

Burning Used Oil

Waste/Hazardous Waste #4.32, July 2003

This fact sheet describes the management requirements for businesses that burn used oil for energy recovery.

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Environmental Concerns

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

Used Oil Classifications

Minnesota rules classify used oil 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 a hazardous waste. Used oil that contains more than 1000 ppm total halogens is presumed to be mixed with a hazardous waste unless there

are laboratory results or other documents to show the used oil has *not* been mixed with a hazardous waste. Used oil is considered to be off-specification unless there are laboratory results or other documents to show it is either on-specification used oil or a hazardous waste.

Burner Requirements for On-specification Used Oil

A burner of on-specification used oil:

- who is the first to claim that used oil is on-specification must notify U.S. Environmental Protection Agency (EPA) that they are a burner of on-specification used oil and obtain an EPA I.D. number; (Notification forms are available from the MPCA Web site.) *This is a one-time requirement.* A burner already having an EPA I.D. number for other hazardous waste activities must renotify of used oil activities;
- who is the first to claim that used oil is on-specification must obtain a laboratory analysis or other information proving that the oil is on-specification;
- must keep the laboratory analysis proving the oil is on-specification for at least three years from the date the oil was determined to be on-specification; and
- who is not the first to claim that the oil is on-specification is *not* subject to the EPA notification or analysis requirements, *unless* the oil is subsequently mixed with hazardous waste or is mixed with other used oil so that it is no longer on-specification.



Burner Requirements for Off-specification Used Oil

A burner of used oil:

- may only burn off-specification used oil in an industrial or utility burner which is a combustion device used for energy at a site of industrial manufacturing or production (e.g. asphalt plant). Off-specification used oil only *cannot* be burned in a non-industrial burner such as a burner located in a public building, school, hospital, or apartment building.
- must notify EPA that they are a burner of off-specification used oil and obtain an EPA ID number. Notification forms are available from the MPCA Web site. Notification as a burner is a one-time requirement. A burner already having an EPA ID number for other hazardous waste activity must renotify of used oil activities.
- must provide a signed certification letter to each marketer who supplies them with used oil. This is a one-time requirement between a burner and each marketer supplying used oil. The letter must certify:
 - that the burner has notified the EPA that they are a burner of off-specification used oil and have obtained an EPA ID number; and,
 - that the oil will only be burned in an industrial or utility burner;
- must keep a copy of each certification letter sent for at least three years from the date of the last marketing transaction with a marketer.
- must obtain an invoice from each marketer for *each* shipment of used oil. The invoice must include:
 - an invoice number;
 - the marketer's and burner's EPA ID numbers;
 - the marketer's and burner's names and addresses;
 - the quantity of used oil exchanged;
 - the date of the shipment or delivery;
 - the following statement: *"This used oil is subject to EPA regulation under 40 CFR Part 266."*; and,
- must keep a copy of each invoice for at least three years from the date the invoice is received.

Burner Requirements for Used Oil Space Heaters

A business with an on-site space heater:

- does not need to comply with the burner requirements

above *if* the space heater is:

- rated at less than half a million (500,000) BTUs per hour;
- vented to the outdoors; and,
- used to burn only used oil generated on site or used oil accepted directly from do-it-yourself oil changers;
- cannot accept used oil from other businesses to burn in their space heater *unless* the oil has been tested and found to be on-specification.

General Recommendations for All Burners

Businesses using a used oil burner should contact the MPCA's Small Business Assistance Program to inquire into air quality requirements and State of Minnesota building code personnel to inquire into building codes for installation and use of the burner.

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) 891-7020
Hennepin County	(612) 348-8100
Ramsey County	(651) 773-4466
Scott County	(952) 496-8177
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
Marshall	(507) 537-7146
Rochester	(507) 285-7343
St. Paul	(651) 297-2274
Willmar	(320) 214-3786
Small Business Assistance ..	(651) 282-6143
Small Business toll free	(800) 657-3938

Web Site <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 Administration

Building code requirements	(651) 296-4639
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