SSD must send its own and any DIY used oil accepted to be recycled.

did you know?  
did you know?

**Two hundred million gallons of used oil are improperly disposed of each year.**

## Useful Federal Register Notices

- July 14, 1998 – Removal of Direct Final Rule  
*Removal of Three Revisions Made in the May 6, 1998 Direct Final Rule (63 FR 37780-37782)*
- May 6, 1998 – Direct Final Rule  
*Revised Requirements on Polychlorinated Biphenyls and Used Oil (63 FR 24963-24969)*
- March 4, 1994 – Final Rule  
*Clarification of Refinery Exemptions, Used Oil Generator Activities That Are Not Considered Processing And Other Topics (50 FR 10550-10560)*
- June 17, 1993 – Technical Correction Notice  
*Correction Regarding the Used Oil Notification Requirements (58 FR 33341-33342)*
- May 3, 1993 – Technical Correction Notice  
*Correction Regarding Part 279 Enforceability and Other Topics (58 FR 26420-26426)*
- March 23, 1993 – Revised Final Rule  
*Revised Requirements on Polychlorinated Biphenyls and Used Oil (58 FR 15435-15436)*
- September 10, 1992 – Final Rule  
*Final Used Oil Management Standards (57 FR 41566-41626)*
- May 20, 1992 – Final Rule  
*Decision Not to List Used Oil as a Hazardous Waste and Non-terne Plated Used Oil Filter Exemption (57 FR 21524-21534)*
- September, 23 1991 – Supplemental Notice of Proposed Rulemaking  
*Availability of Additional Used Oil Composition Data and Additional Information on the November 29, 1985, Proposed Management Standards (56 FR 48000-48074)*
- June 27, 1988 – Final Rule  
*Polychlorinated Biphenyls and Used Oil (53 FR 24206-24221)*
- November 29, 1985 – Final Rule  
*Final Rule Providing Controls for Used Oil Marketing and Burning for Energy Recovery (50 FR 49164-49270)*

## Test Methods For Determining Halogen Content Of Used Oil

METHOD NUMBER	PROCEDURE
<b>TOTAL HALOGENS</b>	
Method 9075	XRF Spectrometry
Method 9076	Oxidative combustion and microcoulometry
Method 9077	Clor-D-Tect 1000 Quanti-Clor Kit Clor-D-Tect Q4000
<b>INDIVIDUAL HALOGENS</b>	
Method 8021	GC/HECD Capillary column technique
Method 8010A	Packed column method

## USED OIL MANAGEMENT STANDARDS QUICK REFERENCE TABLE

REQUIREMENTS	Generators 335-14-17-.03	Transporters and Transfer Facilities 335-14-17-.05	Processors and Re-refiners 335-14-17-.06	Burners of Off-Specification Used Oil Fuel 335-14-17-.07	Marketers 335-14-17-.08
<b>Identification Number</b>	Required if the used oil generator generates a monthly average of 25 gallons or more.	Must obtain an EPA ID number and an AHWMMMA Used Oil Transporter Permit prior to first transporting used oil.	Must obtain and EPA ID number prior to first processing used oil.	Must obtain an EPA ID number prior to first burning off-spec used oil fuel. <sup>1</sup>	Must obtain an EPA ID number prior to first marketing used oil fuel.
<b>Hazardous Waste Determination</b>	Rebuttable Presumption	Rebuttable Presumption	Rebuttable Presumption	Rebuttable Presumption	Not Applicable <sup>2</sup>
<b>Storage</b>	<p>Used oil must be stored in containers, tanks, or units that are regulated under Chapters 335-14-5 or 6.</p> <p>Containers must always be closed except when necessary to add or remove used oil.</p> <p>Controls and practices to prevent spills and overflows from tanks must be used.</p> <p>Units used to store used oil must be in good condition and have no visible leaks.</p> <p>Aboveground tanks, containers, and UST fill pipes must be labeled "Used Oil."</p>	<p>Used oil must be stored in containers, tanks, or units that are regulated under Chapters 335-14-5 or 6.</p> <p>Containers must always be closed except when necessary to add or remove used oil.</p> <p>Controls and practices to prevent spills and overflows from tanks must be used.</p> <p>Units used to store used oil must be in good condition and have no visible leaks.</p> <p>Aboveground tanks, containers, and UST fill pipes must be labeled "Used Oil."</p> <p>Must comply with NFPA's "Flammable and Combustible Liquids Code", if applicable.</p>	Same as the storage requirement for Transporters and Transfer Facilities.	Same as the storage requirement for Transporters and Transfer Facilities.	Not Applicable <sup>2</sup>
<b>Secondary Containment</b>	Not Required	<p>Containers used to store used oil must be equipped with a secondary containment system. The system must consist of, at a minimum, dikes, berms or retaining walls; a floor; or an equivalent secondary containment system.</p> <p>The volume of a tank storage containment system must be large enough to hold 100% of the volume of the largest tank in its boundary.</p> <p>The containment system must be designed and operated to prevent entrance and or presence of sufficient run-on, precipitation, or leaked material to endanger the system's</p>	Same as the secondary containment requirement for Transporters and Transfer Facilities.	Same as the secondary containment requirement for Transporters and Transfer Facilities.	Not Applicable <sup>2</sup>

## USED OIL MANAGEMENT STANDARDS QUICK REFERENCE TABLE

REQUIREMENTS	Generators 335-14-17-.03	Transporters and Transfer Facilities 335-14-17-.05	Processors and Re-refiners 335-14-17-.06	Burners of Off-Specification Used Oil Fuel 335-14-17-.07	Marketers 335-14-17-.08
		capacity.			
<b>Closure</b>	Not Required	<p>Remove or decontaminate used oil residues in tanks and/or remove any containers holding used oil or used oil residues.</p> <p>Remove or decontaminate contaminated containment system components, soils, structures, and equipment. If all contaminated soil from a tank system cannot be removed or decontaminated, then must close in accordance with 335-14-6-.14(11).</p>	Same as the closure requirements for Transporters and Transfer Facilities.	Not Required	Not Applicable <sup>2</sup>
<b>Off-Site Transportation</b>	<p>Must use only transporters who have obtained an EPA ID number.</p> <p>May self-transport up to 55 gallons in own vehicle to a registered collection center or an aggregation point owned by the generator.</p> <p>May arrange for used oil to be transported by a transporter without an EPA ID number if the used oil is reclaimed under a tolling agreement and is transported only in a vehicle owned by the processor reclaiming the oil.</p>	<p>Must deliver used oil only to another used oil transporter, a used oil processor, or an off-specification used oil burner with an EPA ID number or an on-specification used oil burner.</p> <p>Must comply with all applicable DOT requirements in 49 CFR 171-180.</p>	Must use only transporters who have obtained an EPA ID number.	Not Applicable	Not Applicable <sup>2</sup>
<b>Shipment Tracking</b>	<p style="text-align: center;">Not Required</p> <p><i>The Department strongly recommends that used oil generators keep a log of used oil shipments that records the name and EPA ID number of the transporter, the date of the shipment, and the quantity of used oil shipped.</i></p>	<p>A record of each used oil pickup by the transporter, including:</p> <ol style="list-style-type: none"> <li>1) The name, address, and EPA ID number of the facility that provided the used oil for shipment;</li> <li>2) The quantity of used oil provided for shipment;</li> <li>3) The date of acceptance of the used oil for shipment; and</li> <li>4) The signature, dated on acceptance of the used oil for shipment, of a</li> </ol>	<p>A record of each used oil shipment accepted by the processor, including:</p> <ol style="list-style-type: none"> <li>1) The name, address, and EPA ID number of the transporter that delivered the shipment;</li> <li>2) The name, address, and EPA ID number of the facility that originally provided the used oil for shipment;</li> <li>3) The quantity of used oil accepted; and</li> <li>4) The date of acceptance of the used</li> </ol>	<p>A record of each used oil shipment, including:</p> <ol style="list-style-type: none"> <li>1) The name, address, and EPA ID number of the transporter that delivers the used oil fuel;</li> <li>2) The name, address, and EPA ID number of the facility that provided the used oil fuel for shipment;</li> <li>3) The quantity of used oil fuel accepted; and</li> </ol>	<p>A record of each off-specification used oil fuel shipment, including:</p> <ol style="list-style-type: none"> <li>1) The name, address, and EPA ID number of the transporter that accepts the used oil fuel for delivery;</li> <li>2) The name address, and EPA ID number of the destination facility for the shipment;</li> <li>3) The quantity of used oil fuel shipped; and</li> </ol>

**USED OIL MANAGEMENT STANDARDS QUICK REFERENCE TABLE**

<b>REQUIREMENTS</b>	<b>Generators 335-14-17-.03</b>	<b>Transporters and Transfer Facilities 335-14-17-.05</b>	<b>Processors and Re-refiners 335-14-17-.06</b>	<b>Burners of Off-Specification Used Oil Fuel 335-14-17-.07</b>	<b>Marketers 335-14-17-.08</b>
		<p>representative of the facility that provided the used oil for shipment.</p> <p>A record of each used oil shipment delivered, including:</p> <ol style="list-style-type: none"> <li>1) The name, address, and EPA ID number of the facility that received the used oil shipment;</li> <li>2) The quantity of used oil delivered;</li> <li>3) The date of delivery of the shipment; and</li> <li>4) The signature, dated on delivery of the shipment, of a representative of the facility that accepted the used oil.</li> </ol>	<p>oil.</p> <p>A record of each used oil shipment from the facility, including:</p> <ol style="list-style-type: none"> <li>1) The name, address, and EPA ID number of the transporter used to make the shipment;</li> <li>2) The name, address, and EPA ID number of the destination facility for the shipment;</li> <li>3) The quantity of used oil shipped; and</li> <li>4) The date of the shipment.</li> </ol>	<p>4) The date of acceptance of the used oil fuel.</p>	<p>4) The date the used oil fuel was shipped.</p> <p>A record of each on-specification used oil fuel shipment, including:</p> <ol style="list-style-type: none"> <li>1) The name and address of the facility the shipment of used oil fuel is directed to;</li> <li>2) The quantity of used oil fuel in the shipment;</li> <li>3) The date of the used oil fuel shipment;</li> <li>4) A cross-reference to the analysis or other information used to make the on-spec determination.</li> </ol>
<b>Additional Recordkeeping</b>	Not Required	<p>Records of analysis conducted or other information used to make the hazardous waste determination.</p>	<p>Records of analysis conducted or other information used to make the hazardous waste determination.</p> <p>Summary reports and details of each incident requiring implementation of the processors contingency plan.</p>	<p>Records of analysis conducted or other information used to make the hazardous waste determination.</p> <p>Copies of certifications provided to marketers. These certifications must be maintained for three years after the date of the receipt of the last shipment of used oil from the marketer.</p>	<p>Records of analysis conducted or other information used to make the hazardous waste determination.</p> <p>Records of analysis conducted or other information used to make the on-specification determination.</p> <p>Copies of certifications received from off-spec used oil fuel burners. These certifications must be maintained for three years after the date of providing the last shipment of used oil to the burner.</p>
<b>Reporting and Certification</b>	Not Required	<p>Report to the Department each even-numbered year the following information from the previous calendar year:</p> <ol style="list-style-type: none"> <li>1) The transporter's name, address, and EPA ID number;</li> <li>2) The calendar year covered by the report;</li> <li>3) The total quantity of used oil accepted for transport, the facilities to which the oil was transported, and the quantity delivered to each; and</li> <li>4) The approximate percentage of used oil transported that was derived from DIY sources.</li> </ol>	<p>Report to the Department each even-numbered year the following information from the previous calendar year:</p> <ol style="list-style-type: none"> <li>1) The processor's name, address, and EPA ID number;</li> <li>2) The calendar year covered by the report;</li> <li>3) The total quantity of used oil accepted for processing and the manner in which it was processed.</li> </ol>	<p>Provide to the marketer a one-time certification that the off-spec burner has notified the Department of his used oil activity and will only burn off-spec used oil fuel in a boiler or industrial furnace. Must provide the certification statement prior to receiving the first shipment of off-spec used oil fuel from the marketer.</p>	<p>Receive from off-spec used oil fuel burners a one-time certification that the off-spec burner has notified the Department of his used oil activity and will only burn off-spec used oil fuel in a boiler or industrial furnace. Must receive the certification statement prior to shipping the first shipment of off-spec used oil fuel to the burner.</p>

## USED OIL MANAGEMENT STANDARDS QUICK REFERENCE TABLE

- 1 – While Rule 335-14-17-.07 does not require a burner of off-specification used oil fuel to renotify if he has already notified due to his hazardous waste activities, Rule 335-14-17-.07(7) requires the burner to provide a certification to a marketer that he has notified the Department of his used oil activity.
- 2 – Because of the definition of “marketer”, a facility is seldom just a marketer. While Rule 335-14-17-.08 does not require a marketer to comply with this standard, the marketer may still be required to comply with the standard due to his other used oil activities (i.e., generation, transportation, processing, etc.).
- 3 – Facilities that store used oil may also be subject to the Spill Prevention, Control, and Countermeasures (ADEM Administrative Code, Division 6, Volume 1) and Underground Storage Tank (ADEM Administrative Code, Division 6, Volume 2) standards, as well as the Division 14 regulations.
- 4 – Unless specifically stated otherwise, all records must be kept for three years from the date of the record’s creation.