This document is one in a series of eight that provides guidance to safely manage used oil for those who generate, collect, burn, transport, process, re-refine or market used oil. This series does not replace the regulations found at WAC 173-303-515, but presents an overview of the used oil requirements. It is designed to answer questions regarding how the used oil is handled.

What is Used Oil?

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 (WAC 173-303-040 and 40 CFR 279.10). For more information on how the state defines used oil see Ecology publication #06-04-00x, Materials that may or may not be managed as used oil in Washington State (http://www.ecy.wa.gov/biblio/060400x.html).

What is Off-Specification Used Oil?

Off-specification used oil is used oil that exceeds any one of the following criteria:

- Arsenic: 5 parts per million (ppm)
- Cadmium: 2 ppm
- Chromium: 10 ppm
- Lead: 100 ppm
- A minimum flash point of 100° F.
- Or after passing the rebuttable presumption, still contains more than 4,000 ppm total halogens.

What is an Off-specification Used Oil Burner?

A used oil burner is a facility that burns off-specification used oil for energy recovery in an industrial furnace, industrial boiler or a utility boiler.

Management Requirements for Off-Specification Used Oil Burners

- Get a RCRA Identification number from Ecology.
- Check the total halogen content of the used oil by using test methods such as Chlor-D-Tect. If over 1,000 ppm it is assumed to be mixed with dangerous waste and no longer used oil.
- Store used oil only in tanks or containers and inspect them regularly.
- Keep storage units in good condition and non-leaking.
- Use secondary containment which is impervious to used oil.
- Label storage units and related pipes with “Used Oil.”
- Respond to spills by stopping, containing, and cleaning up the spill and making necessary repairs.
• Provide a written and signed certification to each source (generator, transporter, process, etc.) that the oil will be burned in an industrial furnace or boiler.

Frequently Asked Questions

Q As a burner of off-specification used oil, what records will I be required to keep?
A • Keep the following information from each client you accept used oil from:
  • Name and address of transporters who delivered the oil.
  • Names and addresses of who the oil came from (the sources).
  • All related RCRA ID numbers.
  • The quantity and date accepted or delivered.
  • Keep test results and other information if the rebuttable presumption is used.
  • Keep copies of all certifications.
  • Keep all records on-site for at least three years.

Q Can used oils containing PCBs be burned as “used oil?”
A No. This is a specific state prohibition. However used oils with 2 ppm or more PCBs can be burned under the federal Toxics Substance Control Act (TSCA). Refer to 40 CFR 761.20(e).

Q If I am a generator who burns my own off-specification used oil or Do It Yourself (DIY) used oil in my space heater, am I considered a “burner of off-specification used oil?”
A No. This is a specific allowance for used oil generators.

Q As a burner of off-specification used oil, do I need to notify Ecology?
A Yes. If you also function as a used oil marketer, transporter, used oil processor or re-refiner you must notify Ecology as well.

Q What if I only burn on-specification used oil, do I need to notify Ecology?
A No, however you may be a marketer.