



# Used Oil

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# Topics of Discussion

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- ◆ Where are the Used Oil regs?
- ◆ Definition of Used Oil
- ◆ The Recycling Presumption
- ◆ Mixtures of Used Oil & Other Stuff
- ◆ Rebuttable Presumption
- ◆ Used Oil Specification
- ◆ Requirements for Handlers



# Where Are the Used Oil Regs?

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- ◆ Adopted by USEPA 1993 at 40 CFR 279
- ◆ Adopted by NJDEP in 1996 at NJAC 7:26A-6
- ◆ Unlike UW at 40 CFR 273, Used Oils Not a HW

# Definition of Used Oil

- ◆ Federal Part and *NJ Part*
- ◆ “Used Oil” means 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, *or unused oil that is contaminated by physical or chemical impurities through storage or handling and is determined to be a solid waste by the generator.*
- ◆ UO is a Class D Recyclable Material in NJ



# The Recycling Presumption

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- ◆ Presumption applies unless or until someone disposes the used oil or sends the used oil for disposal
- ◆ Generator/other handlers need not worry about the ultimate fate - just comply with 7:26A-6

# Mixtures of UO & Other Stuff (UO/HW Mixing Scenarios)

- ◆ UO failing a D-Code itself = UO
- ◆ UO mixed w/Listed HW = HW
- ◆ D-Code UO mixed w/D-Code HW = UO, if mixture does not fail any D-Code
- ◆ UO not failing a D-Code mixed w/D-Code HW = UO, if mixture does not fail any D-Code

# Mixtures of UO & Other Stuff (UO/HW Mixing Scenarios)

- ◆ D-Code UO mixed w/D001-only HW = UO, if mixture does not fail D001 (mixture may fail original UO D-Code)
- ◆ UO mixed w/CESQG HW = UO

# Mixtures of UO & Other Stuff (Other Combinations)

- ◆ Materials Containing/Contaminated w/UO = UO, unless drained or removed
- ◆ Mixtures of UO w/Products = UO
- ◆ Materials Derived From UO
  - Reclaimed & beneficially used but not burned (e.g. lubricants) are not UO
  - Produced from & burned = UO (if off-spec)
  - Disposed = Not UO, but SW or HW



# Rebuttable Presumption

- ◆ Presumption of *Adulterative* Mixing
- ◆ 1,000 ppm Total Halogens is the limit
- ◆ Rebut by showing that UO is not mixed w/halogenated HW, or
- ◆ Rebut by showing that UO is mixed only w/CESQG HW or HHW
- ◆ All Handlers are responsible

# Used Oil Specification

<u>Constituent/Property</u>	<u>Allowable Level</u>
Arsenic	5 ppm max
Cadmium	2 ppm max
Chromium	10 ppm max
Lead	100 ppm max
Flash Point	100 Degrees F min
Total Halogens	1,000 ppm max*

\*USEPA = 4,000 ppm



# Used Oil Specification

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- ◆ Once UO has been shown to meet the spec, it is considered on-spec (product) and is no longer a UO and not subject to UO rules
- ◆ The Used Oil Specification and the Rebuttable Presumption are completely separate requirements



# Requirements For UO Handlers

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- ◆ Generators (6.4)
- ◆ Collection Centers/Aggregation Points (6.5)
- ◆ Transporters/Transfer Facilities (6.6)
- ◆ Processors/Re-Refiners (6.7)
- ◆ Burners (6.8)
- ◆ Marketers (6.9)

# UO Generators (6.4)

- ◆ Rebuttable Presumption
- ◆ Subject to SPCC/DPCC/DCR Requirements
- ◆ Store in Containers or Tanks
  - Good Condition
  - Not Leaking
- ◆ Label Containers, Tanks & Piping “Used Oil”
- ◆ Release Response
- ◆ Ensure Transport Off-Site By Registered SW Transporters



# UO Collection Points (6.5)

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- ◆ NJMVC Licensed Private Inspection Facilities and Retail Service Stations
- ◆ Accept DIY Used Oil
  - 2 Gallons Per Person
  - May Charge Reasonable Fee
- ◆ Notify BRP of UO Collection Activities



# UO Collection Centers (6.5)

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- ◆ Accept UO From Generators & DIY
- ◆ Must Be Registered By County or Municipality
- ◆ Comply With Generator Standards of 6.4

# UO Aggregation Points (6.5)

- ◆ Accepts UO From Generator Sites O/O By the O/O of the Aggregation Point
- ◆ May Also Accept UO From DIY
- ◆ Incoming Shipments 55 Gallons Or Less
- ◆ Comply With Generator Standards of 6.4



# UO Transporters/Transfer Facilities (6.6)

## Transporters

- ◆ Need EPA ID Number, NJ SW Transporter License (7:26-3)
- ◆ May Consolidate or Aggregate, But Not Process UO (Except for Incidental Processing)
- ◆ Discharge Response
- ◆ Rebuttable Presumption, Of Course
- ◆ Tracking of Shipments

# UO Transporters/Transfer Facilities (6.6)

## Transfer Facilities

- ◆ Also Defined as UO Transporters
- ◆ Notify Enforcement of Transfer Activities
- ◆ 24 Hours < Store < 35 Days
- ◆ If Store > 35 Days, Must Comply With Processor Standards (Except For Class D Approval)
- ◆ Subject to SPCC/DPCC/DCR Requirements

# UO Transporters/Transfer Facilities (6.6)

## Transfer Facilities

- ◆ Store in Containers or Tanks
  - Good Condition
  - Not Leaking
- ◆ Secondary Containment for Containers and Tanks
- ◆ Label Containers, Tanks & Piping “Used Oil”

# UO Processors/Re-Refiners (6.7)

- ◆ Definition of Processing
- ◆ Need EPA ID Number, Class D Approval (Unless Transfer Facility Only Storing >35 Days)
- ◆ Preparedness & Prevention
- ◆ Contingency Plan
- ◆ Rebuttable Presumption, Of Course
- ◆ Subject to SPCC/DPCC/DCR Requirements
- ◆ Store or Process in Containers or Tanks
  - Good Condition
  - Not Leaking

# UO Processors/Re-Refiners (6.7)

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- ◆ Secondary Containment For Containers and Tanks
- ◆ Label Containers, Tanks & Piping “Used Oil”
- ◆ Release Response
- ◆ Closure Standards
- ◆ Analysis Plan
- ◆ Tracking
- ◆ Operating Record/Biennial Reporting

# UO Burners (6.8)

- ◆ EPA ID Number
- ◆ Rebuttable Presumption, Of Course
- ◆ Off-Spec UO May Be Burned Only In
  - Industrial Furnaces
  - Utility Boilers, Industrial Boilers
  - Hazardous Waste Incinerators
- ◆ Burners May Aggregate UO, But Only For Purposes of Burning (Not For Producing On-Spec UO)

# UO Burners (6.8)

- ◆ Subject to SPCC/DPCC/DCR Requirements
- ◆ Store in Containers or Tanks
  - Good Condition
  - Not Leaking
- ◆ Secondary Containment For Containers and Tanks
- ◆ Label Containers, Tanks & Piping “Used Oil”
- ◆ Release Response
- ◆ Tracking
- ◆ One-Time Written Notice to Shippers

# UO Marketers (6.9)

- ◆ A Marketer is any person who:
  - First claims UO meets the UO Specification, or
  - Sends off-spec UO directly to a UO Burner
- ◆ A Marketer must also comply with one of the Generator, Transporter/Transfer Facility, Processor, or Burner Requirements
- ◆ EPA ID Number



# UO Marketers (6.9)

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- ◆ If first claim UO meets the spec, keep copies of analyses (or other info) for 3 years
- ◆ Tracking - keep records of shipments for 3 years
- ◆ Obtain one-time written notice from Burners



# Contact Information

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