

The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil

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Hazardous Waste Program

If your business generates used oil, it is important that you understand and comply with Ohio EPA's used oil regulations. This guidance document outlines the basic used oil generator requirements in Ohio Administrative Code (OAC) rules 3745-279-20 through 3745-279-24. If you need more information or have questions about Ohio's used oil regulations, please contact the Division of Environmental Response and Revitalization at 614-644-2924 or visit our [Website](#).

Why is Used Oil Regulated?

Used oil that is not managed safely can pose a threat to humans and the environment. Improperly disposing of used oil can also lead to contamination of drinking water, surface water, ground water and soils. The used oil regulations describe proper used oil management. Because used oil is a reusable resource, the regulations also promote used oil recycling.

What is Used Oil?

Petroleum-based or synthetic oils that are used and contaminated with physical and chemical impurities are defined as used oil. To determine whether your material meets the definition of used oil, you must determine if it meets the following three criteria:

Did you know that...

U.S. businesses produce about 1.2 billion gallons of used oil a year?

- 1) **Origin** - The material must come from either refined crude oil or from synthetic materials including materials derived from coal, shale, or polymer-based starting material (e.g., Mobil 1, Castrol Syntec, and water based cutting and hydraulic oils).
- 2) **Use** - The material must be used as a lubricant, hydraulic fluid, heat transfer fluid (coolant), cutting fluid, buoyant or for some other similar purpose. Materials that have not been used, such as bottoms from a virgin oil tank clean-out or a virgin oil spill, are not considered used oil. Other materials that are not considered used oil include petroleum products used for cleaning (solvents) and other petroleum-derived products such as antifreeze and kerosene.
- 3) **Contaminants** - the material must be contaminated with either physical or chemical impurities from its use. Examples of contaminants could include dirt, metal shavings, solvents, or halogens.

Used Oil Generator

Where Used Oil may be found?

Used oil is any oil, synthetic or refined that has been contained in various items and these items would be regulated as used oil until materials containing or otherwise contaminated with used oil from which the used oil has been properly drained or removed to the extent possible such that no visible signs of free-flowing oil remain in or on the material. Examples include:

- Oil Filters
- Adsorbent materials
- Shocks or struts
- Transmissions
- Engines.

Once the used oil is drained from these items, they are no longer regulated by the used oil rules.

What is a Used Oil Generator?

A used oil generator is a person whose action or process first causes used oil to become subject to regulation. Used oil is commonly generated through vehicle or equipment maintenance. Many different types of businesses generate used oil, including: manufacturing companies, machine shops, metal working industries, auto service stations, quick lube shops and others.

There are additional regulations for other used oil activities such as:

- transportation
- collection centers
- re-refining or reprocessing
- burning
- marketing

If your business is involved in any of these activities, you may have to comply with the applicable requirements. For information about the regulations that might apply to you, contact the Hazardous Waste Compliance and Inspection Support Unit of the **Division of Environmental Response and Revitalization** at 614-644-2924.

What Are My Responsibilities if I Generate Used Oil?

Ohio's regulations include some specific requirements for used oil generators. Most of these regulations relate to good housekeeping practices. See the checklist on the following page for used oil generator requirements.

Besides Ohio's used oil regulations, you may be subject to regulation under other programs. For example, if your facility has the ability to store 660 or more gallons of used oil in a single above ground storage container or tank, you may need to develop a spill prevention plan (called an SPCC plan). Call Ohio EPA's Division of Emergency and Remedial Response at (614) 644-2924 for more information. If you store used oil in an underground tank, you may be subject to regulation by the Bureau of Underground Storage Tank Regulation (BUSTR), Division of State Fire Marshal. Contact BUSTR for more information at (614) 752-7938.

What is Used Oil?

Used oil includes:

- engine oils from vehicles and equipment
- lubricating oil
- brake fluids
- transmission fluid
- hydraulic fluid
- insulating oils
- metal cutting fluids
- industrial process oils
- compressor/refrigerant oils

Used oil does not include:

- oil products
- cleanup materials from oil product spills
- animal or vegetable oils
- oil sludge from virgin oil storage tanks
- antifreeze
- kerosene (unless used as a lubricant)
- petroleum distillates used as solvents

Used Oil Generator

How Can I Dispose of or Recycle My Used Oil?

As a used oil generator, you have several recycling and management options. Under no circumstances, however, can you dispose of used oil on your property.

Take your used oil to a collection center

You can transport small amounts of used oil generated at your site to a registered used oil collection center without being subject to the used oil transporter requirements. To do this, you must use your own vehicle or the vehicle must be owned by an employee. Neither vehicle may transport more than fifty-five gallons of used oil at a time.

Take your used oil to an aggregation point(s)

You can transport small amounts of used oil that you generate to aggregation points that you own. A used oil aggregation point is a site or facility that you own in which you transport used oil to. You can transport your used oil to your aggregation point(s) without being subject to the used oil transporter requirements if you use your own vehicle or a vehicle owned by an employee and you transport no more than fifty-five gallons at a time.

Burn your used oil in a space heater

You can burn used oil generated at your business or used oil received from a household do-it yourselfer in an on-site space heater. To do this, your space heater cannot burn used oil at a rate exceeding 0.5 million Btu per hour and all combustion gases from your space heater must be vented to the outside. Please note, though, that besides complying with the used oil regulations, you may also be subject to regulation by Ohio EPA's Division of Air Pollution Control. If you want to burn used oil in a space heater, you should contact the air division at your local Ohio EPA District Office to discuss any applicable requirements.

Contact a used oil recycler

The best way to manage your used oil is to send it to a used oil recycler. Ohio EPA maintains a [list](#) of companies that recycle used oil. Used oil recyclers conduct various recycling methods such as:

Reconditioning

Involves removing the impurities and reusing the oil.

Re-refining

This involves the treating of the used oil to remove its impurities. Re-refining returns the oil to close to its original state so that it can be used to make new products.

Reusing

Used oil is returned to a petroleum refiner to be used as a feedstock for gasoline or coke production.

Used Oil Generator

✓ List

- ✓ Label containers or tanks of used oil with the words, "Used Oil."
- ✓ Store used oil in containers or tanks that are in good condition (not rusting, leaking, etc.).
- ✓ If there is a leak of used oil: stop the leak, contain it, clean it up and properly manage the cleanup materials.
- ✓ Use a transporter with an EPA identification number when shipping used oil off site.
- ✓ Do not mix your used oil with other wastes such as mineral spirits, brake cleaner fluid or washer solvents, unless you are sure that you are complying with the appropriate regulations.

Note: If you mix your used oil with other wastes (solvents, for example), this may cause the entire mixture to become a hazardous waste. This mixture may subject you to the hazardous waste rules, or to other rules which may result in higher recycling/disposal costs.

Used Oil Generator

Burning for energy recovery

Used oil is treated to remove impurities such as water and solids. It is then burned as a fuel to generate heat.

If you plan to send your used oil off-site to a used oil recycler, you must use a used oil transporter who has a U.S. EPA identification number.

Additional Tips on Handling Used Oil.

Good housekeeping practices and training can help your company stay in compliance with the used oil regulations. In addition, there are other things you can do to reduce the amount of used oil generated at your company. These include:

- 1) Use high performance or long-lasting oils. They prolong the need for an oil change.
- 2) Consider testing the oil periodically to determine the level of contamination or degradation. The testing may reveal problems in machinery or equipment.
- 3) Install by-pass on vehicle engines. These small devices are used to complement "full flow" oil filters by removing contaminants smaller than 40 microns. These filters extend engine and oil life.

Handling Used Oil...

DO inspect equipment for oil leaks and take quick actions if repairs are needed.

DO train personnel on the correct methods for handling used oil.

DO look for ways to reduce the amount of used oil waste that your business generates.

Handling Used Oil...

DON'T throw your used oil on the ground, down the sewer, in a septic tank or down a floor drain.

DON'T put liquid used oil in the trash dumpster with your solid waste. Solid waste landfills cannot take liquids.

DON'T mix your used oil with other wastes that might cause the whole mixture to become a hazardous waste.

You can contact your vendor or supplier for additional information. Ohio EPA's Office of Pollution Prevention at (614) 644-3469 also can provide information about reducing the amount of waste you generate.

How Can I Dispose of Used Oil Filters?

According to OAC rule **3745-51-04(B)(13)**, non-terne plated used oil filters that are hot-drained are not hazardous wastes. Non-terne plated filters do not contain lead in the metal portion of the filter. Hot-draining may be accomplished by either:

- puncturing the anti-drain back valve or the filter dome end and hot-draining;
- hot-draining and crushing;
- dismantling and hot-draining; or
- other equivalent method.

Used Oil Generator

We consider a filter to be hot-drained when it is brought up to normal engine operating temperature just before you remove it for draining. The oil filter should be allowed to drain for 12 hours. After the oil has been drained, the filter may be disposed of in the municipal waste stream. However, we encourage you to recycle the filters as scrap metal. The oil collected must be managed as used oil.

While most automobile oil filters are non-terne plated, industrial filters and other types may still be terne-plated. The Filter Manufacturers Council (FMC) maintains information on filters. For more specific data on the discontinuation of terne-plated oil filters and other types of filters, you should refer to *FMC's Web site*.

Common Used Oil Management Standards (Ohio Administrative Code 3745-279)						
Mgmt. Standards	Handler Types	Generator/Collection Center	Transporter/Transfer Facility	Off-Spec Burner	Processor/ Re-refiner	Markerter *
Storage	Yes 3745-279-22(A)	Yes 3745-279-45(A)	Yes 3745-279-64(A)	Yes 3745-279-64(A)	Yes 3745-279-54(A)	N/A
Secondary Containment	No	Yes 3745-279-45(D)	Yes 3745-279-64(C)	Yes 3745-279-64(C)	Yes 3745-279-54(C)	N/A
Response to Releases	Yes 3745-279-22(D)	Yes 3745-279-45(H)	Yes 3745-279-64(G)	Yes 3745-279-64(G)	Yes 3745-279-54(G)	N/A
Notification/ EPA ID Number	No	Yes 3745-279-42(A)	Yes 3745-279-62(A)	Yes 3745-279-62(A)	Yes 3745-279-51(A)	Yes 3745-279-73(A)
Tracking	No	Yes 3745-279-46	Yes 3745-279-65	Yes 3745-279-65	Yes 3745-279-56	Yes 3745-279-74

* Storage, secondary containment and release response issues are not applicable to marketers, however, marketers must be one other type of handler.

Contact

For more information, contact the Hazardous Waste Compliance and Inspection Support Unit of the **Division of Environmental Response and Revitalization** at 614-644-2924.

The Regulation of Used Oil: Transporters and Transfer Facilities

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*This guidance document contains information for businesses that transport used oil. It summarizes Ohio EPA's used oil transporter management standards. These requirements are detailed in Ohio Administrative Code (OAC) rules **3745-279-40** through **3745-279-47**. For more information please visits our used oil Web site.*

What is Used Oil?

Used oil is any oil, synthetic or refined, that has been contaminated because of its use. Examples include:

- Motor oil
- Hydraulic fluid
- Electrical insulating oils
- Transmission fluid
- Compressor oils
- Materials containing or otherwise contaminated with used oil including absorbents used to abate used oil spills and leaks and equipment that contains used oil

What is a Used Oil Transporter?

A used oil transporter is any person that does any of the following:

- Transports used oil
- Collects used oil from more than one used oil generator and transports the used oil
- Collects and transports absorbents contaminated with used oil
- Operates or owns a used oil transfer Facility
 - Conduct incidental treatment
 - Bulking individual containers of used oil
 - Draining used oil from oil filters
 - Separating used oil from absorbent material

Is It Possible to Transport Used Oil and Not be Subject to the Used Oil Transporter Requirements?

It is possible to transport used oil and not be subject to the used oil transporter requirements if:

- You are transporting used oil on-site; or
- You are the generator of the used oil and are transporting less than 55-gallons of used oil to a collection center or aggregation point (see OAC rule **3745-279-24** for more information).

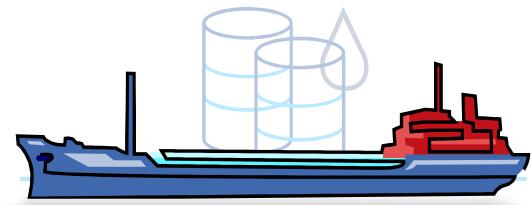


Used Oil Transporters and Transfer Facilities

What Must I Do if I am a Used Oil Transporter?

As a used oil transporter, you must do the following:

- Notify Ohio EPA, Division of Environmental Response and Revitalization (DERR's) Hazardous Waste Program, and obtain an **EPA identification number** by filling out a notification form (**9029**) or by submitting a letter to Ohio EPA with the appropriate information. You can obtain a copy of the form and instructions on our **Web page** or by calling (614) 644-2924.
- Determine if the used oil contains more than one thousand parts per million (ppm) total halogens, and retain records of all analyses or information used to make this determination for three years (**OAC rule 3745-279-44**). Acceptable analytical test protocols include **SW-846 Test Methods 9075, 9076** and **9077**. The latter of these methods is a field test method such as Chlor-D-Tect 1000® and Chlor-D-Tect 4000®.
- Deliver used oil only to another use oil transporter, used oil processor/re-refiner, off-specification used oil burner or on-specification used oil burner.
- Comply with all applicable Department of Transportation (**PUCO in Ohio**) requirements.
- Manage all residues from transporting or storing used oil in accordance with OAC rule **3745-279-10(E)**.
- Manage all residues from transporting and incidental treatment of used oil that are hazardous waste in accordance with the applicable hazardous waste rules of Chapters 3745-50 to 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the Administrative Code.
- Retain records of all shipments and deliveries of used oil for at least three years. The information recorded must include:
 - Name and address of used oil provider or receiver;
 - U.S. EPA identification number;
 - Date; and
 - Signature of receiver or provider of used oil



Note: Besides Ohio's used oil regulations, you may be subject to regulation under other programs. For example, if you store a large quantity of used oil on-site in containers or tanks, you may need to develop a spill prevention plan (called an **SPCC plan**). Call Ohio EPA's Division of Environmental Response and Revitalization at (614) 644-2924 for more information.

What Must I Do if I Have a Release or Spill of Used Oil During Transportation?

If you have a release of used oil during transportation you must:

- Take immediate action to protect human health and the environment (e.g., contain the release; notify local emergency authorities, etc.).
- Call Ohio EPA's DERR's **Emergency Response Program** at 800-282-9378, and follow up with a written report (see **49 CFR 171.15 and 171.16** for specific requirements of when to report).

Used Oil Transporters and Transfer Facilities

At My Facility, Can I Store Used Oil from My Own Transporting Operations as Well as from Transporters?

Yes, you may. If you store used oil at your facility for more than 24 hours but less than 35 days, you are considered a used oil transfer facility and must comply with [**OAC rules 3745-279-40 through 3745-279-47**](#).

What Management Requirements Must I Follow if I am Storing Used Oil at a Transfer Facility?

If you are a transporter who is also acting as a transfer facility or you are a transfer facility, storing used oil you must:

- Store used oil only in tanks or containers that are in good condition and are not leaking.
- Equip used oil container storage areas with secondary containment that is sufficiently impervious to used oil (including the floor, dikes, berms and retaining walls) to prevent any used oil from migrating to the soil, ground water or surface water.
- Equip used oil aboveground storage tank(s) with secondary containment that is sufficiently impervious to used oil (including the floor, dikes, berms and retaining walls) to prevent any used oil from migrating to the soil, ground water or surface water. (If you are operating a tank that was installed after October 20, 1998, the floor must cover the ground underneath the tank. If the tank was in operation prior to October 20, 1998, then the floor only has to extend to the point where the tank meets the ground.)
- Label all used oil storage tanks (including fill pipes to underground storage tanks) and containers with the words "Used Oil."

Upon detection of a release to the environment you must:

- Stop the release.
- Contain the released used oil.
- Clean up and manage the released used oil and other remediation materials.
- Repair or replace any containers or tanks prior to returning them to use

What Happens if I Store the Used Oil for More Than 35 Days?

If you store used oil for greater than 35 days, your used oil transfer facility becomes subject to the requirements for used oil processors and re-refiners, found in [**OAC rules 3745-279-50 through 3745-279-59**](#). These requirements are more comprehensive than the transfer facility standards. You would be required to follow a preparedness and prevention plan, as well as develop, maintain and distribute a contingency plan for your facility. Also, you would be required to perform closure on your used oil storage areas when you close the facility.

If I Transport Hazardous Waste, are There Any Provisions that I Should be Aware of if I Also Transport Used Oil?

If you also transport hazardous waste, you must ensure that your container/tanker trucks are empty. You must remove all hazardous waste by the normal means of emptying; ensure that no more than 3% by volume of residue remains on the bottom of the tanker trucks or container. For containers or tankers that have held and

Used Oil Transporters and Transfer Facilities

acute listed waste you must triple rinse your container/tanker truck (see OAC rule [**3745-51-07**](#) for details). EPA regulates tanker trucks as containers. You must meet these standards before the used oil that you transport is considered non-hazardous waste.

Transporters who generate residues from the storage or transport of used oil shall manage the residues as specified in paragraph (E) of rule [**3745-279-10**](#) of the Administrative Code. The rule outlines four possible dispositions for the residue derived from used oil.

1. The residue that are used beneficially and are not burned or used in a manner constituting disposal (e.g., re-refined lubricants) are: Not regulated as used oil and not subject to the used oil rules. The material is also not a waste and they are not subject to the hazardous waste regulations.
2. The residue produced from used oil that is burned for energy recovery (e.g., used oil fuels) is subject to regulation as used oil rules.
3. The residue that is disposed of or used in a manner constituting disposal are not used oil and are not regulated as used oil. The residue is a waste and thus are subject to the hazardous waste regulations
4. The residue that is used as feedstock to manufacture asphalt products are not subject to the used oil rules.

Who Can I Contact if I Have Other Questions Regarding Used Oil Transportation or Used Oil in General?

Please contact Ohio EPA's [**Division of Environmental Response and Revitalization's**](#), Hazardous Waste Compliance & Inspection Support Unit at 614-644-2924. You can also contact the appropriate Hazardous Waste Program inspector for your area in one of the [**District Offices**](#).

Used Oil Burners – New Guidance for Rebuttable Presumption

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Hazardous Waste Program

This guidance document contains information for businesses that burn off-specification used oil (used oil burners). It summarizes Ohio EPA's used oil burner management standards. These requirements are detailed in Ohio Administrative Code (OAC) rules 3745-279-60 through 3745-279-67.

What is Used Oil?

Used oil is any oil, synthetic or refined that has been contaminated because of its use. Examples include:

- Motor oil
- Hydraulic fluid
- Electrical insulating oils
- Transmission fluid
- Compressor oils
- Materials containing or otherwise contaminated with used oil including absorbents used to abate used oil spills and leaks and equipment that contains used oil.



Where Used Oil may be found?

Used oil is any oil, synthetic or refined that has been contained in varies items and these items would be regulated as used oil until materials containing or otherwise contaminated with used oil from which the used oil has been properly drained or removed to the extent possible such that no visible signs of free-flowing oil remain in or on the material. Examples include:

- Oil Filters
- Adsorbent materials
- Shocks or struts
- Transmissions
- Engines

Once the used oil is drained from these items, they are no longer regulated by the used oil rules.

Who is a Used Oil Burner?

A used oil burner is any person who burns used oil that:

- does not meet the specification standards found in OAC rule 3745-279-11,
- burns the used oil for purposes of energy recovery, and
- burns the used oil in either a boiler or an industrial furnace.

Is It Possible to Burn Off-Specification Used Oil and Not Be Subject to The Used Oil Burner Requirements?

It is possible to burn off-specification used oil and not be subject to the used oil burner requirements if:

- you only burn in an on-site space heater,

Used Oil Burners - Rebuttable Presumption

- you only burn the used oil generated at your business or used oil received from a household do-it-yourselfer (used oil generated from a households),
- your space heater does not burn used oil at a rate exceeding 0.5 million Btu per hour, and
- all of the combustion gases from your space heater are vented to the outside.

Even though you may not have to comply with used oil burner requirements, you are still required to comply with other used oil requirements, such as used oil generator requirements, if applicable.

Is there any Used Oil that Would Not be Subject to the Used Oil Regulations?

Used oil that has been proven to meet the specifications found in OAC rule [3745-279-11](#) (commonly referred to as “on-specification used oil”) and is burned for energy recovery is not subject to used oil requirements. For example, used oil that meets the requirements of OAC rule [3745-279-11](#) may be burned in an oil-fired space heater regardless of the source of the generator. For used oil to be considered “on-specification,” its constituent levels must be at or below (except for flash point) the following levels:

- 5 ppm or less of arsenic
- 2 ppm or less of cadmium
- 10 ppm or less of chromium
- 100 ppm or less of lead
- 100° F minimum flash point
- 4,000 ppm or less of total halogens*
- less than 2 ppm PCBs

The person who makes the claim that the used oil meets these specifications must keep all records of the analysis and a record of all shipments of the used oil.

* Note that if the used oil contains greater than 1,000 ppm total halogens, you must successfully rebut the presumption that the used oil has been mixed with a hazardous waste before it can be marketed as an on-specification used oil not subject to used oil requirements.

What Type of Unit Qualifies as a Boiler or an Industrial Furnace?

Generally, a boiler is an enclosed device that uses controlled flame combustion to recover and deliver energy in the form of steam, heated fluid or heated gases. An industrial furnace is an enclosed device that is an integral part of a manufacturing process, and uses thermal treatment to recover materials or energy. You can find more information on what qualifies as an industrial furnace in OAC rule [3745-50-10\(A\)\(52\)](#). For a boiler, first read OAC rule [3745-50-10\(A\)\(10\)](#), then make sure your unit meets one of the identification criteria found in OAC rule [3745-279-61\(A\)\(2\)](#). For burning used oil, space heaters do not qualify as either a boiler or industrial furnace. If you have further questions regarding what qualifies as either a boiler or industrial furnace, please contact a member of DERR’s [Hazardous Waste Compliance and Inspection Support Unit](#) at 614-644-2924.

Used Oil Burners - Rebuttable Presumption

What Must I Do if I am a Used Oil Burner?

As a used oil burner, you must do the following:

- Notify Ohio EPA, DHWM, and obtain an **EPA identification number** by filling out a notification form ([9029](#)) or by submitting a letter to [Ohio EPA](#) with the appropriate information. You can obtain a copy of the form and instructions on our [Web page](#) or by calling (614) 644-2924.
- Determine if the used oil contains more than one thousand parts per million (ppm) total halogens, and retain the records of all analyses or information used to make these determinations for the last three years (OAC [rule 3745-279-44](#)). Acceptable analytical test protocols include **SW-846 Test Methods** 9075, 9076 and 9077. The latter of these methods is a field test method such as Chlor-D-Tect 1000®, Quantichlor Kit® and Chlor-D-Tect 4000®.
- Manage all residues from burning or storing used oil in accordance with OAC rule [3745-279-10\(E\)](#).
- Retain records of all accepted shipments of used oil for at least three years. The records must include:
 - name, address and U.S. EPA ID number of the used oil transporter;
 - name, address and U.S. EPA ID number (if applicable) of the generator, processor/re-refiner from where the used oil was sent;
 - date of acceptance; and
 - the quantity of used oil received.

Note: If the used oil contains >1,000 ppm total halogens, it is presumed to have been mixed with a hazardous waste. Unless you have a hazardous waste permit to burn hazardous waste, you cannot legally burn this used oil. You can rebut the presumption that the used oil has been mixed with hazardous waste. To find out more about rebutting the presumption, read the addendum at the end of this guidance.

Prior to accepting any used oil, you must provide the supplying generator transporter or processor/rerefiner a one-time written and signed notice certifying that:

- you have notified Ohio EPA of your used oil management activities, and
- you will only burn the used oil in a boiler
- or industrial furnace.

What Management Requirements Must I Follow if I am Storing Used Oil At My Facility Before Burning It?

If you are storing used oil at your facility you must:

- Store used oil only in tanks or containers that are in good condition and are not leaking.
- Equip used oil container storage areas with secondary containment that is sufficiently impervious to used oil (including the floor, dikes, berms and retaining walls) to prevent any used oil from migrating to the soil, ground water or surface water.

Note: Besides Ohio's [used oil rules](#), you may be subject to regulation under other programs. For example, if you store a large quantity of used oil on-site in containers or tanks, you may need to develop a spill prevention plan (called an [SPCC plan](#)). Call Ohio EPA's [Division of Environmental Response and Revitalization](#) at (614) 644-2924 for more information.

Used Oil Burners - Rebuttable Presumption

- Equip used oil aboveground storage tank(s) with secondary containment that is sufficiently impervious to used oil (including the floor, dikes/berms and retaining walls) to prevent any used oil from migrating to the soil, ground water or surface water. (If you are operating a tank that was installed after October 20, 1998, the floor must cover the ground underneath the tank. If the tank was in operation prior to October 20, 1998, then the floor only has to come up to the point where the tank meets the ground.)
- Label all used oil storage tanks (including fill pipes to underground storage tanks) and containers with the words "Used Oil."

Upon detection of a release to the environment you must:

- Stop the release;
- Contain the released used oil;
- Clean up and manage the released used oil and other remediation materials; and
- Repair or replace any container or tanks prior to returning them to use.

If I Determine that I am a Used Oil Burner, Should I Contact any other Divisions at Ohio EPA for other Regulations I May need to comply with for the burning of Used Oil?

Yes. You should contact a member of the Division of Air Pollution Control (DAPC). You may need to receive an air permit or modify an existing permit in order to burn used oil. You can contact a member of DAPC by visiting their [Web page](#).

Who Can I Contact if I Have Other Questions Regarding Burning Used Oil or Used Oil in General?

Please contact DERR's Hazardous Waste Compliance and Inspection Support Unit at 614-644-2924, if you have used oil management questions or wish to learn about ways that you can reduce the amount of waste you generate.

Rebutting the Presumption - Using the significant concentration approach found in OAC rule 3745-279-63(C) Addendum to Used Oil Burner Fact Sheet

What is the purpose of this Addendum?

The purpose of this addendum is to provide guidance to you (used oil burners) when attempting to rebut the presumption that the used oil you are burning has not been mixed with a listed hazardous waste by demonstrating that the used oil does not contain significant concentrations of halogenated hazardous constituents (HHCs).

I am a used oil burner and received used oil which had greater than 1000 ppm total halogens, what information is acceptable to successfully rebut the presumption of mixing hazardous waste with the used oil?

Under Ohio Administrative Code rule [3745-279-63\(C\)](#), the used oil burner must be able to demonstrate that the used oil has not been mixed with a listed hazardous waste. Essentially, the burner has two methods to make this demonstration- by providing process information which demonstrates that the used oil was contaminated by HHCs that would not be listed hazardous waste or by demonstrating that the used oil does not contain significant concentrations of HHCs by providing representative analytical data.

Used Oil Burners - Rebuttable Presumption

What are significant concentrations of HHCs at my (a used oil burner) location?

If you (the used oil burner) can provide analytical results that the used oil does not contain greater than 100 ppm of any individual HHC found in the F001 and F002 listings per OAC rule [**3745-51-31**](#), then the presumption has been successfully rebutted. However, if there is information that suggests that other HHCs (e.g., chlorinated pesticides) are contained in the used oil, then you (the used oil burner) would be required to provide further information documenting that these HHCs are not from listed hazardous waste sources. You (used oil burners), though, will not be expected to have analytical results for these other HHCs.

Can this analytical information be provided by a used oil processor to me (the used oil burner)?

Yes. This analytical information can be provided to you (the used oil burner) from the used oil processor. This information must be representative of the used oil shipped and be accompanied with each load of used oil provided to you (the used oil burner).

Does that mean each load must be individually sampled?

Not necessarily. For example, if a used oil processor produces a batch of used oil fuel and takes a representative sample for analysis (uses SW-846 methods), any loads from that batch may use that analytical result.

What analytical standards must be used when analyzing the used oil for the HHCs?

A representative sample of the used oil that conforms to the analytical approaches in accordance with EPA publication, SW-846 [see OAC rule [**3745-279-63\(C\)**](#)] would be acceptable. For additional support to your unique sampling situation, please contact **DERR's** the Hazardous Waste Compliance and Inspection Support Unit at 614-644-2924.

Must each of my used oil burner locations maintain a record of this information?

Not necessarily. We would allow a centralized location to maintain this information provided that the information is readily available for inspection upon request, organized by site and references the loads associated with the specific analytical data.

Contact

For more information, contact the Hazardous Waste Compliance and Inspection Support Unit of the **Division of Environmental Response and Revitalization** at 614-644-2924 visit Ohio EPA's **Answer Place** with your specific question(s). You can also contact a DERR's Hazardous Waste Program inspector in your area at one of the **District Offices**.