

Hazardous Waste Management

The Used Oil Generator

Information presented in this fact sheet is intended to provide a general understanding of the regulatory requirements governing generators of used oil. This information is not intended to replace, limit, or expand upon the complete regulatory requirements found in Division 14 of the Alabama Department of Environmental Management (ADEM) Administrative Code.

WHAT IS USED OIL?

According to ADEM Admin. Code R. 335-14-1-.02(1), 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. Materials containing or contaminated with used oil from which the used oil has been drained or removed but which still show visible signs of free-flowing oil are regulated as used oil.

TIP

The following items are NOT used oil:

- Animal fats and oils (bacon grease, for instance)
- Antifreeze
- Vegetable oil
- Waste oil (used or unused oil that is to be disposed)

WHAT IS A USED OIL GENERATOR?

ADEM Admin. Code R. 335-14-1-.02(1) defines a **Used Oil Generator** (UOG) as any person, by individual generation site, whose act or process produces used oil or whose act first causes used oil to become subject to regulation. There are three exceptions to this definition: 1) household do-it-yourselfers that change oil in their own vehicles, 2) vessels at sea or port, and 3) farmers that generate no more than 25 gallons of used oil per month. The requirements that apply to you as a UOG are found primarily in ADEM Admin. Code R. 335-14-17-.03.

SHOULD I HAVE AN EPA IDENTIFICATION NUMBER?

As a UOG, you are required to obtain an EPA Identification Number if you generate an average of more than 25 gallons of used oil per month in a calendar year. You can obtain an EPA Identification Number by submitting ADEM Form 8700-12, *Notification of Regulated Waste Activity*, in accordance with ADEM Admin. Code R. 335-14-17-.03(3). Thereafter, an annual notification is required based on the schedule found at ADEM Admin. Code R. 335-14-17-.03(3)(a). The ADEM Form 8700-12 is not considered complete without payment of all the appropriate fees specified in ADEM Admin. Code Chapter 335-1-6.

WHAT REGULATIONS APPLY TO MY USED OIL?

According to ADEM Admin. Code R. 335-14-17-.02(1)(a), the "Department presumes that used oil is to be recycled unless a used oil handler disposes of used oil or sends used oil for disposal." Based on this presumption, the regulations of ADEM Admin. Code Chapter 335-14-17 apply to used oil. In most cases, the hazardous waste regulations do not apply to used oil that is intended to be recycled. 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. Mixing used oil with other materials may be allowed, but the resultant mixture may no longer be regulated as used oil. Also, mixing hazardous waste with used oil may constitute treatment of a hazardous waste and this treatment may require the generator to comply with the applicable standards and permit requirements for hazardous waste treatment facilities. The following table is intended to assist in determining whether a particular lot of used oil is regulated under the used oil management standards or the hazardous waste regulations. Begin with STEP 1 and continue until you encounter STOP. At that point the determination is complete.

NOTE

Non-terne plated used oil filters that are not mixed with listed hazardous wastes are not hazardous waste if they have been gravity hot-drained by one of the following methods:

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

STEP	Used Oil / Hazardous Waste Determination	If YES, Go To STEP	If NO, Go To STEP
1	Is the used oil known to be mixed with a hazardous waste?	4	2
2	Does the used oil have 1000 ppm or less total halogens?	11	3
3	Can you prove the source of the halogens is not a listed hazardous waste?	11	12
4	Is the hazardous waste from the VSQG* that generated the used oil?	11	5
5	Does the hazardous waste exhibit only the Ignitability characteristic?	10	6
6	Is the hazardous waste listed only for Ignitability?	10	7
7	Is the hazardous waste listed for any reason other than Ignitability?	12	8
8	Does the mixture of used oil and hazardous waste exhibit any characteristic of hazardous waste?	12	9
9	The material is regulated as USED OIL, but mixing is treatment without a permit	STOP	
10	Does the mixture of used oil and hazardous waste exhibit the Ignitability characteristic?	12	11
11	The material is regulated as USED OIL	STOP	
12	The material is regulated as HAZARDOUS WASTE	STOP	

* A Very Small Quantity Generator of hazardous waste is subject to ADEM Admin. Code R. 335-14-3-.01(4)

WHAT ACTIVITIES AM I ALLOWED TO PERFORM WITH MY USED OIL?

- Filter, clean, or recondition used oil prior to reuse or burning in a space heater
- Separate used oil from wastewater generated on-site
- Use oil mist collectors to remove oil droplets from in-plant air
- Remove used oil from materials containing used oil
- Burn used oil in certain space heaters (≤ 0.5 million BTU/hr.; vented to ambient air)
- Mix used oil with diesel fuel for use in your own vehicles

TIP

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

MAY I USE MY USED OIL FOR DUST SUPPRESSION?

No, the use of used oil as a dust suppressant is expressly prohibited by ADEM Admin. Code R. 335-14-17-.02(3)(b).

WHAT ARE MY TIME AND QUANTITY ACCUMULATION LIMITS?

You are allowed to accumulate your used oil on-site with no limit on the time or quantity.

HOW MAY I STORE MY USED OIL?

Storage of used oil is allowed in containers, tanks, and other units subject to regulation under ADEM Admin. Code Chapters 335-14-5 and 335-14-6. Containers and tanks should be in good condition (no severe rusting), free of visible leaks, and marked with the words "Used Oil" (legible from at least 25 feet). Also, containers should be kept closed, except when adding or removing used oil. When utilizing tanks for storage, you should use appropriate controls and/or practices to prevent spills and overflows.

NOTE

Underground tanks storing used oil are also subject to the standards found at ADEM Admin. Code Chapter 335-6-15 (UST program).

HOW SHOULD I RESPOND TO RELEASES OF USED OIL?

- Stop the release
- Contain the released used oil
- Clean up and properly manage the released used oil and other waste materials
- Repair or replace any leaking used oil storage unit prior to returning it to service

NOTE

You may also be subject to the Spill Prevention, Control, and Countermeasure requirements of 40 CFR Part 112, including the requirement for secondary containment, if you store more than 1,320 gallons of oil.

WHAT SHOULD I DO WHEN SHIPPING USED OIL OFF-SITE?

With few exceptions, your used oil should only be transported by someone possessing an Alabama Used Oil Transport Permit. One exception is if your used oil is transported pursuant to an approved tolling arrangement. Another exception is if you transport your used oil yourself. Refer to ADEM Admin. Code R. 335-14-17-3-.03(6) for more information regarding off-site shipments of used oil.

WHAT RECORDS AM I REQUIRED TO KEEP?

You should keep records of any test results, waste analyses, or other determinations made in order to demonstrate the regulatory status (i.e., used oil, solid waste, hazardous waste) of your used oil. Also, while not specifically required, it would be prudent to maintain a log of your used oil shipments, including the name and EPA Identification Number of the transporter, quantity of used oil shipped, and the date of shipment.

WHERE CAN I GET ADDITIONAL INFORMATION?

Alabama Department of Environmental Management: <http://www.adem.state.al.us>

United States Environmental Protection Agency: <http://www.epa.gov>

ADEM Administrative Code Division 14 (<http://www.adem.state.al.us/alEnviroRegLaws/files/Division14.pdf>)

ADEM Guidance (<http://www.adem.state.al.us/programs/land/guidanceReports.cnt>):

Notification of Regulated Waste Activity Hazardous Waste: The Basics Hazardous Waste Determination
Standards for the Management of Used Oil Handbook Small Quantity Hazardous Waste Generator's Handbook



Telephone:

ADEM Ombudsman •••••••••••••••••••• 800-533-ADEM (2336)

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