Used Oil Training

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Topics of Discussion

- 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?

- 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

- 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
- D-Code UO mixed w/D001-only HW = UO, if mixture does not fail D001 (mixture may fail original UO D-Code)
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 with halogenated HW, or
- Rebut by showing that UO is mixed only with CESQG HW or HHW
- All Handlers are responsible
# Used Oil Specification

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

*USEPA = 4,000 ppm*
Used Oil Specification

- 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

- 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 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 Centers (6.5)

- 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)
- Subject to 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
- Preparedness & Prevention
- Contingency Plan
- Rebuttable Presumption, Of Course
- Subject to DPCC/DCR Requirements
- Store or Process in Containers or Tanks
  - Good Condition
  - Not Leaking
UO Processors/Re-Refiners (6.7)

- 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 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

- If first claim UO meets the spec, keep copies of analyses (or other info) for 3 years
UO Marketers (6.9)

- Tracking - keep records of shipments for 3 years
- Obtain one-time written notice from Burners