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Environmental Protection
Agency

Enforcement and
Compliance Assurance
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March 2000

Protocol for Conducting Environmental Compliance Audits of Used Oil and Universal Waste Generators under the Resources Conservation and Recovery Act

EPA Office of Compliance

Notice

The statements in this document are intended solely as guidance to aid regulated entities in complying with the regulations. The guidance is not a substitute for reading the regulations and understanding all the requirements as it applies to your facility. This guidance does not constitute rulemaking by the U.S. EPA and may not be relied on to create a substantive or procedural right or benefit enforceable, at law or in equity, by any person. U.S. EPA may decide to update this guide without public notice to reflect changes in U.S. EPA's approach to implementing the regulations or to clarify and update text. To determine whether U.S. EPA has revised this document and/or to obtain copies, contact U.S. EPA's Center for Environmental Publications at 1(800) 490-9198. Additional information regarding U.S. EPA Hotlines and further assistance pertaining to the specific rules discussed in this document can be found at the end of the *Key Compliance Requirements* located in Section II. **The contents of this document reflect regulations issued as of March 13, 2000**.

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Section I
Introduction

Background

The Environmental Protection Agency (U.S. EPA) is responsible for ensuring that businesses and organizations comply with federal laws that protect the public health and the environment. U.S. EPA's Office of Enforcement and Compliance Assurance (OECA) has begun combining traditional enforcement activities with more innovative compliance approaches including the provision of compliance assistance to the general public. U.S. EPA's Office of Compliance Assistance was established in 1994 to focus on compliance assistance-related activities. U.S. EPA is also encouraging the development of self-assessment programs at individual facilities. Voluntary audit programs play an important role in helping companies meet their obligation to comply with environmental requirements. Such assessments can be a critical link, not only to improved compliance, but also to improvements in other aspects of an organization's performance. For example, environmental audits may identify pollution prevention opportunities that can substantially reduce an organization's operating costs. Environmental audits can also serve as an important diagnostic tool in evaluating a facility's overall environmental management system or EMS.

U.S. EPA is developing 13 multi-media Environmental Audit Protocols to assist and encourage businesses and organizations to perform environmental audits and disclose violations in accordance with OECA's Audit and Small Business Policies. The audit protocols are also intended to promote consistency among regulated entities when conducting environmental audits and to ensure that audits are conducted in a thorough and comprehensive manner. The protocols provide detailed regulatory checklists that can be customized to meet specific needs under the following primary environmental management areas:

- Generation of RCRA Hazardous Waste
- Treatment Storage and Disposal of RCRA Hazardous Waste
- EPCRA
- CERCLA
- Clean Air Act
- Clean Water Act
- Safe Drinking Water Act
- TSCA
- Universal Waste and Used Oil
- Managing Nonhazardous Solid Waste
- Pesticides Management (FIFRA)
- Management of Toxic Substances (e.g., PCBs, lead-based paint, and asbestos)
- RCRA Regulated Storage Tanks

Who Should Use These Protocols?

U.S. EPA has developed these audit protocols to provide regulated entities with specific guidance in periodically evaluating their compliance with federal environmental requirements. The specific application of this particular protocol, in terms of which media or functional area it applies to, is described in Section II under "Applicability".

The Audit Protocols are designed for use by individuals who are already familiar with the federal regulations but require an updated comprehensive regulatory checklist to conduct environmental ***compliance*** audits at regulated facilities. Typically, compliance audits are performed by persons who are not necessarily media or legal experts but instead possess a working knowledge of the regulations and a familiarity with the operations and practices of the facility to be audited. These two basic skills are a prerequisite for adequately identifying areas at the facility subject to environmental regulations and potential regulatory violations that subtract from the organizations environmental performance. With these basic skills, audits can be successfully conducted by persons with various educational backgrounds (e.g., engineers, scientists, lawyers, business owners or operators). These protocols are not intended to be a substitute for the regulations nor are they intended to be instructional to an audience seeking a primer on the requirements under Title 40, however, they are designed to be sufficiently detailed to support the auditor's efforts.

The term "Protocol" has evolved over the years as a term of art among the professional practices of auditing and refers to the actual working document used by auditors to evaluate facility conditions against a given set of criteria (in this case the federal regulations). Therefore these documents describe "what" to audit a facility for rather than "how" to conduct an audit. To optimize the effective use of these documents, you should become familiar with basic environmental auditing practices. For more guidance on how to conduct environmental audits, U.S. EPA refers interested parties to two well known organizations: The Environmental Auditing Roundtable (EAR) and the Institute for Environmental Auditing (IEA).

Environmental Health and Safety Auditing Roundtable
35888 Mildred Avenue
North Ridgeville, Ohio 44039
(216) 327-6605

The Institute for Environmental Auditing
Box 23686
L'Enfant Plaza Station
Washington, DC 20026-3686

U.S. EPA's Public Policies that Support Environmental Auditing

In 1986, in an effort to encourage the use of environmental auditing, U.S. EPA published its "Environmental Auditing Policy Statement" (see 51 FR 25004). The 1986 audit policy states that "it is U.S. EPA policy to encourage the use of environmental auditing by regulated industries to help achieve and maintain compliance with environmental laws and regulation, as well as to help identify and correct unregulated environmental hazards." In addition, U.S. EPA defined environmental auditing as "a systematic, documented, periodic, and objective review of facility operations and practices related to meeting environmental requirements." The policy also identified several objectives for environmental audits:

- verifying compliance with environmental requirements,
- evaluating the effectiveness of in-place environmental management systems, and
- assessing risks from regulated and unregulated materials and practices.

In 1995, U.S. EPA published "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations" which both reaffirmed and expanded its 1986 audit policy. The 1995 audit policy offers major incentives for entities to discover, disclose and correct environmental violations. Under the 1995 policy, U.S. EPA will not seek gravity-based penalties or recommend criminal charges be brought for violations that are discovered through an "environmental audit" (as defined in the 1986 audit policy) or a management system reflecting "due diligence" and that are promptly disclosed and corrected, provided that other important safeguards are met. These safeguards protect health and the environment by precluding policy relief for violations that cause serious environmental harm or may have presented an imminent and substantial endangerment.

In 1996, U.S. EPA issued its "Final Policy on Compliance Incentives for Small Businesses". The policy is intended to promote environmental compliance among small businesses by providing them with special incentives to participate in U.S. EPA compliance assistance programs. Similar to the U.S. EPA Audit Policies, the Small Business Policy also encourages small businesses to conduct environmental audits, and then to promptly disclose and correct violations.

More information on U.S. EPA's Small Business and Audit/Self-Disclosure Policies are available by contacting U.S. EPA's Enforcement and Compliance Docket and Information Center at (202) 564-2614 or visiting the U.S. EPA web site at: http://es.EPA.gov/oeca/polguid/polguid 1.html

How to Use The Protocols

Each protocol provides guidance on key requirements, defines regulatory terms, and gives an overview of the federal laws affecting a particular environmental management area. They also include a checklist containing detailed procedures for conducting a review of facility conditions. The audit protocols are designed to support a wide range of environmental auditing needs; therefore several of the protocols in this set or sections of an individual protocol may not be applicable to a particular facility. To provide greater flexibility, each audit protocol can be obtained electronically from the U.S. EPA Website (www.EPA.gov/oeca/ccsmd/profile.html). The U.S. EPA Website offers the protocols in a word processing format which allows the user to custom-tailor the checklists to more specific environmental aspects associated with the facility to be audited.

The protocols are not intended to be an exhaustive set of procedures; rather they are meant to inform the auditor, about the degree and quality of evaluation essential to a thorough environmental audit. U.S. EPA is aware that other audit approaches may also provide an effective means of identifying and assessing facility environmental status and in developing corrective actions.

It is important to understand that there can be significant overlap within the realm of the federal regulations. For example, the Department of Transportation (DOT) has established regulations governing the transportation of hazardous materials. Similarly, the Occupational Safety and Health Administration (OSHA) under the U.S. Department of Labor has promulgated regulations governing the protection of workers who are exposed to hazardous chemicals. There can also be significant overlap between federal and state environmental regulations. In fact, state programs that implement federally mandated programs may contain more stringent requirements that are not included in these protocols. There can also be multiple state agencies regulating the areas covered in these protocols. The auditor also should determine which regulatory agency has authority for implementing an environmental program so that the proper set of regulations is consulted. Prior to conducting the audit, the auditor should review federal, state and local environmental requirements and expand the protocol, as required, to include other applicable requirements not included in these documents.

Review of Federal Legislation and Key Compliance Requirements:

These sections are intended to provide only supplementary information or a "thumbnail sketch" of the regulations and statutes. These sections are not intended to function as the main tool of the protocol (this is the purpose of the checklist). Instead, they serve to remind the auditor of the general thrust of the regulation and to scope out facility requirements covered by that particular regulation. For example, a brief paragraph describing record keeping and reporting requirements and the associated subpart citations will identify and remind the auditor of a specific area of focus at the facility. This allows the auditor to plan the audit properly and to identify key areas and documents requiring review and analysis.

State and Local Regulations:

Each U.S. EPA Audit Protocol contains a section alerting the auditor to typical issues addressed in state and local regulations concerning a given topic area (e.g., RCRA and used oil). From a practical standpoint, U.S. EPA cannot present individual state and local requirements in the protocols. However, this section does provide general guidance to the auditor regarding the division of statutory authority between U.S. EPA and the states over a specific media. This section also describes circumstances where states and local governments may enact more stringent requirements that go beyond the federal requirements.

U.S. EPA cannot overemphasize how important it is for the auditor to take under consideration the impact of state and local regulations on facility compliance. U.S. EPA has delegated various levels of authority to a majority of the states for most of the federal regulatory programs including enforcement. For example, most facilities regulated under RCRA, and/or CWA have been issued permits written by the states to ensure compliance with federal and state regulations. In turn, many states may have delegated various levels of authority to local jurisdictions. Similarly, local governments (e.g., counties, townships) may issue permits for air emissions from the facility. Therefore, auditors are advised to review local and state regulations in addition to the federal regulations in order to perform a comprehensive audit.

Key Terms and Definitions:

This section of the protocol identifies terms of art used in the regulations and the checklists that are listed in the "Definitions" sections of the Code of Federal Regulations (CFR). It is important to note that not all definitions from the CFR may be contained in this section, however; those definitions which are commonly repeated in the checklists or are otherwise critical to an audit process are included. Wherever possible, we have attempted to list these definitions as they are written in the CFR and not to interpret their meaning outside of the regulations.

The Checklists:

The checklists delineate what should be evaluated during an audit. The left column states either a requirement mandated by regulation or a good management practice that exceeds the requirements of the federal regulations. The right column gives instructions to help conduct the evaluation. These instructions are performance objectives that should be accomplished by the auditor. Some of the performance objectives may be simple documentation checks that take only a few minutes; others may require a time-intensive physical inspection of a facility. The checklists contained in these protocols are (and must be) sufficiently detailed to identify any area of the company or organization that would potentially receive a notice of violation if compliance is not achieved. For this reason, the checklists often get to a level of detail such that a specific paragraph of the subpart (e.g., 40 CFR 262.34(a)(1)(i)) contained in the CFR is identified for verification by the auditor. The checklists contain the following components:

- **"Regulatory Requirement or Management Practice Column"**
  The "Regulatory Requirement or Management Practice Column" states either a requirement mandated by regulation or a good management practice that exceeds the requirements of the Federal regulations. The regulatory citation is given in parentheses after the stated requirement. Good management practices are distinguished from regulatory requirements in the checklist by the acronym (MP) and are printed in italics.

- **"Reviewer Checks" Column:**
  The items under the "Reviewer Checks:" column identify requirements that must be verified to accomplish the auditor's performance objectives. (*The key to successful compliance auditing is to verify and document site observations and other data.)* The checklists follow very closely with the text in the CFR in order to provide the service they are intended to fulfill (i.e., *to be used for compliance auditing).* However, they are not a direct recitation of the CFR. Instead they are organized into more of a functional arrangement (e.g.,

record keeping and reporting requirements vs. technical controls) to accommodate an auditor's likely sequence of review during the site visit. Wherever possible, the statements or items under the "Reviewer Checks" column, will follow the same sequence or order of the citations listed at the end of the statement in the "Regulatory Requirement" column.

- **"NOTE:" Statements**
  "Note:" statements contained in the checklists serve several purposes. They usually are distinguished from "Verify" statements to alert the auditor to *exceptions or conditions* that may affect requirements or to referenced standards that are not part of Title 40 (e.g., American Society for Testing and Materials (ASTM) standards). They also may be used to identify options that the regulatory agency may choose in interacting with the facility (e.g., permit reviews) or options the facility may employ to comply with a given requirement.

- **Checklist Numbering System**:
  The checklists also have a unique numbering system that allows the protocols to be more easily updated by topic area (e.g., RCRA Small Quantity Generator). Each topic area in turn is divided into control breaks to allow the protocol to be divided and assigned to different teams during the audit. This is why blank pages may appear in the middle of the checklists. Because of these control breaks, there is intentional repetition of text (particularly "Note" Statements) under the "Reviewer Checks" column to prevent oversight of key items by the audit team members who may be using only a portion of the checklist for their assigned area.

Updates:

Environmental regulations are continually changing both at the federal and state level. For this reason, it is important for environmental auditors to determine if any new regulations have been issued since the publication of each protocol document and, if so, amend the checklists to reflect the new regulations. Auditors may become aware of new federal regulations through periodic review of Federal Register notices as well as public information bulletins from trade associations and other compliance assistance providers. In addition, U.S. EPA offers information on new regulations, policies and compliance incentives through several Agency Websites. Each protocol provides specific information regarding U.S. EPA program office websites and hotlines that can be accessed for regulatory and policy updates.

U.S. EPA will periodically update these audit protocols to ensure their accuracy and quality. Future updates of the protocols will reflect not only the changes in federal regulations but also public opinion regarding the usefulness of these documents. Accordingly, the Agency would like to obtain feedback from the public regarding the format, style and general approach used for the audit protocols. The last appendix in each protocol document contains a user satisfaction survey and comment form. This form is to be used by U.S. EPA to measure the success of this tool and future needs for regulatory checklists and auditing materials.

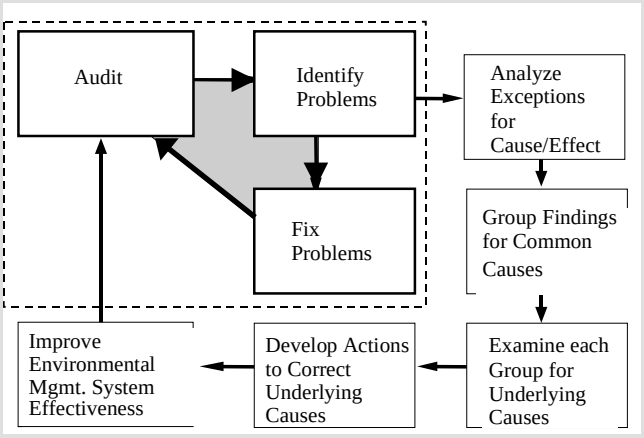
The Relationship of Auditing to Environmental Management Systems

An environmental auditing program is an integral part of any organization's environmental management system (EMS). Audit findings generated from the use of these protocols can be used as a basis to implement, upgrade, or benchmark environmental management systems. Regular environmental auditing can be the key element to a high quality environmental management program and will function best when an organization identifies the "root causes" of each audit finding. Root causes are the primary factors that lead to noncompliance events. For example a violation of a facility's wastewater discharge permit may be traced back to breakdowns in management oversight, information exchange, or inadequate evaluations by untrained facility personnel.

As shown in Figure 1, a typical approach to auditing involves three basic steps: conducting the audit, identifying problems (audit findings), and fixing identified deficiencies. When the audit process is expanded, to identify and correct root causes to noncompliance, the organization's corrective action part of its EMS becomes more effective. In the expanded model, audit findings (exceptions) undergo a root cause analysis to identify underlying causes to

noncompliance events. Management actions are then taken to correct the underlying causes behind the audit findings and improvements are made to the organizations overall EMS before another audit is conducted on the facility. Expanding the audit process allows the organization to successfully correct problems, sustain compliance, and prevent discovery of the same findings again during subsequent audits. Furthermore, identifying the root cause of an audit finding can mean identifying not only the failures that require correction but also successful practices that promote compliance and prevent violations. In each case a root cause analysis should uncover the failures while promoting the successes so that an organization can make continual progress toward environmental excellence.

Figure 1 - Expanded Corrective Action Model



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Section II
Audit Protocol

Applicability

This audit protocol applies to facilities that generate, store, transport, treat, or dispose of any type of universal waste or used oil. For facilities that import, export, and/or participate in the transfrontier shipment of hazardous and universal waste, U.S. EPA has prepared guidance and audit checklists in a separate protocol titled Protocol for Conducting Environmental Compliance Audits of Hazardous Waste Generators (Document No. EPA-305-B-98-005).

Not all checklist items will be applicable to a given facility. Guidance is provided in the checklists to direct the auditor to the regulations typically applicable to the type of universal waste and/or used oil activities on the site.

There are numerous environmental regulatory requirements administered by federal, state, and local governments. Each level of government may have a major impact on areas at the facility that are subject to the audit. Auditors are advised to review federal, state, and local regulations in order to perform a comprehensive audit.

Review of Federal Legislation

Resource Conservation and Recovery Act
The Resource Conservation and Recovery Act (RCRA) of 1976, which amended the Solid Waste Disposal Act, addresses nonhazardous (Subtitle D) and hazardous (Subtitle C) waste management activities. The Hazardous and Solid Waste Amendments (HSWA) of 1984 strengthened RCRA's waste management provisions and added Subtitle I, which governs underground storage tanks (USTs).

Regulations promulgated pursuant to Subtitle C of RCRA (40 CFR 260 through 299) establish a "cradle-to-grave" system governing hazardous waste from the point of generation to disposal. RCRA hazardous wastes include the specific materials listed in the regulations (commercial chemical products designated with the code "P" or "U", hazardous wastes from specific industries/sources designated with the code "K", or hazardous wastes from non-specific sources, designated with the code "F") or materials that exhibit a hazardous waste characteristic (ignitability, corrosivity, reactivity, or toxicity and designated with the code "D").

Regulated entities that generate hazardous waste are subject to waste accumulation, manifesting, and record keeping standards. Facilities generally must obtain a permit either from U.S. EPA or from a state agency that U.S. EPA has authorized to implement the permitting program if they store hazardous wastes for more than 90 days before treatment or disposal. Facilities may operate less- than-90-day tanks or containers of hazardous wastes without a permit. Subtitle C permits contain general facility standards, such as contingency plans, emergency procedures, record keeping and reporting requirements, financial assurance mechanisms, and unit-specific standards. RCRA also contains provisions (40 CFR 264, Subpart S and Section 264.101) for conducting corrective actions that govern the cleanup of releases of hazardous waste or constituents from solid waste management units at RCRA treatment, storage, and disposal facilities.

Many businesses and organizations may have numerous operations that result in the generation and management of different types of solid and hazardous waste. These operations may be subject to specific parts of RCRA, depending on the type of waste generated, its management (e.g., stored, transported), and its disposal. Most RCRA requirements are not industry specific but apply to any entity that generates, transports, treats, stores, or disposes of hazardous waste. The following are some important RCRA regulatory requirements:

- **Identification of Solid and Hazardous Wastes** (40 CFR 261) delineates the procedure every generator must follow in determining whether the material in question is considered a hazardous waste or solid waste or is exempted from regulation.

- **Standards for Generators of Hazardous Waste** (40 CFR 262) establish the responsibilities of hazardous waste generators. These include obtaining a U.S. EPA identification number, preparing a manifest, ensuring proper packaging and labeling, meeting standards for waste accumulation units, and meeting record keeping and reporting requirements. Providing they meet additional requirements described in 40 CFR 262.34, generators may accumulate hazardous waste for up to 90 days (or 180 or 270 days depending on the amount of waste generated and the distance the waste will be transported).

- **Land Disposal Restrictions** (LDRs) (40 CFR 268) are regulations prohibiting the disposal of hazardous waste on land without prior treatment. Under the LDR program, materials must meet LDR treatment standards prior to placement in a RCRA land disposal unit (landfill, land treatment unit, waste pile, or surface impoundment). Generators of waste subject to the LDR must provide notification of such to the designated TSD facility to ensure proper treatment prior to disposal.

- **Used Oil Management Standards** (40 CFR 279) impose management requirements affecting the storage, transportation, burning, processing, and re-refining of the used oil. For parties that merely generate used oil, regulations establish storage standards. For a party considered a used oil processor, re-refiner, burner, or marketer (one who generates and sells off-specification used oil directly to a used oil burner), additional tracking and paperwork requirements must be satisfied.

- **Tanks and Containers**, as well as any unit, used to store, treat, or dispose of hazardous waste, are regulated under RCRA. Tanks and containers used to store hazardous waste with a high volatile organic concentration must meet emission standards under RCRA. Regulations (40 CFR 264-265, Subpart CC) require generators to test the waste to determine the concentration of the waste, to satisfy tank and container emissions standards, and to inspect and monitor regulated units. These regulations apply to all facilities that store such waste, including large quantity generators accumulating waste prior to shipment off-site.

- **Underground Storage Tanks** containing petroleum and hazardous substances are regulated under Subtitle I of RCRA. Subtitle I regulations (40 CFR 280) contain tank design and release detection requirements, as well as financial responsibility and corrective action standards for USTs. The UST program also includes upgrade requirements for existing tanks that must be met by December 22, 1998.

- **Boilers and Industrial Furnaces** (BIFs) that use or burn fuel containing hazardous waste must comply with design and operating standards. BIF regulations (40 CFR 266, Subpart H) address unit design, provide performance standards, require emissions monitoring, and restrict the type of waste that may be burned.

- **Solid Waste Management** (RCRA Subtitle D) regulations establish standards and guidelines for solid waste collection and disposal programs, as well as recycling programs. The regulations also establish criteria for design, operation, maintenance, and closure for municipal solid waste landfills. In addition, the regulations provide requirements for thermal processing (incineration) and resource recovery facilities.

State/Local Regulations

Most states have met the U.S. Environmental Protection Agency (U.S. EPA) requirements in 40 CFR 271 and have been delegated U.S. EPA authority to administer RCRA requirements. RCRA encourages states to develop their own hazardous waste statutes and to operate regulatory programs. Many states have adopted the U.S. EPA regulations by reference or have promulgated regulations that are identical to the U.S. EPA regulations; other states have promulgated regulations stricter than the federal RCRA. These differences between individual state regulations and the federal program require that auditors check the status of the state's authorization and then determine which regulations apply. Because the checklists are based exclusively on the requirements of the federal RCRA/U.S. EPA

program, it is necessary to determine in what ways the applicable state program differs from the RCRA/U.S. EPA program.

Key Compliance Requirements

Universal Wastes (40 CFR 273)
These requirements apply to batteries, pesticides, and thermostats as defined in 40 CFR 273.2 through 273.4. They are alternate standards for the handling of these wastes instead of the requirements found in 40 CFR 260 through 272. Handlers can be classified as either a large quantity handler of universal waste (5000 kg or more in 1 yr) or a small quantity handler of universal waste (less than 5000 kg in 1 yr). Depending on classification, the handler has to meet requirements concerning management of the waste, accumulation, marking and labeling, notification, and transportation. Additionally, there are standards for universal waste transporters (40 CFR 273, Subpart D) and universal waste destination facilities (40 CFR 273, Subpart E). These regulations are only effective upon adoption by the state RCRA program, except in those areas without an authorized program.

Used Oil (40 CFR 279)
Although used oil has not been declared a hazardous waste at the federal level, it does need to be stored, handled, and documented according to specific requirements. The exact nature of the requirements depends on whether the facility is a used oil generator, a used oil collection center and aggregation point, a used oil transporter, a used oil burner, a used oil marketer, or a used oil processor/re-refiner.

For further information regarding the RCRA regulations, contact U.S. EPA's RCRA/UST, Superfund and EPCRA hotline at 800-424-9346 (or 703-412-9810 in the D.C. area) from 9 a.m. to 6 p.m., Monday through Friday.

This U.S. EPA hotline provide up-to-date information on regulations developed under RCRA, CERCLA (Superfund), and the Oil Pollution Act. The hotline can assist with Section 112(r) of the Clean Air Act (CAA) and Spill Prevention, Control, and Countermeasure (SPCC) regulations. The hotline also responds to requests for relevant documents and can direct the caller to additional tools that provide a more detailed discussion of specific regulatory requirements.

Key Terms and Definitions For Used Oil

Aboveground Tank
A tank used to store or process used oil that is not an underground storage tank as defined in 40 CFR 280.12 (40 CFR 279.1).

Container
Any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled (40 CFR 279.1).

Do-It-Yourself (DIY) Used Oil Collection Center
Any site or facility that accepts, aggregates, and stores used oil collected only from household DIYs (40 CFR 279.1).

Existing Tank
A tank that is used for the storage or processing of used oil and that is in operation, or for which installation has commenced on or prior to the effective date of the authorized used oil program for the state in which the tank is located. Installation will be considered to have commenced if the owner or operator has obtained all federal, state, and local approvals or permits necessary to begin installation of the tank and if either (1) A continuous on-site installation program has begun, or (2) The owner or operator has entered into contractual obligations (which cannot be canceled or modified without substantial loss) for installation of the tank to be completed within a reasonable time 40 CFR 279.1).

Household Do-It-Yourselfer Used Oil
Oil that is derived from households, such as used oil generated by individuals who generate used oil through the maintenance of their personal vehicles (40 CFR 279.1).

Household ``Do-It-Yourselfer'' Used Oil Generator
An individual who generates household ``do-it-yourselfer" used oil (40 CFR 279.1).

New Tank
A tank that will be used to store or process used oil and for which installation has commenced after the effective date of the authorized used oil program for the state in which the tank is located (40 CFR 279.1).

Off-Specification Oil
Used oil burned for energy recovery and any fuel produced from used oil by processing, blending, or other treatment, is subject to Part 279 requirements unless it is shown not to exceed the following allowable limits (40 CFR 279.11):

Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash point	100 °F minimum
Total halogens	4000 ppm maximum

Petroleum Refining Facility
An establishment primarily engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, and lubricants, through fractionation, straight distillation of crude oil, redistillation of unfinished petroleum derivatives, cracking or other processes (i.e., facilities classified as SIC 2911) (40 CFR 279.1).

Processing
Chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of fuel oils, lubricants, or other used oil-derived product. Processing includes, but is not limited to blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation, and re-refining (40 CFR 279.1).

Re-Refining Distillation Bottoms
The heavy fraction produced by vacuum distillation of filtered and dehydrated used oil. The composition of still bottoms varies with column operation and feedstock (40 CFR 279.1).

Tank
Any stationary device, designed to contain an accumulation of used oil which is constructed primarily of non-earthen materials, (e.g., wood, concrete, steel, plastic) which provides structural support (40 CFR 279.1).

Used Oil
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 (40 CFR 279.1).

Used Oil Aggregation Point
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 gal. Used oil aggregation points may also accept used oil from household DIYs (40 CFR 279.1).

Used Oil Burner
A facility where used oil not meeting the specification requirements in 40 CFR 279.11 is burned for energy recovery in devices identified in 40 CFR 279.61(a) (40 CFR 279.1).

Used Oil Collection Center
Any site or facility that is registered/licensed/ permitted/recognized by a state/county/municipal government to manage used oil and accepts/aggregates and stores used oil collected from used oil generators who bring used oil to the collection centers in shipments of no more than 55 gal. Used oil collection centers may accept used oil from household DIYs (40 CFR 279.1).

Used Oil Fuel Marketer
Any person who conducts either of the following activities (40 CFR 279.1):
1. directs a shipment of off-specification used oil from their facility to a used oil burner,
2. first claims that used oil that is to be burned for energy recovery meets used oil fuel specifications in 40 CFR 279.11.

Used Oil Generator
Any person, by site, whose act or process produces used oil or whose act first causes used oil to become subject to regulation (40 CFR 279.1)

Used Oil Processor/Re-Refiner
A facility that processes used oil (40 CFR 279.1).

Used Oil Transfer Facility
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 longer than 35 days during the normal course of transportation (40 CFR 279.1).

Used Oil Transporter
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 used oil transfer facilities. Used oil transporters may consolidate or aggregate loads of used oil for purposes of transportation, but, with the following exception, may not process used oil. Transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g., settling and water separation), but that are not designed to produce or make more amenable for production of used oil derived products or used oil fuel (40 CFR 279.1).

Key Terms and Definitions For Universal Waste

Battery
A device consisting of one or more electrically connected electrochemical cells which is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also includes an intact, unbroken battery from which the electrolyte has been removed (40 CFR 260.10 and 273.9).

For purposes of the universal waste rule, this term includes all batteries except the following (40 CFR 273.2(b)):
1. spent lead acid batteries that are managed under 40 CFR 266, Subpart G (reclamation of spent lead acid batteries that are recyclable)
2. batteries as defined above that are not yet wastes under 40 CFR 261, including those that do not meet the criteria for waste generation (see definition of Waste Battery below)

3. batteries as defined above that are not hazardous waste. A battery is a hazardous waste if it exhibits one or more of the characteristics identified in 40 CFR 261, Subpart C.

See also the definition of Waste Battery below.

Destination Facility
A facility that treats, disposes of, or recycles a particular category of universal waste, except small quantity handlers of universal waste batteries and thermostats, or a large quantity handlers of universal waste batteries or thermostats. A facility at which a particular category of universal waste is only accumulated is not a destination facility for the purposes of managing that category of universal waste (40 CFR 262.10 and 273.9).

Generator
Any person, by site, whose act or processes produces hazardous waste identified in 40 CFR 261 or whose act first causes a hazardous waste to become subject to regulation (40 CFR 273.6)

Lamp
The bulb or tube portion of an electric lighting device. A lamp is specifically designed to produce radiant energy, most often in the ultraviolet, visible, and infra-red regions of the electromagnetic spectrum. Examples of common universal waste electric lamps include, but are not limited to, fluorescent, high intensity discharge, neon, mercury vapor, high pressure sodium, and metal halide lamps (40 CFR 260.10, 273.9).
The following are exempted from the definition of lamp in relation to universal waste (40 CFR 273.5(b)):
1. lamps that are not yet wastes under 40 CFR 261 (see the definition of Waste Lamp)
2. lamps that are not hazardous waste. A lamp is a hazardous waste if it exhibits one or more of the characteristics identified in 40 CFR 261.

See also the definition of Waste Lamp.

Large Quantity Handler of Universal Waste
A universal waste handler who accumulates 5,000 kilograms or more total of universal waste (batteries, pesticides, thermostats, or lamps, calculated collectively) at any time. This designation as a large quantity handler of universal waste is retained through the end of the calendar year in which 5,000 kg or more total of universal waste is accumulated (40 CFR 273.9).

On-site
Means the same or geographically contiguous property which may be divided by public or private right-of-way, provided that the entrance and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along the right of way. Non-contiguous properties owned by the same person but connected by a right-of-way which he controls and to which the public does not have access, are also considered on-site property (40 CFR 273.6).

Pesticides
Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, or intended for use as a plant regulator, defoliant, or desiccant, other than any article that either (40 CFR 262.10 and 273.9):
1. is a new animal drug under FFDCA Section 201(w)
2. is an animal drug that has been determined by regulation of the Secretary of Human Health and Human Services not to be a new animal drug
3. is an animal feed under FFDCA section 201(x) that bears or contains any substances described by paragraph 1 or 2 of this definition.

Pesticides which are regulated as universal wastes include pesticides that are either (40 CFR 273.3(a)):
1. recalled pesticides that are stocks of a suspended and canceled pesticide that are a part of a voluntary or mandatory recall under FIFRA Section 19(b), including, but not limited to, those owned by the registrant responsible for conducting the recall

2. recalled pesticides that are stocks of a suspended or canceled pesticide, or a pesticide that is not in compliance with FIFRA, that are part of a voluntary recall by the registrant
3. stocks of other unused pesticide products that are collected and managed as a part of a waste pesticide collection program.

Pesticides which are not universal wastes include (40 CFR 273.3(b)):
1. the following pesticides when disposed of on a farmers own farm in a manner consistent with the label, and the container is triple rinsed:
   a) suspended or recalled pesticides that are a part of a voluntary or mandatory recall under FIFRA Section 19(b), including, but not limited to, those owned by the registrant responsible for conducting the recall
   b) stocks of suspended or canceled pesticide products that are not in compliance with FIFRA and are part of a voluntary recall by the registrant
   c) stocks of other unused pesticide products
2. pesticides not meeting the definition of a universal waste (these pesticides must be managed under hazardous waste regulations in 40 CFR 260-272)
3. pesticides that are not wastes under 40 CFR 261, including those who do not meet the criteria for waste generation or those that are not wastes (see the definition of Waste Pesticide below)
4. pesticides that are not a hazardous waste.

See also the definition of Waste Pesticide below.

Small Quantity Handler of Universal Waste
A universal waste handler who does not accumulate 5,000 kg or more total of universal waste (batteries, pesticides, thermostats, or lamps, calculated collectively) at any time (40 CFR 273.9).

Thermostat
A temperature control device that contains metallic mercury in an ampule attached to a bimetal sensing element, and mercury-containing ampules that have been removed from these temperature control devices in compliance with the requirements of 40 CFR 273.12(c)(2) or 273.33(c)(2) (40 CFR 262.10 and 273.9).

The following are exempted from the definition of thermostat in relation to universal waste (40 CFR 273.4(b)):
1. thermostats that are not yet wastes under 40 CFR 261 (see the definition of Waste Thermostat)
2. thermostats that are not hazardous waste.

See also the definition of Waste Thermostat.

Universal Waste
Any of the following hazardous wastes that are managed under the universal waste requirements of 40 CFR 273 (40 CFR 260.10 and 273.9):
1. Batteries as described in Sec. 273.2 (see definition of Battery)
2. Pesticides as described in Sec. 273.3 (see definition of Pesticides)
3. Thermostats as described in Sec. 273.4 (see definition of Thermostat)
4. Lamps as described in Sec. 273.5 (see definition of Lamp).

Universal Waste Handler
This term means either (40 CFR 273.9):
1. a generator of universal waste
2. the owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates universal waste, and sends universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

It does not mean:
1. a person who treats (except under the provisions of 40 CFR 273.13(a) or (c), or 273.33(a) or (c), disposes of, or recycles universal waste

2. a person engaged in off-site transportation of an universal waste by air, rail, highway, or water, including a universal waste transfer facility.

Universal Waste Transfer Facility
Any transportation related facility including loading docks, parking areas, storage areas, and other similar areas where shipments of universal waste are held during the normal course of transportation for 10 days or less (40 CFR 273.9).

Universal Waste Transporter
A person engaged in the off-site transportation of universal waste by air, rail, highway, or water (40 CFR 260.10 and 273.9).

Waste Battery
a used battery becomes a waste on the date that it is discarded (e.g., when sent for reclamation). An unused battery becomes a waste on the date the handler decides to discard it. See also the definition of Battery (40 CFR 273.2(c)).

Waste Lamp
A used lamp becomes a waste on the date it is discarded. An unused lamp becomes a waste on the date the handler decides to discard it (40 CFR 273.5(c)).

Waste Pesticides
This term applies as follows (40 CFR 273.3(c)):
1. a recalled pesticide described in 40 CFR 273.3(a)(1) becomes a waste on the first date on which both of the following conditions apply:
   a) the generator of the recalled pesticide agrees to participate in the recall; and
   b) the person conducting the recall decides to discard (e.g., burn the pesticides for energy recovery) the pesticides
2. stocks of unused pesticide products that are collected and managed as part of a waste pesticide collection program becomes a waste on the day the generator decides to discard it.

The following pesticides are not waste (40 CFR 273.3(d):
1. a recalled pesticide described in 40 CFR 273.3(a)(1), provided the person conducting the recall either:
   a) has not made a decision to discard (e.g., burn for energy recovery) the pesticide
   b) has made a decision to use a management option that, under 40 CFR 261.2, does not cause the pesticide to be a solid waste (i.e., the selected option is use (other than use constituting disposal), or reuse (other than burning for energy recovery), or reclamation)
2. unused pesticide products that are collected and managed as a part of a waste pesticide collection program if the generator of the unused pesticide product has not decided to discard (e.g., burn for energy recovery) them. These pesticides remain subject to the regulations under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

Waste Thermostats
A used thermostat becomes a waste on the date it is discarded (e.g., sent for reclamation). An unused thermostat becomes a waste on the date the handler decides to discard it (40 CFR 273.4(c)).

Typical Records To Review

- Universal waste transportation/shipping records
- Used oil analysis records
- Used oil transportation related documentation
- Manifests
- Shipment logs, invoices
- Material Safety Data Sheets (MSDSs)
- Inventory records

- Chemical hygiene plan (labs); and
- Spill records

Typical Physical Features To Inspect

- Universal waste storage areas
- Used oil storage areas
- Vehicle maintenance facilities
- Battery storage areas
- Building maintenance and repair shops
- Laboratories

List of Acronyms and Abbreviations

AST	Aboveground Storage Tank
Btu	British Thermal Units
CESQG	Conditionally Exempt Small Quantity Generator
CFC	Chloroflluorocarbons
CFR	Code of Federal Regulations
DIY	Do-It-Yourself
DOT	Department of Transportation
EPA	United States Environmental Protection Agency
FFDCA	Federal Food, Drug and Cosmetic Act
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
gal	Gallon
h	Hour
kg	Kilogram
Mbtu	million British thermal units
MP	Management Practice
NOV	Notice of Violation
NRC	National Response Center
OECD	Organization for Economic Cooperation and Development
OSHA	Occupational Safety and Health Act
PCB	Polychlorinate Biphenyls
PL	Public Law
POC	Point of Contact
ppm	Part Per Million
RCRA	Resource Conservation and Recovery Act
SIC	Standard Industrial Classification
SPCC	Spill Prevention Control and Countermeasures
SQG	Small Quantity Generator
USC	U.S. Code
U.S. EPA	United States Environmental Protection Agency
UST	Underground Storage Tank
yr	Year

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Checklist

COMPLIANCE CATEGORY UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS**
UU.1 **GENERAL**	
UU.1.1. The current status of any ongoing or unresolved consent orders, compliance agreements, notices of violation (NOVs), interagency agreements, or equivalent state enforcement actions is required to be examined.	Determine if noncompliance issues have been resolved by reviewing a copy of the previous report, consent orders, compliance agreements, NOVs, interagency agreements, or equivalent state enforcement actions. (NOTE: For those open items, indicate what corrective action is planned and milestones established to correct problems.)
UU.1.2. Facilities are required to comply with all applicable federal regulatory requirements not contained in this check list.	Determine if any new regulations have been issued since the finalization of this document. If so, annotate checklist to include new standards. Determine if the facility has activities or facilities that are regulated but not addressed in this checklist. Verify that the facility is in compliance with all applicable and newly issued regulations.
UU.1.3. Facilities are required to comply with state and local regulations concerning universal waste and used oil.	Verify that the facility is complying with state and local requirements if the state has adopted the universal waste rule. Determine if the state has adopted the universal waste rule. Verify that the facility is operating according to permits issued by the state or local agencies. (NOTE: Issues typically regulated by state and local agencies includes: – designation of additional universal wastes – identification of used oil as a hazardous waste.

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COMPLIANCE CATEGORY UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS**
SMALL QUANTITY UNIVERSAL WASTE HANDLERS **UU.10** **General**	(NOTE: The following waste may, at the option of the generator, be managed under the requirements of 40 CFR 273 (40 CFR 273.5(a)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – conditionally exempt small quantity generator wastes that are exempt under 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.) (NOTE: When the following wastes are commingled with universal wastes, the commingled wastes must be managed under 40 CFR 273 as universal waste (40 CFR 273.5(b)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – conditionally exempt small quantity generator wastes that are exempt under 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.)
UU.10.1. Small quantity handlers of universal waste, less than 5000 kg at any time, are generally prohibited from disposing, diluting, or treating universal wastes (40 CFR 273.11).	Determine if the facility is a small quantity handler of universal waste. Verify that the facility does not dispose of universal wastes on-site. Verify that, except when responding to a release or performing waste management activities outlined in 40 CFR 273.13 (see checklist item UU.20.1 through UU.20.5), the facility does not dilute or treat universal waste.
UU.10.2. Small quantity handlers of universal waste are required to meet specific accumulation time limits (40 CFR 273.15).	Verify that universal waste is not accumulated for more than 1 yr from the date that the universal waste is generated, or received from another handler. (NOTE: The 1 yr limit may be exceeded if the sole purpose is to accumulate such quantities as necessary to facilitate proper recovery, treatment, or disposal. However, the handler must be able to prove that this is the case.) Verify that the handler can demonstrate the length of time that the universal waste has been accumulated by one of the following methods: – placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received – marking or labeling each individual item of universal waste with the date it became waste or was received – maintaining an inventory system on-site that identifies the date each universal waste became a waste or was received

COMPLIANCE CATEGORY UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS**
	– maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received – placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received – any other method which clearly demonstrates the length of time that the universal waste has been accumulated from the date that it becomes a waste or was received.
UU.10.3. Small quantity handlers of universal waste are required to handle releases according to specific procedures (40 CFR 273.17).	Verify that all releases of universal waste and other universal waste residues are immediately contained. Verify that the handler determines if the material resulting from the release is a hazardous waste. Verify that if the material is determined to be a hazardous waste, it is managed as a hazardous waste in compliance with all applicable requirements of 40 CFR 260 through 272.
UU.10.4. Small quantity handlers of universal waste managing imported universal waste are required to meet specific parameters. (40 CFR 273.70(b) and 273.70(d)).	Determine if the small quantity handler of universal waste is receiving universal waste from a foreign country. Verify that the universal waste is handled according to all requirements applicable to small quantity handlers of universal waste (40 CFR 273, Subpart B) immediately after the waste enters the United States. (NOTE: If the universal waste was imported from an Organization for Economic Cooperation and Development (OECD) country as specified in 40 CFR 262.58(a)(1), the requirements of 40 CFR 262, Subpart H apply. The designated OECD countries are: Australia, Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, United Kingdom, and the United States. Canada and Mexico are considered OECD countries only for the purpose of transit.)

COMPLIANCE CATEGORY UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS**
SMALL QUANTITY UNIVERSAL WASTE HANDLERS **UU.20** **Specific Wastes**	(NOTE: The following waste may, at the option of the generator, be managed under the requirements of 40 CFR 273 (40 CFR 273.5(a)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – conditionally exempt small quantity generator wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.) (NOTE: When the following wastes are commingled with universal wastes, the commingled wastes must be managed under 40 CFR 273 as universal waste (40 CFR 273.5(b)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – conditionally exempt small quantity generator wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.)
UU.20.1. Small quantity handlers of universal waste are required to manage universal waste batteries according to specific parameters (40 CFR 273.12, 273.13(a)(1), and 273.13(a)(2)).	(NOTE: A small quantity handler of universal waste is not required to notify the U.S. EPA of universal waste handling activities.) (NOTE: Refer to the definition of Battery and Waste Battery.) Verify that universal waste batteries are managed in a way that prevents releases of any universal waste or component of a universal waste to the environment. Verify that batteries which show evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable condition are contained in a container. Verify that containers for batteries with leak potential are closed, structurally sound, compatible with the contents of the battery, and lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. Verify that, when conducting any of the following activities, the casing of each individual battery cell is not breached and remains intact and closed: – sorting batteries by type – mixing battery types in one container – discharging batteries so as to remove the electric charge – regenerating used batteries – disassembling batteries or battery packs into individual batteries or cells – removing batteries from consumer products – removing electrolyte from batteries.

COMPLIANCE CATEGORY UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS**
	(NOTE: Cells may be opened to remove electrolyte but must be immediately closed after removal.)
UU.20.2. Small quantity handlers of universal waste are required to manage the electrolyte from universal waste batteries and other solid wastes generated from battery management activities according to specific parameters (40 CFR 273.13(a)(3)).	Verify that, if the small quantity universal waste handler removes electrolyte from batteries or generates other solid waste (e.g., battery pack materials, discarded consumer products) as a result of battery management activities, the handler determines if any of the wastes exhibit the characteristics of a hazardous waste identified in 40 CFR 261, Subpart C. Verify that, if it does exhibit the characteristics of a hazardous waste, it is treated and handled as a hazardous waste pursuant to 40 CFR 260 through 272. Verify that, if the electrolyte or other solid waste is not a hazardous waste, it is managed in accordance with any other applicable state and federal laws and regulations.
UU.20.3. Small quantity handlers of universal waste are required to manage universal waste pesticides according to specific parameters (40 CFR 273.12 and 273.13(b)).	(NOTE: A small quantity handler of universal waste is not required to notify the U.S. EPA of universal waste handling activities.) (NOTE: Refer to the definition of Pesticides and Waste Pesticides.) Verify that universal waste pesticides are managed in a way that prevents releases of any universal waste or component of a universal waste to the environment. Verify that the pesticides are contained in one or more of the following: – a container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions (this is considered an appropriate container) – an inappropriate container that is overpacked in an appropriate container – a tank that meets the requirements of 40 CFR 265, Subpart J, except for 40 CFR 265.197(c) (tank closure plans), 40 CFR 265.200 (waste analysis and trial tests), and 40 CFR 265.201 (requirements for SQGs) – a transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

COMPLIANCE CATEGORY UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS**
UU.20.4. Small quantity handlers of universal waste are required to manage universal waste thermostats according to specific parameters (40 CFR 273.12 and 273.13(c)(1) and 273.13(c)(2)).	(NOTE: A small quantity handler of universal waste is not required to notify the U.S. EPA of universal waste handling activities.) (NOTE: Refer to the definition of Thermostat and Waste Thermostats.) Verify that universal waste thermostats are managed in a way that prevents releases of any universal waste or component of a universal waste to the environment. Verify that the thermostats are contained in a container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. Verify that, if the handler removes the mercury containing ampules, the following are met: – the ampules are removed in a manner designed to prevent breakage of the ampule – ampules are removed only over, or in, a containment device – ensures that a mercury cleanup system is readily available to immediately transfer any mercury spills or leaks from the containment device to an appropriate container per 40 CFR 262.34 – there is immediate transfer of any mercury spills or leaks from broken ampules to an appropriate container (40 CFR 262.34) – the area in which ampules are removed is well ventilated and monitored to ensure compliance with OSHA exposure levels for mercury – employees removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers – removed ampules are stored in closed, nonleaking containers that are in good condition – removed ampules are packed in the container with packing materials adequate to prevent breakage during storing, handling, and transportation.

COMPLIANCE CATEGORY UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS**
UU.20.5. Small quantity handlers of universal waste are required to manage the wastes from universal waste thermostats according to specific parameters (40 CFR 273.12 and 273.13(c)(3)).	Verify that, if the small quantity universal waste handler removes mercury containing ampules, the handler determines if the mercury or cleanup residues resulting from spills or leaks exhibit the characteristics of a hazardous waste identified in 40 CFR 261, Subpart C. Verify that, if the small quantity universal waste handler removes mercury containing ampules, the handler determines if the solid waste generated (e.g., remaining thermostat units) exhibit the characteristics of a hazardous waste identified in 40 CFR 261, Subpart C. Verify that, if it does exhibit the characteristics of a hazardous waste, it is treated and handled as a hazardous waste pursuant to 40 CFR 260 through 272. Verify that, if the mercury, residues, or other solid waste is not a hazardous waste, it is managed in accordance with any other applicable state and federal laws and regulations.
UU.20.6. Small quantity handlers of universal waste are required to manage universal waste lamps according to specific parameters (40 CFR 273.13(d)).	Verify that a small quantity handler of universal waste contains any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Verify that containers and packages remain closed and lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. Verify that a small quantity handler of universal waste immediately cleans up and places in a container any lamp that is broken and any lamp that shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment. Verify that containers are closed, structurally sound, compatible with the contents of the lamps and lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment under reasonably foreseeable conditions.

COMPLIANCE CATEGORY UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS**
SMALL QUANTITY UNIVERSAL WASTE HANDLERS **UU.30** **Personnel Training**	(NOTE: The following waste may, at the option of the generator, be managed under the requirements of 40 CFR 273 (40 CFR 273.5(a)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.) (NOTE: When the following wastes are commingled with universal wastes, the commingled wastes must be managed under 40 CFR 273 as a universal waste (40 CFR 273.5(b)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.)
UU.30.1. All employees who handle or have responsibility for managing universal wastes are required to be trained (40 CFR 273.16)	Verify that employees have been trained in the proper handling and emergency response procedures appropriate to the types of universal waste handled at the facility.

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COMPLIANCE CATEGORY UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS**
SMALL QUANTITY UNIVERSAL WASTE HANDLERS **UU.40** **Labeling and Marking**	(NOTE: The following waste may, at the option of the generator, be managed under the requirements of 40 CFR 273 (40 CFR 273.5(a)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.) (NOTE: When the following wastes are commingled with universal wastes, the commingled wastes must be managed under 40 CFR 273 as a universal waste (40 CFR 273.5(b)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.)
UU.40.1. Universal waste batteries are required to be labeled according to specific parameters (40 CFR 273.14(a)).	Verify that universal waste batteries (each battery), or a container in which the batteries are contained, are labeled or marked clearly with any one of the following phrases: – UNIVERSAL WASTE - BATTERY(IES) – WASTE BATTERY(IES) – USED BATTERY(IES).
UU.40.2. Universal waste pesticides are required to be labeled according to specific parameters (40 CFR 273.14(b) and 273.14(c)).	Verify that containers or multiple container package units, tanks, transport vehicles, or vessels in which recalled universal waste pesticides are contained are marked clearly with: – the label that was on or accompanied the product as sold or distributed – the words UNIVERSAL WASTE PESTICIDE(S) or WASTE PESTICIDE(s). Verify that the container, tanks, or transport vehicles or vessels in which unused pesticide products are contained are labeled or marked clearly with: – the label that was on the product when purchased, if still legible – if this is not feasible, the appropriate DOT label – if it is not feasible to use the original or DOT label, an alternate label prescribed or designated by the waste pesticide collection program administered or recognized by a state – the words UNIVERSAL WASTE - PESTICIDE(S) or WASTE PESTICIDE(S).

COMPLIANCE CATEGORY UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS**
UU.40.3. Universal waste thermostats are required to be labeled according to specific parameters (40 CFR 273.14(d)).	Verify that universal waste thermostats or containers in which the thermostats are contained are labeled or marked clearly with one of the following phrases: – UNIVERSAL WASTE - MERCURY THERMOSTAT(S) – WASTE MERCURY THERMOSTAT(S) – USED MERCURY THERMOSTAT(S). Verify that each lamp or a container or package in which lamps are contained is labeled or marked clearly with one of the following phrases: – UNIVERSAL WASTE - LAMP(S) – WASTE LAMP(S) – USED LAMP(S).

COMPLIANCE CATEGORY UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS**
SMALL QUANTITY UNIVERSAL WASTE HANDLERS **UU.50** **Transportation**	(NOTE: The following waste may, at the option of the generator, be managed under the requirements of 40 CFR 273 (40 CFR 273.5(a)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.) (NOTE: When the following wastes are commingled with universal wastes, the commingled wastes must be managed under 40 CFR 273 as a universal waste (40 CFR 273.5(b)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.)
UU.50.1. Off-site shipments of universal waste from small quantity handlers is required to be done according to specific parameters (40 CFR 273.18 and 273.19).	Verify that small quantity handlers of universal waste do not send or take universal waste to anyplace other than another universal waste handler, a destination facility, or a foreign destination. (NOTE: If the small quantity handler self-transports universal waste off-site, they have to comply with the requirements for transportation in 40 CFR 273.50 through 273.56 (see checklist items UU.150.1 through UU.150.6).) Verify that, if the universal waste being offered for off-site transportation meets the definition of hazardous materials under 49 CFR 171 through 180, the shipment is packaged, labeled, marked, and placarded, and that the proper shipping papers have been prepared under DOT regulations. Verify that, prior to sending the waste to another universal waste handler, the originating handler has ensured that the receiving handler agrees to receive the waste. Verify that, if the receiving handler rejects a waste shipment, the originating handler does one of the following: – receives the waste back when notified the shipment was rejected – agrees with the receiving handler on a destination facility to which the shipment will be sent. Verify that, if the receiving handler rejects a shipment or a portion of the shipment, the receiving handler notifies the originating handler to discuss reshipment of the load, and either: – sends the shipment back to the originating handler, or – if agreed by both originating and receiving handlers, sends the shipment to a

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	destination facility. Verify that, if a small quantity handler of universal waste receives a shipment containing hazardous waste that is not universal waste, the handler immediately notifies the regional U.S. EPA office of the illegal shipment and provides the name, address, and phone number of the originating shipper. (NOTE: If the handler receives a shipment of nonhazardous nonuniversal waste the handler may manage the waste in any way that is in compliance with federal, state, or local regulations.) (NOTE: A small quantity handler of universal waste is not required to keep records of shipments of universal waste.)
UU.50.2. Small quantity handlers of universal waste that send universal waste to a foreign destination are required to meet specific requirements (40 CFR 273.20).	Verify that, for universal waste being sent to a foreign destination other than an OECD country, the requirements in 40 CFR 262.53 (notification of intent to export), 40 CFR 262.56(a)(1) through (a)(4), (6) and (b) (annual reports), and 40 CFR 262.57 (recordkeeping) are met. Verify that, for universal waste being sent to an OECD country, the requirements of 40 CFR 262, Subpart H are met. (NOTE: U.S. EPA has provided audit checklists for 40 CFR 262, Subpart H requirements in a separate protocol titled Protocol for Conducting Environmental Compliance Audits of Hazardous Waste Generators (U.S. EPA Document No. EPA-305-B-98-005) (see Export/Import of Hazardous Waste, pgs. 64-71).) Verify that the receiving country has consented to accept the waste through an Acknowledgment of Consent. Verify that a copy of the U.S. EPA Acknowledgment of Consent for the shipment has been provided to the transporter.

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LARGE QUANTITY UNIVERSAL WASTE HANDLERS **UU.70** **General**	(NOTE: The following waste may, at the option of the generator, be managed under the requirements of 40 CFR 273 (40 CFR 273.5(a)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.) (NOTE: When the following wastes are commingled with universal wastes, the commingled wastes must be managed under 40 CFR 273 as a universal waste (40 CFR 273.5(b)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.)
UU.70.1. Large quantity handlers of universal waste, more than 5000 kg at any time, are generally prohibited from disposing, diluting, or treating universal wastes (40 CFR 273.31).	Determine if the facility is a large quantity handler of universal waste. Verify that the facility does not dispose of universal wastes on-site. Verify that, except when responding to a release or performing waste management activities outlined in 40 CFR 273.33 (see checklist items UU.80.1 through UU.80.5), the facility does not dilute or treat universal waste.
UU.70.2. Large quantity handlers of universal waste are required to meet specific accumulation time limits (40 CFR 273.35).	Verify that universal waste is not accumulated for more than 1 yr from the date that the universal waste is generated, or received from another handler. (NOTE: The 1 yr limit may be exceeded if the sole purpose is to accumulate such quantities as are necessary to facilitate proper recovery, treatment, or disposal. However, the handler must be able to prove that this is so.) Verify that the handler can demonstrate the length of time that the universal waste has been accumulated by one of the following methods: – placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received – marking or labeling each individual item of universal waste with the date it became waste or was received – maintaining an inventory system on-site that identifies the date each universal waste became a waste or was received – maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of

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	containers of universal waste became a waste or was received – placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received – any other method which clearly demonstrates the length of time that the universal waste has been accumulated from the date that it becomes a waste or was received.
UU.70.3. Large quantity handlers of universal waste are required to handle releases according to specific procedures (40 CFR 273.37).	Verify that all releases of universal waste and other universal waste residues are immediately contained. Verify that the handler determines if the material resulting from the release is a hazardous waste. Verify that if the material is hazardous waste, it is handled appropriately in accordance with all applicable requirements of 40 CFR 260 through 272.
UU.70.4. Large quantity handlers of universal waste managing imported universal waste are required to meet specific parameters. (40 CFR 273.70(b) and 273.70(d)).	Determine if the large quantity handler of universal waste is receiving universal waste from a foreign country. Verify that the imported universal waste is handled according all requirements applicable to large quantity handlers of universal waste immediately after the waste enters the United States. (NOTE: If the universal waste was imported from an OECD country as specified in 40 CFR 262.58(a)(1), the requirements of 40 CFR 262, Subpart H apply. The designated OECD countries are: Australia, Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, United Kingdom, and the United States. Canada and Mexico are considered OECD countries only for the purpose of transit.)

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LARGE QUANTITY UNIVERSAL WASTE HANDLERS **UU.80** **Specific Wastes**	(NOTE: The following waste may, at the option of the generator, be managed under the requirements of 40 CFR 273 (40 CFR 273.5(a)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.) (NOTE: When the following wastes are commingled with universal wastes, the commingled wastes must be managed under 40 CFR 273 as a universal waste (40 CFR 273.5(b)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.)
UU.80.1. Large quantity handlers of universal waste are required to manage universal waste batteries and other solid waste generated from battery management activities according to specific parameters (40 CFR 273.33(a)(1) and 273.33(a)(2)).	(NOTE: Refer to the definition of Battery and Waste Battery.) Verify that universal waste batteries are managed in a way that prevents releases of any universal waste or component of a universal waste to the environment. Verify that batteries that show evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable condition are contained in a container. Verify that containers are closed, structurally sound, compatible with the contents of the battery, and lack evidence of leakage, spillage, or damage that could cause leakage. Verify that, when conducting any of the following activities, the casing of each individual battery cell is not breached and remains intact and closed: – sorting batteries by type – mixing battery types in one container – discharging batteries so as to remove the electric charge – regenerating used batteries – disassembling batteries or battery packs into individual batteries or cells – removing batteries from consumer products – removing electrolyte from batteries. (NOTE: Cells may be opened to remove electrolyte but must be immediately closed after removal.)

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UU.80.2. Large quantity handlers of universal waste are required to manage the electrolyte from universal waste batteries according to specific parameters (40 CFR 273.33(a)(3)).	Verify that, if the large quantity universal waste handler removes electrolyte from batteries or generates other solid waste (e.g., battery pack materials, discarded consumer products) as a result of battery management activities, the handler determines if any of the wastes exhibit the characteristics of a hazardous waste identified in 40 CFR 261, Subpart C. Verify that, if it does exhibit the characteristics of a hazardous waste, it is treated and handled as a hazardous waste pursuant to 40 CFR 260 through 272. Verify that, if the electrolyte or other solid waste is not a hazardous waste, it is managed in accordance with any other applicable state and federal laws and regulations.
UU.80.3. Large quantity handlers of universal waste are required to manage universal waste pesticides according to specific parameters (40 CFR 273.33(b)).	(NOTE: Refer to the definition of Pesticide and Waste Pesticides.) Verify that universal waste pesticides are managed in a way that prevents releases of any universal waste or component of a universal waste to the environment. Verify that the pesticides are contained in one or more of the following: – a container that remains closed, structurally sound, compatible with the pesticide, and lacks evidence of leakage, spillage, or damage that could cause leak age under reasonably foreseeable conditions (NOTE: This is considered an appropriate container) – an inappropriate container that is overpacked in an appropriate container – a tank that meets the requirements of 40 CFR 265, Subpart J except for 40 CFR 265.197(c) (tank closure plans), 40 CFR 265.200 (waste analysis and trial tests), and 40 CFR 265.201 (requirements for SQGs) – a transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
UU.80.4. Large quantity handlers of universal waste are required to manage universal waste thermostats according to specific parameters (40 CFR 273.33(c)(1) and 273.33(c)(2)).	(NOTE: Refer to the definition of Thermostat and Waste Thermostat.) Verify that universal waste thermostats are managed in a way that prevents releases of any universal waste or component of a universal waste to the environment. Verify that the thermostats are contained in a container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spill age, or damage that could cause leakage under reasonably foreseeable conditions. Verify that, if the handler removes the mercury containing ampules, the following

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	are met: – the ampules are removed in a manner designed to prevent breakage of the ampule – ampules are removed only over, or in, a containment device – a mercury cleanup system is readily available to immediately transfer any mercury spills or leaks from the containment device to an appropriate container (i.e. one that meets the requirements under 40 CFR 262.34) – there is immediate transfer of any mercury spills or leaks from broken ampules to an appropriate container – the area in which ampules are removed is well ventilated and monitored to ensure compliance with OSHA exposure levels for mercury – employees removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures – removed ampules are stored in closed, nonleaking containers that are in good condition – removed ampule are packed in the container with packing materials adequate to prevent breakage during storing, handling, and transportation.
UU.80.5. Large quantity handlers of universal waste are required to manage the wastes from universal waste thermostats according to specific parameters (40 CFR 273.33(c)(3)).	Verify that, if the large quantity universal waste handler removes mercury containing ampules, the handler determines if the mercury or cleanup residues resulting from spills or leaks exhibits a characteristic of hazardous waste, identified in 40 CFR 261, Subpart C. Verify that, if the large quantity universal waste handler removes mercury containing ampules, the handler determines if the solid waste generated (e.g., remaining thermostat units) exhibits a characteristic of hazardous waste, identified in 40 CFR 261, Subpart C. Verify that, if it does exhibit the characteristics of a hazardous waste is treated and handled as a hazardous waste pursuant to 40 CFR 260 through 272. Verify that, if the mercury, residues, or other solid waste is not a hazardous waste, it is managed in accordance with any other applicable state and federal laws and regulations.

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LARGE QUANTITY UNIVERSAL WASTE HANDLERS **UU.90** **Personnel Training**	(NOTE: The following waste may, at the option of the generator, be managed under the requirements of 40 CFR 273 (40 CFR 273.5(a)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.) (NOTE: When the following wastes are commingled with universal wastes, the commingled wastes must be managed under 40 CFR 273 as a universal waste (40 CFR 273.5(b)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.)
UU.90.1. All employees who handle or have responsibility for managing universal wastes are required to be trained (40 CFR 273.36).	Verify that all employees have been trained in the proper handling and emergency response procedures relative to their responsibilities during normal facility operations and emergencies.

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LARGE QUANTITY UNIVERSAL WASTE HANDLERS **UU.100** **Labeling and Marking**	(NOTE: The following waste may, at the option of the generator, be managed under the requirements of 40 CFR 273 (40 CFR 273.5(a)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.) (NOTE: When the following wastes are commingled with universal wastes, the commingled wastes must be managed under 40 CFR 273 as a universal waste (40 CFR 273.5(b)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.)
UU.100.1. Universal waste batteries are required to be labeled according to specific parameters (40 CFR 273.34(a)).	Verify that universal waste batteries (each battery), or a container in which the batteries are contained, are labeled or marked clearly with any one of the following phrases: – UNIVERSAL WASTE - BATTERY(IES) – WASTE BATTERY(IES) – USED BATTERY(IES).
UU.100.2. Universal waste pesticides are required to be labeled according to specific parameters (40 CFR 273.34(b) and (c)).	Verify that containers or multiple container package units, tanks, transport vehicles, or vessels in which recalled universal waste pesticides are contained are marked clearly with: – the label that was on or accompanied the product as sold or distributed, and – the words UNIVERSAL WASTE PESTICIDE(S) or WASTE PESTICIDE(s). Verify that the container, tanks, or transport vehicles or vessels in which unused pesticide products are contained are labeled or marked clearly with: – the label that was on the product when purchased, if still legible – if this is not feasible, the appropriate DOT label – if it is not feasible to use the original or DOT label, then an alternate label prescribed or designated by the waste pesticide collection program administered or recognized by a state – the words UNIVERSAL WASTE - PESTICIDE(S) or WASTE PESTICIDE(S).

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UU.100.3. Universal waste thermostats are required to be labeled according to specific parameters (40 CFR 273.34 (d)).	Verify that universal waste thermostats or containers in which the thermostats are contained are labeled or marked clearly with one of the following phrases: – UNIVERSAL WASTE - MERCURY THERMOSTAT(S) – WASTE MERCURY THERMOSTAT(S) – USED MERCURY THERMOSTAT(S). Verify that each lamp or a container or package in which lamps are contained is labeled or marked clearly with one of the following phrases: – UNIVERSAL WASTE - LAMP(S) – WASTE LAMP(S) – USED LAMP(S).

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LARGE QUANTITY UNIVERSAL WASTE HANDLERS **UU.110** **Notifications**	(NOTE: The following waste may, at the option of the generator, be managed under the requirements of 40 CFR 273 (40 CFR 273.5(a)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.) (NOTE: When the following wastes are commingled with universal wastes, the commingled wastes must be managed under 40 CFR 273 as a universal waste (40 CFR 273.5(b)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.)
UU.110.1. Large quantity handlers of universal waste are required to perform specific notification activities (40 CFR 273.32).	Verify that the handler has sent written notification of universal waste management to the U.S. EPA or authorized regulatory agency and received an U.S. EPA identification number before meeting or exceeding the 5000 kg storage limit. (NOTE: In the following circumstances, the handler is not required to notify the U.S. EPA: – if the handler has already notified the U.S. EPA of hazardous waste management activity and has received a U.S. EPA identification number – if recalled pesticides are being managed and notification has already been sent in under 40 CFR 165.) Verify that the notification includes: – the universal waste handlers name and mailing address – the name and business phone of the point of contact (POC) at the facility – the address or physical location of the universal waste management activities – a list of all types of universal waste managed by the handler – a statement indicating that the handler is accumulating more than 5000 kg of universal waste at one time and the types of universal waste that are accumulated above this quantity.

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LARGE QUANTITY UNIVERSAL WASTE HANDLERS **UU.120** **Transportation**	(NOTE: The following waste may, at the option of the generator, be managed under the requirements of 40 CFR 273 (40 CFR 273.5(a)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.) (NOTE: When the following wastes are commingled with universal wastes, the commingled wastes must be managed under 40 CFR 273 as a universal waste (40 CFR 273.5(b)): – household wastes that are exempt under 40 CFR 261.4(b)(1) and are also the same type as the universal wastes defined at 40 CFR 273.6 – CESQG wastes that are exempt under 40 CFR 261.5 and are also the same types as the universal waste defined in 40 CFR 273.6.)
UU.120.1. Off-site shipments of universal waste from large quantity handlers is required to be done according to specific parameters (40 CFR 273.38).	Verify that large quantity handlers of universal waste do not send or take universal waste to anyplace other than another universal waste handler, a destination facility, or a foreign destination. (NOTE: If the handler self-transports universal waste off-site, they have to comply with the requirements for transportation in 40 CFR 273.50 through 273.56 (see checklist items UU.150.1 through UU.150.6).) Verify that, if the universal waste being offered for off-site transportation, the material meets the definition of hazardous materials under 49 CFR 171 through 180, the shipment is packaged, labeled, marked, and placarded, and the proper shipping papers have been prepared under DOT regulations. Verify that, prior to sending the waste to another universal waste handler, the originating handler has ensured that the receiving handler agrees to receive the waste. Verify that, if the receiving handler rejects a waste shipment or a portion of the shipment, the originating handler does one of the following: – receives the waste back when notified the shipment was rejected – agrees with the receiving handler on a destination facility to which the shipment will be sent. Verify that, if the receiving handler rejects a shipment or a portion of a shipment, the receiving handler notifies the originating handler to discuss reshipment of the load, and either: – sends the shipment back to the originating handler, or – if agreed by both originating and receiving handlers, sends the shipment to a

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	destination facility. Verify that, if a large quantity handler of universal waste receives a shipment containing hazardous waste that is not universal waste, the handler immediately notifies the regional U.S. EPA office of the illegal shipment and provides the name, phone numbers, and address of the originating shipper. (NOTE: If the handler receives a shipment of nonhazardous, nonuniversal waste, the handler may manage the waste in any way that is in compliance with federal, state, or local regulations.)
UU.120.2. Large quantity handlers are required to track off-site shipments (40 CFR 273.39).	Verify that a record of each shipment of universal waste received at the facility is kept in one of the following: – a log – invoices – manifests – bill of lading – other shipping document. Verify that the record for each shipment received includes the following: – name and address of the originating handler or foreign shipper from whom the waste was sent – the quantity of each type of universal waste received – the date of receipt of the shipment. Verify that a record of each shipment of universal waste shipped off-site is kept in one of the following: – a log – invoices – manifests – bill of lading – other shipping document. Verify that the record for each off-site shipment includes the following: – name and address of the handler, destination facility, or foreign destination to whom the universal waste was sent – the quantity of each type of universal waste shipped – the date the shipment left the facility.

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	Verify that records are retained for at least 3 yr: – for shipments received at the facility, from the date of receipt of the shipment – for shipments sent off-site by the handler, from the date the shipment left the facility.
UU.120.3. Large quantity handlers of universal waste that send universal waste to a foreign destination are required to meet specific requirements (40 CFR 273.40).	Verify that, for universal waste being sent to a foreign destination other than an OECD country, the requirements in 40 CFR 262.53 (notification of intent to export), 40 CFR 262.56(a)(1) through 262.56(a)(4), (6) and (b) (annual reports), and 40 CFR 262.57 (recordkeeping) are met. Verify that, for universal waste being sent to an OECD country, the requirements of 40 CFR 262, Subpart H are met. (NOTE: U.S. EPA has provided audit checklists for 40 CFR 262, Subpart H requirements in a separate protocol titled Protocol for Conducting Environmental Compliance Audits of Hazardous Waste Generators (U.S. EPA Document No. EPA-305-B-98-005) (see Export/Import of Hazardous Waste, pgs. 64-71).) Verify that the receiving country has consented to accept the waste through an Acknowledgment of Consent. Verify that a copy of the U.S. EPA Acknowledgment of Consent for the shipment has been provided to the transporter.

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UU.150 **UNIVERSAL WASTE TRANSPORTERS**	
UU.150.1. Universal waste transporters are generally prohibited from disposing, diluting, or treating universal wastes (40 CFR 273.51).	Determine if the facility is a transporter of universal waste. Verify that the universal waste transporter does not dispose of universal waste. Verify that the universal waste transporter does not dilute or treat universal waste, except by responding to a release as provided in 40 CFR 273.54 (see checklist item UU.150.4).
UU.150.2. Universal waste transporters are required to manage the waste they transport according to specific parameters (40 CFR 273.52).	Verify that the waste is managed according to applicable DOT regulations depending on whether it meets the criteria for definition as a hazardous material or as a hazardous waste.
UU.150.3. Universal waste transporters may only store the universal waste at a transfer facility for 10 days (40 CFR 273.53).	Verify that universal waste is not stored at a transfer facility for more than 10 days. (NOTE: If the waste is stored for more than 10 days, the transporter becomes a universal waste handler and is subject to the requirements of 40 CFR 273, Subpart B or Subpart C.)
UU.150.4. Universal waste transporters are required to handle releases according to specific procedures (40 CFR 273.54).	Verify that all releases of universal waste and other universal waste residues are immediately contained. Verify that the transporter determines if the material resulting from the release is a hazardous waste. Verify that if the released material is a hazardous waste, it is managed as appropriate under 40 CFR 260 through 272, and the transporter must comply with 40 CFR 262.
UU.150.5. Off-site shipments of universal waste transporters are required to be done according to specific parameters (40 CFR 273.55).	Verify that transporters of universal waste do not send or take universal waste to any place other than a universal waste handler, a destination facility, or a foreign destination. Verify that, if the universal waste being offered for off-site transportation meets the definition of hazardous materials under 49 CFR 171.8, it is properly described

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	on a shipping paper in accordance with applicable DOT regulations.
UU.150.6. Transporters of universal waste that send universal waste to a foreign destination are required to meet specific requirements (40 CFR 273.56).	(NOTE: These requirements apply when shipping to other than those OECD countries specified in 40 CFR 262.58(a)(1). The designated OECD countries are: Australia, Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, United Kingdom, and the United States. Canada and Mexico are considered OECD countries only for the purpose of transit.) Verify that the transporter has determined that the shipment conforms to the U.S. EPA Acknowledgment of Consent. Verify that a copy of the U.S. EPA Acknowledgment of Consent accompanies the shipment. Verify that appropriate measures are taken to ensure the universal waste is delivered to the facility designated by the person initiating the shipment.
UU.150.7. Universal waste transporters managing imported universal waste are required to meet specific parameters. (40 CFR 273.70(a) and 273.70(d)).	Determine if the universal waste transporter is managing universal waste from a foreign country. Verify that the universal waste is handled according all requirements applicable to universal waste transporters immediately after the waste enters the United States. (NOTE: If the universal waste was imported from an OECD country as specified in 40 CFR 262.58(a)(1), the requirements of 40 CFR 262, Subpart H apply. The designated OECD countries are: Australia, Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, United Kingdom, and the United States. Canada and Mexico are considered OECD countries only for the purpose of transit.)

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UU.170 **UNIVERSAL WASTE DESTINATION FACILITIES**	
UU.170.1. Destination facilities are required to meet specific requirements (40 CFR 273.60).	Verify that the owner or operator of a destination facility meets all applicable requirements of 40 CFR 264, 265, 266, 268, 270, and the notification requirement under section 3010 of RCRA. Verify that the owner/operator of a destination facility that recycles a particular universal waste without storing that universal waste before it is recycled complies with 40 CFR 261.6(c)(2).
UU.170.2. Universal waste destination facilities are required to meet specific standards in relation to off-site shipments of universal waste (40 CFR 273.61).	Verify that the destination facility does not send or take universal waste to a place other than a universal waste handler, another destination facility, or foreign destination. Verify that, if the destination facility rejects a shipment or portion of a shipment containing universal waste, they contact the shipper to notify him of the rejection and discuss reshipment of the load. Verify that, if a shipment is rejected, the destination facility does one of the following: – sends the shipment back to the original shipper – sends the shipment to another destination facility if agreed upon by the shipper and the holding destination facility. Verify that, if a destination facility receives a shipment containing hazardous waste that is not universal waste, the facility immediately notifies the regional U.S. EPA office of the illegal shipment and provides the name, phone numbers, and address of the originating shipper. (NOTE: If the facility receives a shipment of nonhazardous nonuniversal waste, the facility may manage the waste in any way that is in compliance with federal, state, or local regulations.)

COMPLIANCE CATEGORY UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS**
UU.170.3. Destination facilities are required to track universal waste shipments (40 CFR 273.62).	Verify that a record of each shipment of universal waste received at the facility is kept in one of the following: – a log – invoices – manifests – bill of lading – other shipping document. Verify that the record for each shipment received includes the following: – name and address of the originating universal waste handler, destination facility or foreign shipper from whom the waste was sent – the quantity of each type of universal waste received – the date of receipt of the shipment. Verify that records are retained for 3 yr from the date of receipt of a shipment of universal waste.
UU.170.4. Universal waste destination facility managing imported universal waste are required to meet specific parameters. (40 CFR 273.70(c) and 273.70(d)).	Determine if the universal waste destination facility is managing universal waste from a foreign country. Verify that the universal waste is handled according all requirements applicable to universal waste destination facility immediately after the waste enters the United States. (NOTE: If the universal waste was imported from an OECD country as specified in 40 CFR 262.58(a)(1), the requirements of 40 CFR 262, Subpart H apply. The designated OECD countries are: Australia, Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, United Kingdom, and the United States. Canada and Mexico are considered OECD countries only for the purpose of transit.)

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.200 **USED OIL**	
UU.200.1. Depending on the constituents of the used oil, (see Appendix A of this document), facilities are required to handle used oil as a hazardous waste or according to specific used oil requirements (40 CFR 279.10 and 279.81).	Determine which types of the used oils listed in Appendix A of this document are generated. Verify that used oil is handled according to its classification as one of the following: – a hazardous waste – used oil that falls under the requirements of 40 CFR 279 – used oil that is not subject to the requirements of 40 CFR 279 and neither is the mixture a hazardous waste by either listing or characteristic.
UU.200.2. Used oil cannot be used for dust suppression unless allowed by the state (40 CFR 279.12(b) and 279.82).	Verify that used oil is not used for dust suppression..

UU.200.3. Off-specification used oil fuel may be burned for energy recovery in specific situations (40 CFR 279.12(c)).	Determine if used oil fuel is burned for the purpose of energy recovery.
	
	Verify that off-specification used oil fuel is only burned for energy recovery in one of the following:
	
	– an industrial furnace
	– a boiler that is identified as one of the following:
	  – industrial boilers that are located on the site of a facility engaged in a manufacturing process where substances are transformed into new 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
	  – used oil-fired space heaters, provided that the burner meets the provisions under 40 CFR 279.23
	– hazardous waste incinerators (see Subpart O of 40 CFR 264 or 265).
	
	(NOTE: The following are exempt from meeting these requirements:
	– the burning of used oil by a generator in an on-site space heater
	– the burning of used oil by a processor/re-refiner for purposes of processing.)

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.200.4. Used oil cannot be managed in surface impoundments or waste piles unless specific parameters are met (40 CFR 279.12(a)).	Verify that used oil is not managed in surface impoundments or waste piles unless the units are subject to regulation under 40 CFR parts 264 or 265.

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENTS OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.210 **USED OIL GENERATORS**	(NOTE: The requirements for used oil generators do not apply to the following (40 CFR 279.20(a)): – household Do-it-Yourselfer (DIY) used oil generators – vessels at sea or at port (it is considered generation when it is transported ashore) – mixtures of used oil and diesel fuel mixed by the generator of the used oil for use in the generator's own vehicles (NOTE: Prior to mixing, the used oil fuel is subject to 40 CFR 279, Subpart C.) – farmers who generate an average of 25 gal/mo or less of used oil from vehicles or machinery used on the farm in a calendar year.) (NOTE: In relation to used oil coming ashore from vessels, the owner or operator of the vessel and the person removing or accepting used oil from the vessel are cogenerators of the used oil and are both responsible for managing the waste as used oil once it is ashore.)
UU.210.1. Used oil generators that detect a release (other than an underground storage tank (UST) release) after the effective date of the recycled used oil management program in effect in the state in which the release is located, must meet specific requirements (40 CFR 279.22(d)).	Verify that, when a release is detected, the following is done by the used oil generator: – stop the release – contain the released used oil – clean up and manage properly the released used oil and other materials – repair or replace any leaking used oil storage containers or tanks prior to returning them to service.
UU.210.2. Generators are allowed to burn used oil in used oil-fired space heaters if specific parameters are met (40 CFR 279.23).	Determine if any used oil-fired space heaters are used. Verify that the following parameters are met: – the heater burns only used oil that the facility generates or used oil received from household DIY used oil generators – the heater is designed to have a maximum capacity of not more than 0.5 MBtu/h – the combustion gases from the heater are vented to the ambient air.

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENTS OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.210.3. Except in specific circumstances, used oil generators must ensure that their used oil is transported only by transporters who have a U.S. EPA identification number (40 CFR 279.24(a) through 279.24(e)).	Determine who is transporting used oil. Verify that the generator if not transporting the used oil themselves, the transporter has an U.S. EPA identification number. (NOTE: Used oil generators may arrange for used oil to be transported by a transporter without an U.S. EPA identification number if the used oil is reclaimed under a contractual agreement and the reclaimed oil is returned to the generator for use as lubricant, cutting oil, or coolant, and the contract (or tolling agreement) contains the following: – the type of used oil and frequency of shipments – verification that the vehicle used for transportation is owned by the used oil processor/refiner – verification that reclaimed oil will be returned to the generator.) Verify that if the used oil generator is transporting the used oil themselves (without a U.S. EPA identification number) to approved collection centers the following parameters are met: – the used oil is generated at the generators site or is used oil collected from household do-it-yourselfers – the transporting vehicles is owned by the generator or an employee of the generator – no more than 55 gal is transported at any time – the used oil collection center is registered, licensed, permitted, or recognized by a state/county/municipal government to manage use oil. Verify that if the used oil generator is transporting the used oil themselves (without a U.S. EPA identification number) to aggregation points owned by the generator, the following parameters are met: – the transporting vehicle is owned by the generator or an employee of the generator – no more than 55 gal is transported at any time – the used oil is transported to an aggregation point that is owned and/or operated by the same generator
UU.210.4. Used oil generators are not allowed to mix hazardous waste with used oil unless specific parameters are met (40 CFR 279.21(a)).	Verify that hazardous waste is not mixed with used oil unless: – the resulting mixture does not exhibit any characteristics of hazardous waste – the waste is hazardous solely because it exhibits the characteristic of ignitability and the mixture does not exhibit ignitability characteristic. (NOTE: If the used oil contains greater than or equal to 1,000 ppm total halogens,

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENTS OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
	it is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in subpart D of 40 CFR 261. The presumption may be rebutted by demonstrating that the used oil does not contain hazardous waste. The rebuttable presumption does not apply to metalworking oils/fluids containing chlorinated paraffins, if they are processed, through a tolling arrangement to reclaim metalworking oils/fluids. The presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner, or disposed. The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFC are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.)
UU.210.5. Containers and aboveground tanks used to store used oil at used oil generators must be in good condition and not leaking (40 CFR 279.22(b)).	Verify that containers/tanks are not leaking, bulging, rusting, damaged, or dented.
UU.210.6. The label USED OIL must be clearly marked on containers and aboveground tanks used to store used oil and fill pipes used to transfer used oil into underground storage facilities (40 CFR 279.22(c)).	Verify that containers, aboveground tanks, and fill pipes used to transfer used oil are clearly marked with the phrase USED OIL.
UU.210.7. Depending on their operations, used oil generators are required to also meet the standards for transporters (40 CFR 279.20(b)(1)).	Verify that used oil generators who transport used oil, except under the self-transport provisions of 40 CFR. 279.24 (see checklist item UU.210.3), also comply with 40 CFR 279.40 through 40 CFR 279.47 (see checklist items UU.240.1 through UU.240.9).

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENTS OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.210.8. Depending on their operations, used oil generators are required to also meet the standards for processors and re-refiners(40 CFR 279.20(b)(2)).	Verify that used oil generators who process or re-refine used oil also comply with 40 CFR 279.50 through 40 CFR 279.59 (see checklist items UU.270.1 through UU.270.16). (NOTE: Used oil generators who perform the following activities are not processors provided that the used oil is generated on-site and is not being sent off-site to a burner of on- or off-specification used oil fuel: – filtering, cleaning, or otherwise reconditioning used oil before returning it for reuse by the generator – separating used oil from wastewater generated on-site to make the wastewater acceptable for discharge or reuse pursuant to section 402 or section 307(b) of the Clean Water Act or other applicable federal or state regulations governing the management or discharge of wastewaters – using oil mist collectors to remove small droplets of used oil from in-plant air to make plant air suitable for continued recirculation – draining or otherwise removing used oil from materials containing or otherwise contaminated with used oil in order to remove excessive oil to the extent possible – filtering, separating or otherwise reconditioning used oil before burning it in a space heater (see checklist item UU.210.2 for details of 40 CFR 279.23.)
UU.210.9. Depending on their operations, used oil generators are required to also meet the standards for used oil burners (40 CFR 279.20(b)(3)).	Verify that used oil generators who burn off-specification used oil for energy recovery, except under the on-site space heater provisions of 40 CFR 279.23 (see checklist item UU.210.2), comply with 40 CFR 279.60 through 40 CFR 279.67 (see checklist items UU.250.1 through UU.250.12).
UU.210.10. Depending on their operations, used oil generators are required to also meet the standards for marketers (40 CFR 279.20(b)(4)).	Verify that generators who direct shipments of off-specification used oil from their facility to a used oil burner, or first claim that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 40 CFR 279.11 (see Appendix A of this document), also complies with 40 CFR 279.70 through 279.75 (see checklist items UU.260.1 through UU.270.9).

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENTS OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.210.11. Depending on their operations, used oil generators are required to also meet the standards for used oil disposers (40 CFR 279.20(b)(5)).	Verify that used oil generators who dispose of used oil, including the use of used oil as a dust suppressant, must also comply with 40 CFR 279.80 through 279.82 (see checklist items UU.200.1 and UU.200.2.).

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COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.230 **USED OIL COLLECTION CENTERS AND AGGREGATION POINTS**	
UU.230.1. Do-it-yourselfer (DIY) used oil collection centers are required to meet the same standards as used oil generators (40 CFR 279.30).	Verify that DIY used oil collection centers meet the requirements outlined in the section titled Used Oil Generators.
UU.230.2. Used oil collection centers are required to be licensed/permitted and operated according to specific standards (40 CFR 279.31).	Determine if there is a used oil collection center located at the facility. Verify that the collection center meets the requirements for used oil generators out lined in the section titled Used Oil Generators. Verify that the collection center is registered/licensed/permitted/ recognized by a state/county/ municipal government to manage used oil.
UU.230.3. Used oil aggregation points are required to be operated according to the standards for used oil generators (40 CFR 279.32).	Verify that the used oil aggregation point is operated according to the standards outlined in 40 CFR 279, Subpart C-Standards for Used Oil Generators (see checklist items UU. 210.1 through UU. 210.11).

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COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.240 **USED OIL TRANSPORTATION/ TRANSFER**	(NOTE: These requirements concerning transportation and transfer of used oil under 40 CFR 279, Subpart E do not apply to the following (40 CFR 279.40(a)): – on-site transportation – generators who transport shipments of used oil totaling 55 gal or less from the generator to a used oil collection center – generators who transport shipments of used oil totaling 55 gal or less from the generator to a used oil aggregation point owned or operated by the same generator – transportation of used oil generated by household DIYs from the initial generator to a regulated used oil generator, collection center, aggregation point, processor/re-refiner, or burner.)
UU.240.1. Transporters who put used oil in a truck that has previously transported hazardous waste without emptying and cleaning the truck are required to transport and handle the used oil as a hazardous waste (40 CFR 279.40(c)).	Verify that used oil contaminated with hazardous waste is transported as a hazardous waste unless the mixture is otherwise determined not to exhibit any hazardous characteristics (40 CFR 279.10(b)).
UU.240.2. Used oil transporters can consolidate or aggregate loads of used oil in specific situations (40 CFR 279.41).	Determine if the transporter consolidates or aggregates loads of used oil for purposes of transportation. Verify that transporters conduct only incidental processing operations such as settling and water separation, unless they also comply with the requirements for processors and re-refiners (see checklist items UU.270.1 through UU.270.16). (NOTE: Transporters of used oil that is removed from oil bearing electrical transformers and turbines and filtered by the transporter or at a transfer facility prior to being returned to its original use are not subject to the processor/re-refiner requirements.)
UU.240.3. Used oil transporters are required to have a U.S. EPA identification number (40 CFR 279.42).	Verify that the used oil transporter has a U.S. EPA identification number. (NOTE: A used oil transporter who has not received an U.S. EPA identification number may obtain one by notifying the U.S. EPA or authorized regulatory agency of their used oil activity by submitting either a completed U.S. EPA Form 8700-12, or a letter requesting an U.S. EPA identification number.)

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REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.240.4. Transporters must meet specific requirements for deliveries and shipments of used oil (40 CFR 279.40(b), 279.43(a) through 279.43(b)).	Verify that all used oil is delivered to: – another used oil transporter provided that the transporter has a U.S. EPA identification number – a used oil processing/re-refining facilities with a U.S. EPA identification number – an off-specification used oil burner facility with a U.S. EPA identification number – an on-specification used oil burner facility. Verify that DOT labeling, packaging, and placarding requirements under 49 CFR 171 through 180 are met. Verify that if the used oil meets the definition of hazardous material, the transporter complies with DOT regulations under 49 CFR 171.8. Verify that transporters who import used oil from abroad or export used oil outside of the United States meet all used oil transportation requirements while in the boundaries of the United States.)
UU.240.5. Transporters are required to take specific actions if there is a discharge of used oil during transportation (40 CFR 279.43(c)).	Verify that if there is a discharge, the following are done: – notification of authorities (the National Response Center (NRC)) – containment of the discharge – submit a written report to the DOT – cleanup. (NOTE: A transporter must clean up any used oil discharged that occurs during transportation or take such action as may be required or approved by federal, state, or local officials so that the used oil discharge no longer presents a hazard to human health or the environment.)
UU.240.6. Transporters are required to determine if the total halogen content of used oil being transported or stored at a transfer facility is above or below 1000 ppm (40 CFR 279.44).	Verify that the transporter determines the total halogen content of the used oil by one of the following methods: – testing the used oil – applying knowledge of halogen content of the used oil in light of the materials or processes used. Verify that records of analyses are kept for 3 yr. (NOTE: If the used oil contains greater than or equal to 1,000 ppm total halogens, it is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in subpart D of 40 CFR 261. The presumption may be

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REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
	rebutted by demonstrating that the used oil does not contain hazardous waste. The rebuttable presumption does not apply to metalworking oils/fluids containing chlorinated paraffins, if they are processed, through a tolling arrangement to reclaim metalworking oils/fluids. The presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner, or disposed. The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFC are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.)
UU.240.7. Used oil transporters are required to keep records for used oil shipments and deliveries (40 CFR 279.46).	Verify that the following records are kept for each shipment accepted for transport: – name and address of the generator, transporter, or processor/re-refiner who provided the used oil for transport – U.S. EPA identification number of the generator, transporter, or processor/re-refiner who provided the used oil for transport – the quantity of oil accepted – the day of acceptance – signature of receipt. Verify that the following records are kept for each delivery to another used oil transporter or to a used oil burner, processor/re-refiner, or disposal facility and for export/ import activities: – the name and address of the receiving facility or transporter – the U.S. EPA identification number of the receiving facility or transporter – the quantity of used oil delivered – the date of delivery – the signature, dated upon receipt of the used oil, of a representative of the receiving facility or transporter. Verify that records are maintained for 3 yr.
UU.240.8. Transfer facilities are required to store used oil in tanks and containers that meet specific requirements (40 CFR 279.45(b) through 279.45(g)).	Verify that used oil transfer facilities do not store used oil in units other than tanks, containers, or units subject to regulation under 40 CFR 264 or 265. Verify that containers and aboveground tanks used to stored used oil at transfer facilities are in good condition (no severe rusting, apparent structural defects or deterioration); and not leaking. Verify that containers used to store used oil at transfer facilities have secondary

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	containment that meets the following minimum requirements: – dikes, berms, or retaining walls – a floor that covers the entire area within the dikes, berms, or retaining walls – an equivalent secondary containment system – the system is impervious to used oil and will prevent migration to the soil, groundwater, or surface water. Verify that aboveground storage tanks (ASTs) used to store used oil at transfer facilities have secondary containment that meets the following minimum requirements: – dikes, berms, or retaining walls – a floor that covers the entire area within the dikes, berms, or retaining walls – an equivalent secondary containment system – the system is impervious to used oil and will prevent migration to the soil, groundwater, or surface water. Verify that containers and aboveground storage tanks (ASTs) are labeled with the phrase USED OIL. Verify that fill pipes used to transfer used oil into underground storage tanks at transfer facilities are labeled with the phrase USED OIL. (NOTE: In addition to these regulations under RCRA, used oil facilities may also be regulated under the 1990 Oil Pollution Act which requires facilities, that could reasonably be expected to discharge oil in harmful quantities, to prepare and implement rigorous Spill Prevention, Control, and Countermeasure (SPCC) Plans required under the Clean Water Act (40 CFR 112.7). The SPCC regulations also require specific management procedures for loading, unloading, and storing petroleum products. Regulations covering response to oil discharges and contingency plans (40 CFR 300), as well as facility response plans to oil discharges (40 CFR 112.20) were revised and finalized in 1995.)
UU.240.9. Specific steps must be followed in response to a release at a transfer facility (40 CFR 279.45(h)).	(NOTE: This applies when the release is not from a UST and has occurred after the effective date of the recycled used oil management program in effect in the state in which the release is located.) Verify that the following steps are taken by the owner/operator of the transfer facility: – the release is stopped – the release is contained – the released used oil and other materials are cleaned up and properly managed

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	– necessary repairs and replacements are done prior to returning containers or tanks to service.

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REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.250 **USED OIL BURNERS**	

UU.250.1. Off-specification used oil fuel may be burned for energy recovery in industrial furnaces and boilers (40 CFR 279.60(a), 279.60(c), 279.61(a), and 279.61(b)(2)).	Determine if used oil fuel is burned for the purpose of energy recovery.
	
	Verify that off-specification used oil fuel is only burned for energy recovery in only the following devices:
	
	– an industrial furnace identified in 40 CFR 260.10
	– a boiler that is defined in 40 CFR 260.10 and is identified as one of the following:
	  – industrial boilers that are located on the site of a facility engaged in a manufacturing process where substances are transformed into new 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
	  – used oil-fired space heaters, provided the burner meets the requirements in 40 CFR 279.23
	– hazardous waste incinerators (see Subpart O of 40 CFR 264 or 265).
	
	(NOTE: Used oil burners may aggregate off-specification used oil with virgin oil or on-specification used oil for purposes of burning, but may not aggregate for purposes of producing on-specification used oil.)
	
	(NOTE: The requirements for used oil burners do not apply to the following:
	– the used oil is burned by the generator in an on-site space heater under the provisions of 40 CFR 279.23 (see checklist item UU.210.2)
	– the used oil is burned by a processor/re-refiner for purposes of processing used oil, which is considered burning incidentally to used oil processing
	– persons burning used oil that meets the used oil fuel specification of 40 CFR 279.11 (see Appendix A of this document), if the burner complies with the requirements for used oil fuel marketers.)

UU.250.2. Used oil burners are required to have an U.S. EPA identification number (40 CFR 279.60(a), 279.60(c), and 279.62).	Verify that the used oil burner has an U.S. EPA identification number. (NOTE: A used oil burner who has not received an U.S. EPA identification number may obtain one by notifying the U.S. EPA Regional Administrator or authorized regulatory agency of their used oil activity by submitting either a completed U.S. EPA Form 8700-12 or a letter requesting an U.S. EPA identification number.) (NOTE: The requirements for used oil burners do not apply to the following: – the used oil is burned by the generator in an on-site space heater under the

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	provisions of 40 CFR 279.23 (see checklist item UU.210.2) – the used oil is burned by a processor/re-refiner for purposes of processing used oil, which is considered burning incidentally to used oil processing – persons burning used oil that meets the used oil fuel specification of 40 CFR 279.11 (see Appendix A of this document), if the burner complies with the requirements for used oil fuel marketers.)
UU.250.3. Used oil burners are required to determine if used oil is a hazardous waste (40 CFR 279.60(a), 279.60(c), and 279.63).	Verify that the used oil is either tested or the used oil burner applies their knowledge of the halogen content of the used oil in light of the materials or processes used, or using information from another source. Verify that copies of analyses are maintained for 3 yr. (NOTE: If the used oil contains greater than or equal to 1,000 ppm total halogens, it is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in subpart D of 40 CFR 261. The presumption may be rebutted by demonstrating that the used oil does not contain hazardous waste. The rebuttable presumption does not apply to metalworking oils/fluids containing chlorinated paraffins, if they are processed, through a tolling arrangement to reclaim metalworking oils/fluids. The presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner, or disposed. The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFC are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.) (NOTE: The requirements for used oil burners do not apply to the following: – the used oil is burned by the generator in an on-site space heater under the provisions of 40 CFR 279.23 (see checklist item UU.210.2) – the used oil is burned by a processor/re-refiner for purposes of processing used oil, which is considered burning incidentally to used oil processing – persons burning used oil that meets the used oil fuel specification of 40 CFR 279.11 (see Appendix A of this document), if the burner complies with the requirements for used oil fuel marketers.)
UU.250.4. Used oil burners are required to store used oil in containers that meet specific requirements (40 CFR 279.60(a), 279.60(c), and 279.64(a) through 279.64(f)).	Verify that containers and aboveground tanks used to stored used oil at are in good condition (no severe rusting, apparent structural defects or deterioration); and not leaking. Verify that containers used to store used oil have secondary containment that meets the following minimum requirements: – dikes, berms, or retaining walls

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REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
	– a floor that covers the entire area within the dikes, berms, or retaining walls or an equivalent secondary containment system – the system is impervious to used oil to prevent migration to the soil, groundwater, or surface water. Verify that aboveground storage tanks (ASTs) used to store used oil have secondary containment that meets the following minimum requirements: – dikes, berms, or retaining walls – a floor that covers the entire area within the dikes, berms, or retaining walls – an equivalent secondary containment system – the system is impervious to used oil to prevent migration to the soil, groundwater, or surface water. Verify that containers and aboveground storage tanks (ASTs) are labeled with the phrase USED OIL. Verify that fill pipes used to transfer used oil into underground storage tanks at transfer facilities are labeled with the phrase USED OIL. (NOTE: The requirements for used oil burners do not apply to the following: – the used oil is burned by the generator in an on-site space heater under the provisions of 40 CFR 279.23 (see checklist item UU.210.2) – the used oil is burned by a processor/re-refiner for purposes of processing used oil, which is considered burning incidentally to used oil processing – persons burning used oil that meets the used oil fuel specification of 40 CFR 279.11 (see Appendix A of this document), if the burner complies with the requirements for used oil fuel marketers.)
UU.250.5. Specific steps must be followed in response to a release at a used oil burner (40 CFR 279.60(a), 279.60(c), and 279.64(g)).	(NOTE: These requirements apply when the release is not from an underground storage tank (UST) and has occurred after the effective date of the recycled used oil management program in effect in the state in which the release is located.) Verify that the following steps are taken by a burner: – the release is stopped – the release is contained – the released used oil and other materials are cleaned up and properly managed – necessary repairs and replacements are done on containers or tanks prior to returning them to service. (NOTE: The requirements for used oil burners do not apply to the following: – the used oil is burned by the generator in an on-site space heater under the provisions of 40 CFR 279.23 (see checklist item UU.210.2)

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
	– the used oil is burned by a processor/re-refiner for purposes of processing used oil, which is considered burning incidentally to used oil processing – persons burning used oil that meets the used oil fuel specification of 40 CFR 279.11 (see Appendix A of this document), if the burner complies with the requirements for used oil fuel marketers.)
UU.250.6. Used oil burners are required to keep a record of each used oil shipment accepted for burning (40 CFR 279.60(a), 279.60(c), and 279.65).	Verify that some form of records are kept that documents the following: – the name and address of the transporter who delivered the used oil – the name and address of the generator or processor or re-refiner from whom the used oil was sent to the burner – the U.S. EPA identification numbers of the transporter or, if applicable, the generator, processor/re-refiner – the quantity of used oil accepted – the date of acceptance. Verify that records are maintained for at least 3 yr. (NOTE: The requirements for used oil burners do not apply to the following: – the used oil is burned by the generator in an on-site space heater under the provisions of 40 CFR 279.23 (see checklist item UU.210.2) – the used oil is burned by a processor/re-refiner for purposes of processing used oil, which is considered burning incidentally to used oil processing – persons burning used oil that meets the used oil fuel specification of 40 CFR 279.11 (see Appendix A of this document), if the burner complies with the requirements for used oil fuel marketers.)
UU.250.7. Before a burner can accept the first shipment of off-specification used oil fuel from a generator, transporter, or processor/re-refiner, the burner must provide a one-time written notice (40 CFR 279.60(a), 279.60(c), and 279.66).	Verify that the burner issued a notice to the U.S. EPA stating the location and description of the activity and certifying that the used oil will only be burned in an industrial furnace or boiler. Verify that the certification is maintained for 3 yr from the date of the last shipment received. (NOTE: The requirements for used oil burners do not apply to the following: – the used oil is burned by the generator in an on-site space heater under the provisions of 40 CFR 279.23 (see checklist item UU.210.2) – the used oil is burned by a processor/re-refiner for purposes of processing used oil, which is considered burning incidentally to used oil processing – persons burning used oil that meets the used oil fuel specification of 40 CFR 279.11 (see Appendix A of this document), if the burner complies with the requirements for used oil fuel marketers.)

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.250.8. Depending on their operations, used oil burners are required to also meet the standards for used oil generators (40 CFR 279.60(b)(1)).	Verify that used oil burners who generate used oil also comply with 40 CFR 279.20 through 40 CFR 279.24 (see checklist items UU.210.1 through UU.210.3).
UU.250.9. Depending on their operations, used oil burners are required to also meet the standards for used oil transporters (40 CFR 279.60(b)(2)).	Verify that used oil burners who transport used oil also comply with 40 CFR 279.40 through 40 CFR 279.47 (see checklist items UU.240.1 through UU.240.9).
UU.250.10. Depending on their operations, used oil burners are required to also meet the standards for processors and re-refiners (40 CFR 279.60(b)(3) and 279.61(b)).	Verify that used oil burners who process or re-refine used oil also comply with 40 CFR 279.50 through 40 CFR 279.59 (see checklist items UU.270.1 through UU.270.16). (NOTE: Used oil burners may aggregate off-specification used oil with virgin oil or on-specification used oil for purposes of burning, but may not aggregate for purposes of producing on-specification used oil.)
UU.250.11. Depending on their operations, used oil burners are required to also meet the standards for marketers(40 CFR 279.60(b)(4)).	Verify that burners who direct shipments of off-specification used oil from their facility to a used oil burner or first claim that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 40 CFR 279.11 (see Appendix A of this document) also complies with 40 CFR 279.70 through 40 CFR 279.75 (see checklist items UU.260.1 through UU.270.9).
UU.250.12. Depending on their operations, used oil generators are required to also meet the standards for used oil disposers (40 CFR 279.60(b)(5)).	Verify that used oil burners who dispose of used oil, including the use of used oil as a dust suppressant, must also comply with 40 CFR 279.80 through 279.82 (see checklist items UU.200.1 and UU.200.2).

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COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.260 **USED OIL MARKETING**	(NOTE: The standards for used oil markets apply to any person who does either of the following (40 CFR 279.70(a)): – directs a shipment of off-specification used oil from their facility to a used oil burner – first claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 40 CFR 279.11 (See Appendix A of this document).).
UU.260.1. Used oil fuel marketers may only initiate a shipment of off-specification used oil to a used oil burner who has an U.S. EPA identification number and burns the used oil in an industrial furnace or boiler (40 CFR 279.70(a)(1), 279.70(b) and 279.71).	Determine if the facility is a used oil fuel marketer initiates a shipment of off-specification used oil to a used oil burner. Verify that it is going to an appropriate used oil burner. (NOTE: These requirements do not apply to the following: – persons who direct shipments of on-specification used oil and who are not the first person to claim the oil is on-specification – used oil generators and transporters who transport used oil received only from generators, unless the generator or transporter directs a shipment of off-specification used oil from their facility to a used oil burner.)
UU.260.2. Generators, transporters, processor/re-refiners, or burners must determine if used oil to be burned for energy recovery is off or on-specification (40 CFR 279.70(b) and 279.72).	Verify that a determination as to whether the used oil is off or on-specification is made by analyses or obtaining copies of other analyses. Verify that records of analyses are maintained for 3 yr. (NOTE: These requirements do not apply to the following: – persons who direct shipments of on-specification used oil and who are not the first person to claim the oil is on-specification – used oil generators and transporters who transport used oil received only from generators, unless the generator or transporter directs a shipment of off-specification used oil from their facility to a used oil burner.)
UU.260.3. Used oil fuel marketers are required to have a U.S. EPA identification number (40 CFR 279.70(b) and 279.73).	Verify that the used oil fuel marketer has a U.S. EPA identification number. (NOTE: A used oil marketer who has not received an U.S. EPA identification number may obtain one by notifying the U.S. EPA or authorized regulatory agency of their used oil activity by submitting either a completed U.S. EPA Form 8700-12 or a letter requesting an U.S. EPA identification number.) (NOTE: These requirements do not apply to the following: – persons who direct shipments of on-specification used oil and who are not the first person to claim the oil is on-specification

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REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
	– used oil generators and transporters who transport used oil received only from generators, unless the generator or transporter directs a shipment of off-specification used oil from their facility to a used oil burner.)
UU.260.4. Any used oil marketer that directs a shipment of used oil to a burner is required to keep specific records (40 CFR 279.70(b) and 279.74).	Verify that records containing the following information are kept of each shipment of off-specification oil: – the name and address of the transporter who delivers the used oil to the burner – the name and address of the burner who will receive the used oil – the U.S. EPA identification number of the burner – the quantity of used oil shipped – the date of shipment. Verify that records containing the following information are kept of each shipment of on-specification oil: – the name and address of the activity receiving the shipment – the quantity of used oil fuel delivered – a cross-reference to the record of used oil analysis – the date of shipment or delivery. Verify that records are maintained for 3 yr. (NOTE: These requirements do not apply to the following: – persons who direct shipments of on-specification used oil and who are not the first person to claim the oil is on-specification – used oil generators and transporters who transport used oil received only from generators, unless the generator or transporter directs a shipment of off-specification used oil from their facility to a used oil burner.)
UU.260.5. Before a used oil generator, transporter, processor/re-refiner directs the first shipment of off-specification used oil to a burner, they must obtain a one-time written and signed notice from the burner (40 CFR 279.70(b) and 279.75).	Verify that notice from the burner has been received that indicates the burner notified the U.S. EPA of the location and used oil management activities and that the burner will only burn off-specification oil in approved furnaces and boilers. Verify that a copy of the notice is kept for 3 yr from the date the last shipment of off- specification used oil is shipped to the burner.

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REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.260.6. Depending on their operations, used oil marketers are required to also meet the standards for used oil generators (40 CFR 279.70(c)(1)).	Verify that used oil marketers who generate used oil also comply with 40 CFR 279.20 through 40 CFR 279.24 (see checklist items UU.210.1 through UU.210.11).
UU.260.7. Depending on their operations, used oil marketers are required to also meet the standards for used oil transporters (40 CFR 279.70(c)(2)).	Verify that used oil marketers who transport used oil also comply with 40 CFR 279.40 through 40 CFR 279.47 (see checklist items UU.240.1 through UU.240.9).
UU.260.8. Depending on their operations, used oil marketers are required to also meet the standards for processors and re-refiners (40 CFR 279.70(c)(3).	Verify that used oil marketers who process or re-refine used oil also comply with 40 CFR 279.50 through 40 CFR 279.59 (see checklist items UU.270.1 through UU.270.16).
UU.260.9. Depending on their operations, used oil marketers are required to also meet the standards for used oil burners (40 CFR 279.70(c)(3).	Verify that used oil marketers who burn off-specification used oil for energy recovery also comply with 40 CFR 279.60 through 40 CFR 279.67 (see checklist items UU.250.1 through UU.250.12).

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COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.270 **USED OIL PROCESSORS AND RE-REFINERS**	(NOTE: The standards for used oil marketers apply to any person who does either of the following (40 CFR 279.70(a)): – directs a shipment of off-specification used oil from their facility to a used oil burner – first claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 40 CFR 279.11 (See Appendix A of this document).).
UU.270.1. Used oil processors and re-refiners are required to have an U.S. EPA identification number (40 CFR 279.50(a) and 279.51).	Verify that the used oil processor and re-refiner has a U.S. EPA identification number. (NOTE: A used oil processors and re-refiners who has not received an U.S. EPA identification number may obtain one by notifying the U.S. EPA or authorized regulatory agency of their used oil activity by submitting either a completed U.S. EPA Form 8700-12 or a letter requesting an U.S. EPA identification number.) (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41 (see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)
UU.270.2. Used oil processors and re-refiners are required to meet specific preparedness and prevention requirements (40 CFR 279.50(a) and 279.52(a)).	Verify that facilities are 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. Verify that all facilities are equipped with the following, unless none of the hazards posed by used oil handled at the facility could require the particular kind of equipment specified: – an internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel – a device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or state or local emergency response teams – portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment and decontamination equipment – water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.

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REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
	Verify that all facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, is tested and maintained as necessary to assure its proper operation in time of emergency. Verify that, whenever used oil is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee. (NOTE: If there is ever just one employee on the premises while the facility is operating, the employee must have immediate access to a device, such as a telephone (immediately available at the scene of operation) or a hand-held two-way radio, capable of summoning external emergency assistance.) Verify that aisle space is maintained to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes. Verify that, the following arrangements are made as appropriate for the type of used oil handled at the facility and the potential need for the services of these organizations: – arrangements to familiarize the police, fire departments, and emergency response teams with the layout of the facility, properties of used oil handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes – where more than one police and fire department might respond to an emergency, agreements designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority – agreements with state emergency response teams, emergency response contractors, and equipment suppliers – arrangements to familiarize local hospitals with the properties of used oil handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility. Verify that if state or local authorities declined to enter into such arrangements, the refusal is documented in the operating record. (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2)

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	– burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)
UU.270.3. Used oil processors and re-refiners are required to have a contingency plan (40 CFR 279.50(a) and 279.52(b)(1) through 279.52(b)(4)).	Verify that the contingency plan is 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. Verify that the provisions of the plan are carried out immediately whenever there is a fire, explosion, or release or used oil which could threaten human health or the environment. Verify that the contingency plan describes the actions personnel must take to in response to fires, explosions, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water at the facility. (NOTE: If the owner or operator has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with 40 CFR 112, or 40 CFR 1510 of chapter V, or some other emergency or contingency plan, the owner or operator need only amend that plan to incorporate used oil management provisions.) Verify that the plan: – describes arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services – lists names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator – a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required – the location and a physical description of all emergency equipment, and a brief outline of its capabilities – includes an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary, including signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of used oil or fires). Verify that a copy of the contingency plan and all revisions to the plan are maintained at the facility; and submitted to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services.

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REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
	Verify that the contingency plan is reviewed, and immediately amended, if necessary, whenever one of the following occurs: – applicable regulations are revised – the plan fails in an emergency – the facility changes (in its design, construction, operation, maintenance, or other circumstances) in away that materially increases the potential for fires, explosions, or releases of used oil, or changes the response necessary in an emergency – the list of emergency coordinators changes – the list of emergency equipment changes. (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)
UU.270.4. Used oil processors and re-refiners are required to have an emergency coordinator and emergency procedures (40 CFR 279.50(a), 279.52(b)(5), and 279.52(b)(6)).	Verify that there is, at all times, at least one employee either on the facility premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. Verify that the emergency coordinator is thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location and characteristic of used oil handled, the location of all records within the facility, and facility layout. Verify that the emergency coordinator has the authority to commit the resources needed to carry out the contingency plan. Verify that whenever there is an imminent or actual emergency situation, the emergency coordinator (or the designee when the emergency coordinator is on call) immediately: – activates internal facility alarms or communication systems, where applicable, to notify all facility personnel – notifies appropriate state or local agencies with designated response roles if their help is needed. Verify that whenever there is a release, fire, or explosion, the emergency coordinator immediately identifies the character, exact source, amount, and a real extent of any released materials.

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	(NOTE: This identification may be done by observation or review of facility records of manifests and, if necessary, by chemical analysis.) Verify that the emergency coordinator also assesses possible hazards to human health or the environment that may result from the release, fire, or explosion. Verify that, if the emergency coordinator determines that the facility has had a release, fire, or explosion which could threaten human health, or the environment, outside the facility, findings are reported as follows: – immediately notify appropriate local authorities if evacuation of local areas may – be advisable – immediately notify either the government official designated as the on-scene coordinator for the geographical area or the National Response Center (using their 24-hour toll free number 800/424-8802). Verify that the report to the on-scene coordinator includes: – name and telephone number of reporter – name and address of facility – time and type of incident (e.g., release, fire) – name and quantity of material(s) involved, to the extent known – the extent of injuries, if any – the possible hazards to human health, or the environment, outside the facility. Verify that, during an emergency, the emergency coordinator takes all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other used oil or hazardous waste at the facility. Verify that, if the facility stops operation in response to a fire, explosion, or release, the emergency coordinator monitors for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever this is appropriate. Verify that, immediately after an emergency, the emergency coordinator provides for recycling, storing, or disposing of recovered used oil, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility. Verify that the emergency coordinator ensures that, in the affected areas of the facility: – no waste or used oil that may be incompatible with the released material is recycled, treated, stored, or disposed of until cleanup procedures are completed

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	– all emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed. Verify that the operating record includes the time, date and details of any incident that requires implementing the contingency plan. Verify that within 15 days after the incident, a written report which includes the following on the incident is submitted to the U.S. EPA Regional Administrator or authorized regulatory agency: – name, address, and telephone number of the owner or operator – name, address, and telephone number of the facility – date, time, and type of incident (e.g., fire, explosion) – name and quantity of material(s) involved – the extent of injuries, if any – an assessment of actual or potential hazards to human health or the environment, where this is applicable – estimated quantity and disposition of recovered material that resulted from the incident. (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)
UU.270.5. Used oil processors and re-refiners are required determine if used oil is a hazardous waste (40 CFR 279.50(a), 40 CFR 279.53).	Verify that the used oil is either tested or the used oil processor/re-refiner applies their knowledge of the halogen content of the used oil in light of the materials or processes used, or using information from another source. Verify that copies of analyses are maintained for 3 yr. (NOTE: If the used oil contains greater than or equal to 1,000 ppm total halogens, it is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in subpart D of 40 CFR 261. The presumption may be rebutted by demonstrating that the used oil does not contain hazardous waste. The rebuttable presumption does not apply to metalworking oils/fluids containing chlorinated paraffins, if they are processed, through a tolling arrangement to reclaim metalworking oils/fluids. The presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner, or disposed. The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFC are destined for reclamation. The rebuttable presumption does apply to used oils

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	contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.) (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)
UU.270.6. Used oil processors/re-refiners are required to store used oil in containers and tanks that meet specific requirements (40 CFR 279.50(a) and 40 CFR 279.54(a) through 279.54(f)).	Verify that containers and aboveground tanks used to stored used oil at are in good condition (no severe rusting, apparent structural defects or deterioration); and not leaking. Verify that containers used to store used oil have secondary containment that meets the following minimum requirements: – dikes, berms, or retaining walls – a floor that covers the entire area within the dikes, berms, or retaining walls – an equivalent secondary containment system – the system is impervious to used oil to prevent migration to the soil, groundwater, or surface water. Verify that aboveground storage tanks (ASTs) used to store used oil have secondary containment that meets the following minimum requirements: – dikes, berms, or retaining walls – a floor that covers the entire area within the dikes, berms, or retaining walls – the system is impervious to prevent migration to the soil, groundwater, or surface water. Verify that containers and aboveground storage tanks (ASTs) are labeled with the phrase USED OIL. Verify that fill pipes used to transfer used oil into underground storage tanks at transfer facilities are labeled with the phrase USED OIL. (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)

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REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.270.7. Specific steps must be followed in response to a release at a used oil processor/re-refiner (40 CFR 279.50(a) and 40 CFR 279.54(g)).	(NOTE: This applies when the release is not from an underground storage tank (UST) and has occurred after the effective date of the recycled used oil management program in effect in the state in which the release is located.) Verify that the following steps are taken: – the release is stopped – the release is contained – the released used oil and other materials are cleaned up and properly managed – necessary repairs and replacements are done on containers or tanks prior to returning them to service. (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)
UU.270.8. Used oil processors/re-refiners are required to follow specific steps for closure (40 CFR 279.50(a) and 40 CFR 279.54(h)).	Verify that when closing a tank system, the owner or operator removes or decontaminates used oil residues in tanks, contaminated containment system components, contaminated soils, and structures and equipment contaminated with used oil, and manages them as hazardous waste, unless the materials are not hazardous waste. (NOTE: If the owner or operator demonstrates that not all contaminated soils can be practicably removed or decontaminated, then the owner or operator must close the tank system and perform post-closure care in accordance with the closure and post-closure care requirements that apply to hazardous waste landfills.) Verify that, at closure, containers holding used oils or residues of used oil are removed from the site; Verify that, in relation to containers, the owner or operator removes or decontaminate used oil residues, contaminated containment system components, contaminated soils, and structures and equipment contaminated with used oil, and manages them as hazardous waste, unless the materials are not hazardous waste. (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the

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REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
	normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)
UU.270.9. Used oil processors/re-refiners are required to develop and follow a written waste analysis plan (40 CFR 279.50(a) and 40 CFR 279.55).	Verify that the used oil processor/re-refiner has, and follows, a written waste analysis plan and a copy of the plan is at the facility. Verify that the plan specifies the following: – whether sample analyses or knowledge of the halogen content of the used oil will be used to make this determination – if sample analyses are used to make this 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 – the methods used to analyze used oil for the parameters specified in 40 CFR 279.53 – the type of information that will be used to determine the halogen content of the used oil. Verify that the plan specifies the following if 40 CFR 279.72 is applicable: – whether sample analyses or other information will be used to make this determination – if sample analyses are used to make this determination: – the sampling method used to obtain representative samples to be analyzed – whether used oil will be sampled and analyzed prior to or after any processing/re-refining – the frequency of sampling to be performed, and whether the analysis will be performed on-site or off-site – the methods used to analyze used oil for the parameters specified in 40 CFR 279.72 – the type of information that will be used to make the on-specification used oil fuel determination. (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.270.10. Used oil processors/re-refiners are required to meet specific documentation requirements (40 CFR 279.50(a), 40 CFR 279.56, and 279.57).	Verify that used oil processors/re-refiners keep a record of each used oil shipment accepted for processing/re-refining and each record includes the following information: – the name and address of the transporter who delivered the used oil to the processor/re-refiner – the name and address of the generator or processor/re-refining from whom the used oil was sent for processing/re-refining – the U.S. EPA identification number of the transporter who delivered the used oil to the processor/re-refiner – the U.S. EPA identification number (if applicable) of the generator or processor/re-refiner from whom the used oil was sent for processing/re-refining – the quantity of used oil accepted – the date of acceptance. (NOTE: Records may take the form of a log, invoice, manifest, bill of lading or other shipping documents.) Verify that used oil processor/re-refiners keep a record containing the following for each shipment of used oil that is shipped to a used oil burner, processor/ re-refiner, or disposal facility: – the name and address of the transporter who delivers the used oil to the burner, processor/re-refiner or disposal facility – the name and address of the burner, processor/re-refiner or – disposal facility who will receive the used oil – the U.S. EPA identification number of the transporter who delivers the used oil to the burner, processor/re-refiner or disposal facility – the U.S. EPA identification number of the burner, processor/re-refiner, or disposal facility who will receive the used oil – the quantity of used oil shipped – the date of shipment. Verify that acceptance and delivery records are kept for at least 3 yr. Verify that there is a written operating record at the facility containing the following information: – records and results of used oil analyses performed as described in the analysis plan – summary reports and details of all incidents that require implementation of the contingency plan. Verify that information is maintained in the operating record until closure of the

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
	facility. Verify that the used oil processor/re-refiner reports to the U.S. EPA Regional Administrator or authorized regulatory agency, in the form of a letter, on a biennial basis (by March 1 of each even numbered year), the following information concerning used oil activities during the previous calendar year: – the U.S. EPA identification number, name, and address of the processor/re-refiner – the calendar year covered by the report – the quantities of used oil accepted for processing/re-refining and the manner in which the used oil is processed/re-refined, including the specific processes employed. (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)
UU.270.11. Used oil processors/re-refiners who initiate shipments of used oil off-site must ship the used oil using a used oil transporter who has obtained an U.S. EPA identification number (40 CFR 279.50(a) and 40 CFR 279.58).	Verify that used oil processors/re-refiners who initiate shipments of used oil off-site, ship the used oil using a used oil transporter who has obtained an U.S. EPA identification number. (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)
UU.270.12. Depending on their operations, used oil processors/re-refiners are required to also meet the standards for used oil generators (40 CFR 279.50(a) and 40 CFR 279.50(b)(1)).	Verify that used oil processors/re-refiners who generate used oil also comply with 40 CFR 279.20 through 40 CFR 279.24 (see checklist item UU.210.3). (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.270.13. Depending on their operations, used oil processors/re-refiners are required to also meet the standards for used oil transporters (40 CFR 279.50(a) and 40 CFR 279.50(b)(2)).	Verify that used oil processors/re-refiners who transport used oil also comply with 40 CFR 279.40 through 40 CFR 279.47 (see checklist items UU.240.1 through UU.240.9). (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)
UU.270.14. Depending on their operations, used oil processors/re-refiners are required to also meet the standards for used oil burners(40 CFR 279.50(a) and 40 CFR 279.50(b)(3)).	Verify that used oil processors/re-refiners who burn off-specification used oil for energy recovery also comply with 40 CFR 279.60 through 40 CFR 279.67 (see checklist items UU.250.1 through UU.250.12). (NOTE: This does not apply to processor/re-refiners burning used oil for energy recovery under either of the following conditions: – the used oil is burned in an on-site space heater that meets the requirements of 40 CFR 279.23 (see checklist item UU.210.2) – the used oil is burned for purposes of processing used oil, which is considered burning incidentally to used oil processing; (NOTE: These requirements do not apply to either of the following: – transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in 40 CFR 279.41(see checklist item UU.240.2) – burners that conduct incidental processing operations that occur during the normal course of used oil management prior to burning as provided in 40 CFR 279.61(b) (see checklist item UU.250.10).)
UU.270.15. Depending on their operations, used oil processors/re-refiners are required to also meet the standards for marketers (40 CFR 279.50(a) and 40 CFR 279.50(b)(4)).	Verify that processors/re-refiners who direct shipments of off-specification used oil from their facility to a used oil burner or first claim that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 40 CFR 279.11 (see Appendix A of this document) also complies with 40 CFR 279.70 through 40 CFR 279.75 (see checklist items UU.260.1 through UU.270.9).

COMPLIANCE CATEGORY: UNIVERSAL WASTE/USED OIL MANAGEMENT	
REGULATORY REQUIREMENT OR MANAGEMENT PRACTICE	**REVIEWER CHECKS:**
UU.270.16. Depending on their operations, used oil processors/re-refiners are required to also meet the standards for used oil disposers (40 CFR 279.50(a) and 40 CFR 279.50(b)(5)).	Verify that used oil processors/re-refiners who dispose of used oil, including the use of used oil as a dust suppressant, must also comply with 40 CFR 279.80 through 279.82 (see checklist items UU.200.1 and UU.200.2).

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Protocol for Conducting Environmental Compliance Audits of Used Oil and Universal Waste Generators under the Resource Conservation and Recovery Act

Appendix A:
Used Oil Classifications
(40 CFR 279.10 and 279.11)

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Used Oil Classifications
(40 CFR 279.10 and 279.11)

Used Oils Which Are Required to be Handled According to the Requirements in 40 CFR 279 (40 CFR 279.10(b)(2)(ii), 279.10(b)(2)(iii), 279.10(b)(3), 279.10(c)(2), 279.10(d), 279.10(e)(2), and 279.10(i))

1. Used oil containing more than 1000 ppm of total halogens but the generator has demonstrated that the used oil does not contain hazardous waste.
2. Used metalworking oils/fluids containing chlorinated paraffins when they are recycled or disposed of and the generator has demonstrated that the used oil does not contain hazardous waste.
3. Used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units (or from refrigeration units but the unit is destined for reclamation) and the generator has demonstrated that the used oil does not contain hazardous waste.
4. Materials produced from used oil that are burned for energy recovery.
5. Mixtures of used oil and a characteristic hazardous waste if the resultant mixture does not exhibit any characteristics of hazardous waste.
6. Mixtures of used oil and a waste that is hazardous solely because it exhibits the characteristic of ignitability and is not a listed waste, provided that the mixture does not exhibit the ignitability characteristic.
7. Mixtures of used oil and conditionally exempt small quantity generator (CESQG) hazardous waste.
8. Mixtures of used oil and fuels or other fuel products, except those mixed on-site by the generator for use in the generators own vehicles if the used oil and the diesel fuel have been mixed.
9. Used oil burned for energy recovery and any fuel produced from used oil that exceeds the following allowable limits:

Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash Point	100 °F minimum
Total halogens	4000 ppm maximum

10. Materials containing or otherwise contaminated with used oil that are burned for energy recovery.
11. Used oil drained or removed from materials containing or otherwise contaminated with used oil.
12. Used oil at marketers or burners with any quantifiable level of PCBs (the standards in 40 CFR 761.20(a) must also be met for this type of oil).

Used Oil that is Required to be Handled as a Hazardous Waste (40 CFR 279.10(b)).

1. Mixtures of used oil and listed hazardous waste.
2. Used oil containing more than 1000 ppm total halogens
3. Used metalworking oils/fluids containing chlorinated paraffins if processed through a tolling agreement.
4. Used oil contaminated with CFCs removed from refrigeration units where the CFCs are destined for reclamation.
5. Mixtures of used oil and hazardous waste if the resultant mixture exhibits characteristics of a hazardous waste.

Used Oil that is not Subject to the Requirements of 40 CFR 279, Nor is it to be Handled as a Hazardous Waste Unless Testing Indicates Hazardous Constituents (40 CFR 279.10(c)(1), 279.10(d)(2), 279.10(e)(1), 279.10(e)(3), 279.10(e)(4), and 279.10(f) through 279.10(h)).

1. Mixtures of used oil and diesel fuel mixed on-site by the generator of the used oil for use in the generator's own vehicles.
2. Materials that are reclaimed from used oil that are used beneficially and are not burned for energy recovery or used in a manner constituting disposal.
3. Materials derived from used oil that are disposed of or used in a manner constituting disposal.
4. Used oil re-refining distillation bottoms that are used as feedstock to manufacture asphalt products.
5. Wastewater discharges with de minimis quantities of used oil.
6. Used oil within a crude oil or natural gas pipeline.
7. Used oil on vessels.
8. Materials containing or otherwise contaminated with used oil from which the used oil has been properly drained or removed so that no signs of visible free-flowing remains.

Protocol for Conducting Environmental Audits of Used Oil and Universal Waste Generators under the Resource Conservation and Recovery Act

Appendix B:
User Satisfaction Questionnaire and Comment Form

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User Satisfaction Survey
(OMB Approval No. 1860.01)
Expires 9/30/2001

We would like to know if this Audit Protocol provides you with useful information. This information will be used by EPA to measure the success of this tool in providing compliance assistance and to determine future applications and needs for regulatory checklists and auditing materials.

1. Please indicate which Protocol(s) this survey applies to:

   Title:_____

   EPA Document Number:_____

2. Overall, did you find the Protocol helpful for conducting audits:

   Yes ___ No___

   If not, what areas of the document are difficult to understand?

3. How would you rate the usefulness of the Protocol(s) for conducting compliance audits on a scale of 1-5?

   1 = not useful or effective, 3 = somewhat useful/effective, 5 = very useful/effective

Low		Medium		High	
1	2	3	4	5	Introduction Section
1	2	3	4	5	Key Compliance Requirements
1	2	3	4	5	Key Terms and Definitions
1	2	3	4	5	Checklist

4. What actions do you intend to take as a result of using the protocol and/or conducting the audit? Please check all that apply.

   ____ Contact a regulatory agency
   ____ Contact a compliance assisstance provider (e.g., trade association, state agency, EPA)
   ____ Contact a vendor
   ____ Disclose violations discovered during the audit under EPA's audit Policy
   ____ Disclose violations discovered under EPA's Small Business Policy
   ____ Obtain a permit or certification
   ____ Change the handling of a waste, emission or pollutant
   ____ Change a process or practice
   ____ Purchase new process equipment
   ____ Install emission control equipment (e.g., scrubbers, wastewater treatment)
   ____ Install waste treatment system (control technique)
   ____ Implement or improve pollution prevention practices (e.g., source reduction, recycling)
   ____ Improve organizational auditing program
   ____ Institute an Environmental Management System
   ____ Improve the existing Environmental Management System (e.g., improve training, clarify standard operating procedures, etc.)
   ____ Other _____

5. What, if any, environmental improvements will result from the actions to be taken (check all that apply)?

____ reduced emissions
____ waste reduction
____ reduced risk to human health and the environment due to better management practices
____ reduced quantity and toxicity of raw materials
____ water conservation
____ energy conservation
____ conserved raw materials
____ conservation of habitat or other environmental stewardship practice: _____
____ other: _____
____ no environmental improvements are likely to result from the use of this document

6. How did you hear about this document?
____ trade association
____ state technical assistance provider
____ EPA internet homepage or website
____ document catalog
____ co-worker or business associate
____ EPA, state, or local regulator
____ other (please specify) _____

7. In order to understand your response, we would like to know what function you perform with respect to environmental compliance and the size of your organization.

____ Company Personnel
____ Environmental Auditor
____ Corporate Level
____ Plant-level
____ Legal
____ Environmental Manager
____ Operator - (e.g., Pollution Control Equipment
____ Other: _____
_____

____ Trade Association
____ National
____ Regional
____ Local
____ Manager
____ Information Specialist

____ Compliance Assistance Provider
____ EPA
____ State
____ State Small Business Assistance
____ Local
____ Other _____
_____

____ Regulatory Personnel
____ State
____ Local
____ EPA

____ Vendor/Consultant
____ Environmental Auditor
____ Environmental Engineer/Scientist
____ Attorney

8. How many employees are located at your facility (including full-time contractors?)

___ 0 - 9 ___ 10 - 49 ___ 50 - 100 ___ 101-500 ___ More than 500

Optional (Please Print)

Name: _____Address:_____

Title:_____City:_____State:_____

Zip code:_____

Organization Name:_____

Phone: (__)_____E-mail:_____

Please return all pages (1 thru 3) of this survey by folding pages 1 and 2 into page 3 and using the preprinted, pre-stamped address on the reverse side of page 3. If you have accessed this document electronically from one of EPA's web sites, simply e-mail this questionnaire to: satterfield.richard@epa.gov.

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