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## The Regulation of Used Oil: Transporters and Transfer Facilities

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DHWM Guidance Document

Date: August 2005

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 or further explanation of these rules, contact Ohio EPA's Division of Hazardous Waste Management (DHWM) at (614) 644-2917, or visit our [Web site](#). You can also contact the appropriate DHWM inspector for your area in one of the [District Offices](#).

### What is Used Oil?

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

- Motor oil
- Hydraulic fluid
- Electrical insulating oils
- Transmission fluid
- Compressor oils

### 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
- Operates or owns a used oil transfer facility

### 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).

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

As a used oil transporter, 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) 644-2917.
- 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](#) requirements.
- Manage all residues from transporting or storing used oil in accordance with OAC rule [3745-279-10\(E\)](#).
- 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.

### 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 [Division of Emergency and Remedial Response](#) at (800) 424-8802 or (202) 426-2675, and follow up with a written report (see 49 CFR [171.15](#) and [171.16](#) for specific requirements of when to report).



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### 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 storing used oil at a transfer 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.
- 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."

**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 Emergency and Remedial Response](#) at (614) 644-2924 for more information.

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.

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### 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.

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

If you also transport hazardous waste, you must ensure that your container/tanker is empty. You must remove all hazardous waste by the normal means of emptying, ensure that no more than one inch of residue remains on the bottom, and triple rinse your container/tanker if required (see OAC rule [3745-51-07](#) for details). You must meet these standards before the used oil that you transport is considered non-hazardous waste.

### 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 Hazardous Waste Management, [Regulatory Services Unit](#) if you have used oil management questions or wish to learn more about ways that you can reduce the amount of waste you generate. You can also contact an inspector from one of the [District Offices](#).