

# Managing Used Oil and Related Oil Waste – Requirements for Marketers

Waste/Hazardous Waste #4.34, rev. July 2003

*This fact sheet summarizes requirements for businesses that market used oil to be burned for energy recovery.*

## Contents

Environmental Concerns .....	1
Used Oil .....	1
Who is a Marketer? .....	1
Used Oil Classifications ..	1
Marketer Requirements for Off-Specification Used Oil .....	2
Record Keeping — Off-Specification .....	2
Marketer Requirements for On-Specification Used Oil .....	2
Record Keeping — On-Specification .....	3
More Information .....	3

## Environmental Concerns

Used oil often contains lead and other toxic contaminants. If disposed of improperly, the waste can be harmful to human health and the environment. About 95 percent of the used oil collected in Minnesota is burned for energy recovery, primarily in asphalt plants.

## Used Oil

Used oil includes petroleum or synthetic oil used as a lubricant, heat transfer fluid, hydraulic fluid or any similar uses. Some examples are:

- engine oil
- transmission fluid
- lubricating oil
- hydraulic oil
- gear oil
- transformer fluid
- cutting oil
- tempering or quenching oils
- grease
- brake fluid

Antifreeze, fuels and solvents are **not** used oil.

## Who is a Marketer?

A used oil marketer is any person or business that:

- supplies off-specification used oil to any party that operates a used oil burner; or
- first claims that used oil destined to be burned is on-specification.

Persons or businesses **not** considered used oil marketers and who are **not** subject to the marketer requirements include:

- generators of used oil who do not transport or supply used oil directly to a

party that burns it for energy recovery;

- used oil haulers who pick up used oil *only* from generators and do *not* market the used oil directly to a party who burns it for energy recovery;
- parties who ship used oil from burning as on-specification used oil but are not the first to claim the oil meets the specifications.

## Used Oil Classifications

Used oil is classified as either on-specification or off-specification.

**On-specification used oil** means the used oil meets the specifications in Table 1.

**Table 1: On-specification Used Oil**

Flash point	100° Fahrenheit minimum
Arsenic	5 ppm* maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Total Halogens	1000 ppm maximum**

\*ppm = parts per million

\*\*A level of halogens up to 4000 ppm is allowed *if* it can be proven that hazardous waste has not been mixed with the used oil.

**Off-specification used oil** means the oil exceeds one or more of the specifications for on-specification used oil, unless the used oil has been mixed with a hazardous waste.

**Used oil that has been mixed with a hazardous waste is considered to be a hazardous waste.**

Used oil containing more than 1000 ppm total halogens is presumed to be mixed with a hazardous waste unless there are laboratory



results or other documentation to show that the used oil has not been mixed with a hazardous waste. For example, documentation showing that the source of halogens in used oil is chlorinated paraffins in metalworking oil, or CFCs unintentionally introduced into refrigerant oil, can be used to show that used oil has not been mixed with hazardous waste. Used oil is considered to be off-specification unless there are laboratory results or other documentation to show that it is either on-specification used oil or a hazardous waste.

Materials (like sorbents) contaminated with used oil that are destined to be burned for energy recovery are considered to be used oil. Marketers delivering those materials for burning are subject to the same requirements as for liquid used oil.

### Marketer Requirements for Off-Specification Used Oil

A marketer of off-specification used oil:

- must notify the U.S. Environmental Protection Agency (EPA) that they are a marketer of off-specification used oil and obtain an EPA identification (I.D.) number. Notification forms are available from the Minnesota Pollution Control Agency's (MPCA) Web site. *This is a one-time requirement.* Marketers already having an EPA I.D. number for some reason other than marketing off-specification used oil must complete an EPA subsequent notification form to update their used oil activities.
- may only market off-specification used oil for burning in a utility or industrial boiler (e.g., asphalt plant) that has notified the EPA of its used oil activities, or for use in marine and diesel engines. A marketer **must not** market off-specification used oil for burning in a nonindustrial burner, such as a burner located in a public building, school, hospital, or apartment building.
- must obtain a certification letter from each burner or other marketer to which they supply used oil. In the letter, the burner or marketer receiving the oil must certify that:
  - they notified EPA that they are a burner or marketer of used oil;
  - the oil will only be burned in a utility or industrial boiler.

A certification letter is a one-time requirement between a marketer and each recipient of used oil.

### Record Keeping Requirements for Off-Specification Used Oil

A marketer must keep a copy of each certification letter received or sent for at least three years from the date of the last marketing transaction with a burner or other marketer. A marketer must also keep records of each shipment to a used oil burner. The records must include:

- the transporter(s)' and recipient's I.D. numbers;
- the names and addresses of the transporter(s) and recipient;
- the quantity of used oil delivered; and
- the date of the shipment.

A marketer must keep a copy of these records for at least three years from the date of shipment of used oil to the burner.

### Marketer Requirements for On-Specification Used Oil

A marketer of on-specification used oil:

- may market the oil for burning in any utility, industrial, non-industrial boiler, or in marine and diesel engines. If a marketer does *not* obtain a laboratory analysis proving the used oil to be on-specification then the marketer may only market the used oil for burning in a utility or industrial boiler, or in marine and diesel engines.
- who is the first to claim that used oil is on-specification must obtain a laboratory analysis or other information proving the oil is on-specification. The analysis or other information must be kept by the marketer for at least three years from the date the oil waste was determined to be on-specification.
- who is the first to claim that used oil is on-specification must notify EPA that they are a marketer of on-specification used oil and obtain an EPA I.D. number. Notification is a one-time requirement. If a marketer already has an EPA I.D. number for some reason other than marketing on-specification used oil, they must renotify EPA of their used oil activities.
- who is not the first to claim that the oil is on-specification is not subject to the EPA notification or operating log requirements.



## Record Keeping Requirements for On-Specification Used Oil

A marketer of on-specification used oil must also record in an operating log and maintain for three years the following information for *each* shipment:

- the name and address of the facility receiving the shipment;
- the quantity of on-specification used oil delivered;
- the date of delivery; and
- a cross-reference to the record of used oil analyses or other information used by the marketer to make the determination that the oil is on-specification.

## More Information

Your metropolitan county and the Minnesota Pollution Control Agency have staff available to answer waste management questions. For more information, contact your metropolitan county hazardous waste office or the MPCA office closest to your county.

### Metro County Hazardous Waste Offices

Anoka County .....	(763) 422-7093
Carver County .....	(952) 361-1800
Dakota County .....	(952) 891-7557
Hennepin County .....	(612) 348-3777
Ramsey County .....	(651) 266-1199
Scott County .....	(952) 496-8475
Washington County .....	(651) 430-6655

### Minnesota Pollution Control Agency

Toll free .....	(800) 657-3864
Brainerd .....	(218) 828-2492
Detroit Lakes .....	(218) 847-1519
Duluth .....	(218) 723-4660
Mankato .....	(507) 389-5977
Marshall .....	(507) 537-7146
Rochester .....	(507) 285-7343
St. Paul .....	(651) 296-6300
Willmar .....	(320) 214-3786

**Web Site** ..... [www.pca.state.mn.us](http://www.pca.state.mn.us)

### Minnesota Duty Officer (to report spills)

Metro area .....	(651) 649-5451
Minnesota toll free .....	(800) 422-0798

### Minnesota Department of Transportation

Motor Carrier Safety and Compliance .....	(651) 215-6330
Web site .....	<a href="http://www.dot.state.mn.us/cvo/hazmat.html">www.dot.state.mn.us/cvo/hazmat.html</a>