



Environmental Fact Sheet

Management Standards Issued To Control Potential Risks from Recycled Used Oil—No Hazardous Waste Listing

The Environmental Protection Agency (EPA) has issued management standards for recycled used oil that protect human health and the environment while promoting recovery of this valuable commodity. These management standards avoid unnecessary regulatory and financial burdens on the used oil recycling industry—particularly service station dealers.

Action

EPA has issued management standards for recycled used oil that provide strong safeguards against any potential types of mishandling that may occur. The management standards address potentially unsafe practices associated with improper storage of used oil, road oiling, and contamination of used oil from hazardous waste. By controlling these practices with management standards, listing recycled used oil as a hazardous waste is unnecessary.

The management standards cover all segments of the used oil recycling system, and are codified in a new Part 279 of Title 40 of the *Code of Federal Regulations* (CFR). While generators are the largest segment of this industry, the most stringent standards apply to used oil processors and re-refiners because they handle the largest quantities of used oil. The standards are not expected to cause major economic impacts, but are designed to correct and control certain practices. They prohibit storage in unlined surface impoundments and road oiling (except in states authorized to manage their own hazardous waste programs).

Requirements for Service Stations and Other Generators

A generator is any business which produces used oil through commercial or industrial operations, or that collects it from these operations or private households. Besides vehicle repair shops and service stations, some of the more common examples of used oil

generators are military motorpools; taxi, bus, and delivery companies; and shipyards. People who change their own oil (do-it-yourselfers) are not covered, nor are farmers who generate an average of 25 gallons or less of used oil per month in a calendar year. Approximately 700,000 facilities qualify as generators.

Generators simply must:

- Keep storage tanks and containers in good condition;
- Label storage tanks, "used oil";
- Clean up any used-oil spills or leaks to the environment; and
- Use a transporter with an EPA identification (ID) number when shipping used oil off-site.

Service station dealers that comply with these requirements, that send used oil for recycling, and that accept used oil from do-it-yourselfers are not liable for emergency response costs or damages resulting from threatened or actual releases of used oil from subsequent handling of the oil. EPA believes relief from this particular regulatory burden will encourage more service station dealers to collect used oil, thereby increasing used oil recycling by the consumer sector.

Requirements for Processors and Re-refiners

Used oil processors and re-refiners handle and store large quantities of used oil for a wide variety of purposes. Consequently, data suggest that damage from mismanagement of used oil at these facilities is not uncommon, and that stronger controls are necessary. Approximately 300 facilities must comply with these management standards.

Requirements for these facilities include:

- Obtaining an EPA ID number and notifying the Agency of any activities concerning used oil;
- Maintaining storage tanks and containers in good condition, and labeling them "used oil";
- Processing and storing used oil in areas with oil-impervious flooring and secondary containment structures (such as berms, ditches, or retaining walls);
- Clean up any used oil spills or leaks to the environment;
- Preparing a plan and a schedule for testing used oil for halogen content;
- Tracking incoming used oil and out-going recycled used oil products;
- Maintaining certain records and biennial reporting;
- Managing used oil processing and re-refining residues safely; and
- Ensuring that the facility is properly closed when recycling operations cease.

Requirements for Transporters, Collectors, and Burners of Off-Specification Used Oil

A used oil transporter or collector is any person who transports used oil to another site for recycling. Transfer facilities that are holding

areas, such as loading docks and parking and storage areas, must comply with the transporter requirements when used oil shipments are held for more than 24 hours in route to their final destination. Generators who transport less than 55 gallons of their own used oil are exempt from the transporter requirements.

Approximately 400 transporters and collectors also must obtain an EPA ID number and notify the Agency of any activities concerning used oil; maintain storage tanks and containers in good condition, and label them "used oil"; process and store used oil in areas with oil-impervious flooring and secondary containment structures (such as berms or ditches); clean up any used oil spills or leaks to the environment; and track incoming used oil and out-going used oil. In addition, transporters and collectors must:

- Limit storage at transfer facilities to 35 days and
- Test waste in storage tanks that are no longer in service for hazardous characteristics, and, if wastes are hazardous, close them according to existing hazardous waste management requirements.

Used oil burners must comply with the same storage requirements as transporters. Less than 1,000 facilities burn off-specification used oil. Standards for these burners are recodified from 40 CFR Part 266 to 40 CFR Part 279. The Agency plans additional study on used oil burned as fuel.

Requirements for Used Oil Marketers

Marketers of used oil were regulated in 1985. These standards are recodified from 40 CFR Part 266, Subpart E to 40 CFR Part 279. There are no major changes to existing requirements.

Conclusion

In May 1992, EPA determined that listing used oil destined for disposal as a hazardous waste was unnecessary. Combined with that rule, this action fulfills EPA's statutory mandate under the Used Oil Recycling Act of 1980. These management standards—working in tandem with existing laws and regulations—effectively control potential risks while promoting used oil recycling.

Contact

For additional information or to order a copy of the *Federal Register* notice, contact the RCRA Hotline, Monday-Friday, 8:30 a.m. to 7:30 p.m. EST. The national, toll-free number is (800) 424-9346; TDD (800) 553-7672 (hearing impaired); in Washington, D.C., the number is (703) 920-9810, TDD (703) 486-3323.

Copies of documents applicable to this rule may be obtained by writing: RCRA Information Center (RIC), U.S. Environmental Protection Agency, Office of Solid Waste (OS-305), 401 M Street SW, Washington, D.C. 20460.

