The Used Oil Generator

Information presented in this fact sheet is intended to provide a general understanding of the regulatory requirements governing generators of used oil. This information is not intended to replace, limit, or expand upon the complete regulatory requirements found in Division 14 of the ADEM Administrative Code.

**TIP**
The following items are NOT used oil:
- Animal oil (grease)
- Antifreeze
- Vegetable oil
- Waste oil (used or unused oil that is not being recycled)

**WHAT IS USED OIL?**
According to ADEM Admin. Code 335-14-1-.02(1), used oil is any oil that has been refined from crude oil, or any synthetic oil, that has been used and, as a result of such use, is contaminated by physical or chemical impurities.

**WHAT IS A USED OIL GENERATOR?**
ADEM Admin. Code r. 335-14-1-.02(1) defines a Used Oil Generator (UOG) as any person, by individual generation site, whose act or process produces used oil or whose act first causes used oil to become subject to regulation. There are three exceptions to this definition: 1) household do-it-yourselfers that change oil in their own vehicles, 2) vessels at sea or port, and 3) farmers that generate no more than 25 gallons of used oil per month. The requirements that apply to you as a UOG are found primarily in ADEM Admin. Code 335-14-17-.03.

**SHOULD I HAVE AN EPA IDENTIFICATION NUMBER?**
As a UOG, you are required to obtain an EPA Identification Number if you generate an average of more than 25 gallons of used oil per month in a calendar year. You can obtain an EPA Identification Number by submitting ADEM Form 8700-12, Notification of Regulated Waste Activity, in accordance with ADEM Admin. Code 335-14-17-.03(3). Thereafter, an annual notification is required based on the schedule found at ADEM Admin. Code 335-14-17-.03(3)(a). The ADEM Form 8700-12 is not considered complete without payment of all the appropriate fees specified in ADEM Admin. Code 335-1-6.

**WHAT REGULATIONS APPLY TO MY USED OIL?**
According to ADEM Admin. Code 335-14-17-.02(1)(a), the “Department presumes that used oil is to be recycled unless a used oil handler disposes of used oil or sends used oil for disposal.” Based on this presumption, the regulations of ADEM Admin. Code 335-14-17 apply to used oil. In most cases, the hazardous waste regulations do not apply to used oil that is intended to be recycled. Used oil that is destined for recycling can only become a hazardous waste if the used oil is mixed with a hazardous waste. The exact regulatory status of the mixture of used oil and hazardous waste depends on the type of hazardous waste mixed with the used oil. Mixing used oil with other materials may be allowed, but the resultant mixture may no longer be regulated as used oil. Also, mixing hazardous waste with used oil may constitute treatment of a hazardous waste and this treatment may require the generator to comply with the applicable standards and permit requirements for hazardous waste treatment facilities. The following table is intended to assist in determining whether a particular lot of used oil is regulated under the used oil management standards or the hazardous waste regulations. Begin with STEP 1 and continue until you encounter STOP.

<table>
<thead>
<tr>
<th>STEP</th>
<th>Used Oil / Hazardous Waste Determination</th>
<th>If YES, Go To STEP</th>
<th>If NO, Go To STEP</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Is the used oil known to be mixed with a hazardous waste?</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>2</td>
<td>Does the used oil have 1000 ppm or less total halogens?</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>3</td>
<td>Can you prove the source of the halogens is not a listed hazardous waste?</td>
<td>11</td>
<td>12</td>
</tr>
<tr>
<td>4</td>
<td>Is the hazardous waste from the CESQG* that generated the used oil?</td>
<td>11</td>
<td>5</td>
</tr>
<tr>
<td>5</td>
<td>Does the hazardous waste exhibit only the characteristic of ignitability?</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td>6</td>
<td>Is the hazardous waste listed only for ignitability?</td>
<td>10</td>
<td>7</td>
</tr>
<tr>
<td>7</td>
<td>Is the hazardous waste listed for any reason other than ignitability?</td>
<td>12</td>
<td>8</td>
</tr>
<tr>
<td>8</td>
<td>Does the mixture of used oil and hazardous waste exhibit any characteristic of hazardous waste?</td>
<td>12</td>
<td>9</td>
</tr>
<tr>
<td>9</td>
<td>The material is regulated as <strong>USED OIL</strong>, but mixing is treatment without a permit</td>
<td><strong>STOP</strong></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Does the mixture of used oil and hazardous waste exhibit the ignitability characteristic?</td>
<td>12</td>
<td>11</td>
</tr>
<tr>
<td>11</td>
<td>The material is regulated as <strong>USED OIL</strong></td>
<td><strong>STOP</strong></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>The material is regulated as <strong>HAZARDOUS WASTE</strong></td>
<td><strong>STOP</strong></td>
<td></td>
</tr>
</tbody>
</table>

* Conditionally Exempt Small Quantity Generator of hazardous waste subject to ADEM Admin. Code 335-14-2-.01(5)
WHAT ACTIVITIES AM I ALLOWED TO PERFORM WITH MY USED OIL?

- Filter, clean, or recondition used oil prior to reuse or burning in a space heater
- Separate used oil from wastewater generated on-site
- Use oil mist collectors to remove oil droplets from in-plant air
- Remove used oil from materials containing used oil
- Burn used oil in certain space heaters (<0.5 million BTU/hr; vented to ambient air)
- Mix used oil with diesel fuel for use in my own vehicles

TIP
If used oil that is destined for recycling is not mixed with other materials, then it cannot become a hazardous waste.

MAY I USE MY USED OIL FOR DUST SUPPRESSION?
No, the use of used oil as a dust suppressant is expressly prohibited by ADEM Admin. Code r. 335-14-17-.02(3)(b).

WHAT ARE MY TIME AND QUANTITY ACCUMULATION LIMITS?
You are allowed to accumulate your used oil on-site with no limit on the time or quantity.

WHAT CAN I USE TO STORE MY USED OIL?

Storage of used oil is allowed in containers, tanks, and other units subject to regulation under ADEM Admin. Code 335-14-5 and 335-14-6. Containers and tanks should be in good condition (no severe rusting), free of visible leaks, and marked with the words “Used Oil” (legible from at least 25 feet). Also, containers should be kept closed, except when adding or removing used oil. When utilizing tanks for storage, you should use appropriate controls and/or practices to prevent spills and overflows.

TIP
Underground tanks storing used oil are also subject to the standards found at ADEM Admin. Code ch. 335-6-15 (UST program).

HOW SHOULD I RESPOND TO RELEASES OF USED OIL?

- Stop the release
- Contain the released used oil
- Clean up and properly manage the released used oil and other waste materials
- Repair or replace any leaking used oil storage unit prior to returning it to service

TIP
You may also be subject to the Spill Prevention, Control, and Countermeasure requirements of 40 CFR Part 112, including the requirement for secondary containment, if you store more than 1,320 gallons of oil.

WHAT SHOULD I DO WHEN SHIPPING USED OIL OFF-SITE?

With few exceptions, your used oil should only be transported by someone possessing an Alabama Used Oil Transport Permit. One exception is if your used oil is transported pursuant to an approved tolling arrangement. Another exception is if you transport your used oil yourself. Refer to ADEM Admin. Code 335-14-17-3-.03(6) for more information regarding off-site shipments of used oil.

WHAT RECORDS AM I REQUIRED TO KEEP?

You should keep records of any test results, waste analyses, or other determinations made in order to demonstrate the regulatory status (i.e., used oil, solid waste, hazardous waste) of your used oil. Also, while not specifically required, it would be prudent to maintain a log of your used oil shipments, including the name and USEPA Identification Number of the transporter, quantity of used oil shipped, and the date of shipment.

MANAGEMENT OF HOUSEHOLD USED OIL

Used Oil Hazards

- Oil is toxic to animals and plants.
- One gallon of oil can contaminate a million gallons of fresh water.
- Used oil may contain other harmful contaminants such as benzene, cadmium, chromium, lead, and zinc.

NEVER:

! Mix used oil with other wastes such as gasoline, paint thinner, antifreeze, or pesticides.
! Dispose of used oil on the ground; in a creek, river, or lake; in sewers (either sanitary or storm); in septic systems with drain fields; or in the trash.
! Dispose of used oil by burning, except in permitted oil burners.
! Dispose of undrained oil filters in the trash.

Preferred Management Practices

Used Oil

✓ Use re-refined oil in your vehicles.
✓ Collect used oil in a clean plastic container with a tightly fitting screw cap (e.g., original container, milk jug).
✓ Clean up spills of used oil with absorbents such as kitty litter, vermiculite, sand, or rags.
✓ Return used oil to retailers that accept used oil for recycling. Also, some quick oil change chains accept used oil.
✓ Take your used oil to a municipal collection center, if available.
✓ Place contaminated absorbents in a sealed bag or container and dispose in the trash.
Oil Filters
✓ Since undrained oil filters can contain up to 12 ounces of oil, while they are still hot, puncture the dome end of oil filters, along with the anti-drainback valve (if present), and drain for at least 12 hours.
✓ Place drained oil filters in a sealed bag or container and take them to a municipal collection center, if available.
✓ If no recycling program is available, place the bag or container holding the drained filter in the trash.

Disposal**
Currently, in the State of Alabama, waste generated by a household is exempt from regulation as a hazardous waste. Although Alabama’s waste regulations do not prohibit the disposal of used oil from households in a municipal landfill, other options for disposal should be investigated. Alternatives to land disposal include reuse, recycling, and household hazardous waste collection programs. If you must dispose of used oil, absorb the liquid with a non-biodegradable absorbent such as sand or kitty litter prior to placement in a landfill.

** This information does not apply to wastes generated by business and/or industry

WHERE CAN I GET ADDITIONAL INFORMATION?

ADEM Administrative Code Division 14 (http://www.adem.alabama.gov/Regulations/registations.htm)

ADEM Guidance (http://www.adem.alabama.gov/LandDivision/Guidance/guidance.htm):

- Notification of Regulated Waste Activity
- Hazardous Waste: The Basics
- Hazardous Waste Determination
- Used Oil Management Handbook
- Small Quantity Generator Handbook

Telephone:
ADEM Ombudsman • • • • • • • • 800-533-ADEM (2336)
Hazardous Waste Compliance • • 334-270-5637

External Links:
USEPA Homepage (http://www.epa.gov)
Project R.O.S.E (http://www.eng.ua.edu/~prose)
American Petroleum Institute (http://www.recycleoil.org)

NOTE
Non-terne plated used oil filters that are not mixed with listed hazardous wastes are not hazardous waste if they have been gravity hot-drained by one of the following methods:
- Puncturing the anti-drain back valve or the filter dome end and hot-draining;
- Hot-draining and crushing;
- Dismantling and hot-draining; or
- Any other equivalent hot-draining method which will remove the free-flowing oil.