

Common violations for used oil handlers

Used oil handlers are most often cited for failure to label their containers with the words “Used Oil.” (Remember not to label containers as “Waste Oil,” or “Hazardous Waste,” unless you want to manage them as hazardous waste, and be sure to label any fill pipes with the words “Used Oil,” too.)

The next most common violation is for having leaking containers or containers that are not in good condition.

Examples:

In 2003, a used oil processor in Michigan was assessed a civil penalty of \$1,250,000 for failing to:

- Have the required secondary containment,
- Label his used oil containers,
- Keep containers that in good condition,
- Have a contingency plan,

Used oil glossary

Aboveground tank — A tank used to store or process used oil that is not an underground storage tank as defined in §280.12.

Characteristic hazardous waste — A waste that exhibits one of the four characteristics defined in 40 CFR Part 261 Subpart C (ignitability, corrosivity, reactivity, and toxicity).

Conditionally Exempt Small Quantity Generator — Hazardous waste generators that generate less than 100 kg/month of hazardous waste (or less than 1 kg of acute hazardous waste) (§261.5(a) and (e)).

Container — Any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled.

Do-it-yourselfer used oil collection center — Any site or facility that accepts/aggregates and stores used oil collected only from household do-it-yourselfers.

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.

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.

Household “do-it-yourselfer” used oil generator — An individual who generates household “do-it-yourselfer” used oil.

- Properly maintain emergency equipment,
- Have a written analysis plan,
- Have an adequate communications system, and
- Have an operating license (permit) for the storage or disposal of hazardous waste.

In 2013, EPA cited a city in Washington for failing to test its used oil for PCBs before shipping it offsite to a used oil processor. The processor found the contamination during its routine testing. The city’s oil shipment resulted in the PCB contamination of approximately 8,250 gallons of used oil at the processor. Used oil contaminated with PCBs is regulated under TSCA, which prohibits the recycling of PCB-contaminated used oil. Therefore, the processor was required to dispose of the used oil as a hazardous waste.

The city agreed to pay a \$40,000 federal penalty.

Large Quantity Generator (LQG) — A facility that generates more than 1,000 kg/month (or more than 1 kg of acute hazardous waste), or more than 100 kg/month of spill residue or contaminated soil (§261.5(e) and Part 262).

Listed hazardous waste — EPA has determined that some specific wastes are hazardous. These waste are incorporated into the F-list, the K-list, the P-list, and the U-list. (§§261.31, .32, and .33).

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.

Off-Specification — Used oil that exceeds the limits in Table 1 at §279.11.

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).

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.