

Used Oil Guide: Transporters, Transfer Facilities, Processors, Re-refiners, Used Oil Burners, and Fuel Marketers

About This Guide

This guide summarizes common requirements specific to used oil transporters, transfer facilities, processors, re-refiners, off-specification used oil burners, and fuel marketers under the Code of Federal Regulations (CFR)¹ and Washington State [Dangerous Waste Regulations \(Chapter 173-303 WAC\)](#).² In addition to the following requirements, please note the general used oil information in our publication, [Basics of Managing Used Oil in Washington State](#).³

While we included the common requirements below, it’s not an all-inclusive list. Always refer to the regulations for details or call a hazardous waste specialist at your [Ecology Region Office](#).⁴ Please refer to the [glossary of terms](#) for definitions of acronyms included.

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Managing Used Oil for Transporters, Transfer Facilities, Processors, Re-refiners, Used Oil Burners, and Fuel Marketers

Table 1: Summary of requirements for used oil generators, collection centers, and aggregation points.

Topic and Regulations	Transporters and Transfer Facilities	Processors and Re-refiners	Off-Specification Used Oil Burners	Fuel Marketers
Definition	Transporters:	Processing includes blending, filtering, distilling, chemically or physically separating, and re-refining.	A facility that burns off-specification used oil for energy recovery. ⁵	Either: <ul style="list-style-type: none"> The first person to claim used oil that

¹ See 40 CFR Part 279.

² app.leg.wa.gov/wac/default.aspx?cite=173-303

³ <https://apps.ecology.wa.gov/publications/SummaryPages/2504004.html>

⁴ ecology.wa.gov/contact.html

⁵ Facility must use devices identified in 40 CFR 279.61(a).

	<p>Any of the following:</p> <ul style="list-style-type: none"> • A person who collects and transports used oil from generators. • An owner or operator of a used oil transfer facility. • A generator who: <ul style="list-style-type: none"> ○ Transports their used oil somewhere other than a collection center or aggregation point. ○ Transports more than 55 gallons in a shipment. <p>If your shipments are less than 55 gallons and you only transport your used oil to a collection center or aggregation point, you're not considered a used oil transporter.</p> <p>If you store used oil longer than 35 days, you must follow the requirements for used oil processors.</p> <p>Transfer Facilities: A site or facility where used oil is temporarily held during the normal course of</p>	<p>Used oil processors conduct these activities to produce a used oil fuel.</p> <p>Used oil re-refiners process used oil to produce "new" oil lube stock.</p>	<p>Off-specification used oil is used oil that doesn't meet the specifications in WAC 173-303-515(4).</p>	<p>meets on-specification limits.</p> <ul style="list-style-type: none"> • The person who directs off-specification used oil shipments directly to a burner.
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Topic and Regulations	Transporters and Transfer Facilities	Processors and Re-refiners	Off-Specification Used Oil Burners	Fuel Marketers
	<p>transportation for more than 24 hours but less than 36 days. Examples include loading docks, parking areas, and storage areas.</p> <p>If you store used oil longer than 35 days, you must follow the requirements for used oil processors.</p>			
<p>Requirements</p>	<p>Respond to spills by stopping, containing the spill, cleaning it up, making necessary repairs, and notifying local authorities.⁶</p> <p>As a transporter, you can't process used oil beyond incidental processing that happens during the normal course of transportation (such as settling).</p> <p>Use secondary containment that's impervious to used oil.</p>	<p>Develop a written waste analysis plan.</p> <p>Maintain 30 inches of space between aisles to respond to incidents.</p> <p>Use secondary containment that's impervious to used oil.</p> <p>Maintain and operate the facility to avoid the possibility of a fire, explosion, or spill of used oil.</p> <p>Plan for emergencies:</p> <ul style="list-style-type: none"> • Develop a written contingency plan⁷ to minimize hazards to human health and the environment. 	<p>Use secondary containment that's impervious to used oil.</p> <p>Provide each source (such as generator, transporter, or processor) with a written and signed certification to that you'll burn the oil in an industrial furnace or boiler.</p>	<p>Direct off-specification used oil shipments to a facility:</p> <ul style="list-style-type: none"> • With an EPA/State ID Number and • That will burn used oil in an industrial furnace or boiler. <p>Before directing an off-specification used oil shipment to a burner, obtain a written and signed certification from the burner that the off-specification used oil will be burned in an industrial furnace or boiler.</p>

⁶ <http://ecology.wa.gov/report-a-spill>

⁷ <https://apps.ecology.wa.gov/publications/SummaryPages/2004029.html>

Topic and Regulations	Transporters and Transfer Facilities	Processors and Re-refiners	Off-Specification Used Oil Burners	Fuel Marketers
		<ul style="list-style-type: none"> • Designate an emergency coordinator. They must have the authority to carry out the contingency plan and know what to do in case of an incident. • Equip your facility with access to internal communications, alarm systems, fire control, spill control and decontamination equipment. Test and maintain this equipment to assure its proper operation. • Make arrangements with local authorities (e.g., fire departments or emergency response teams) in case you need their services. <p>Meet financial requirements⁸ such as:</p> <ul style="list-style-type: none"> • Having a detailed written estimate of the cost of closing the facility. 		<p>Provide each source (e.g., generator, transporter, processor) with a written and signed certification to that the oil will be burned in an industrial furnace or boiler.</p>

⁸ WAC 173-303-620(1)(a)

Topic and Regulations	Transporters and Transfer Facilities	Processors and Re-refiners	Off-Specification Used Oil Burners	Fuel Marketers
		<ul style="list-style-type: none"> • Establishing the financial assurance to be able to close the facility. • Demonstrating financial assurance for bodily injury and property damage to third parties. <p>Meet facility closure standards:⁹</p> <ul style="list-style-type: none"> • Submit a written closure plan to Ecology for approval. • Keep the plan current once it's approved. • Meet closure performance standards. <p>If you don't obtain a treatment, storage, and disposal (TSD) permit, your used oil must be in an active recycling process within 90 days.</p>		
Transportation	Follow Department of Transportation (USDOT) requirements. ¹⁰	You can deliver used oil to transporters, processor/re-refiners, or off-spec used oil burners with an EPA/State ID.	You can deliver used oil to transporters, processor/re-refiners, or off-spec used oil	None

⁹ WAC 173-303-610(2) and (12)

¹⁰ 49 CFR parts 171-180

Topic and Regulations	Transporters and Transfer Facilities	Processors and Re-refiners	Off-Specification Used Oil Burners	Fuel Marketers
	<p>Completely clean out residues in trucks that previously transported dangerous waste before using it for used oil.</p> <p>You can deliver used oil to transporters, processor/re-refiners, or off-spec used oil burners with an EPA/State ID.</p> <p>You can deliver used oil that meets the specification to a burner that doesn't have an EPA/State ID.</p>		<p>burners with an EPA/State ID.</p>	
<p>Testing</p>	<p>Check the total halogen content of the used oil through testing. If it has more than 1,000 ppm, assume it's mixed with dangerous waste and no longer used oil.</p> <p>See more about testing in the "How to test used oil" section of the Basics of Managing Used Oil in Washington State publication.¹¹</p>	<p>Before accepting used oil shipments, check the total halogen content of the used oil through testing. If it has more than 1,000 ppm, assume it's mixed with dangerous waste and no longer used oil.</p> <p>See more about testing in the "How to test used oil" section of the Basics of Managing Used Oil in Washington State publication.¹¹</p>	<p>Check the used oil's total halogen content using test methods. If it has more than 1,000 ppm halogens, assume it's mixed with dangerous waste and no longer used oil.</p> <p>See more about testing in the "How to test used oil" section of the Basics of Managing Used Oil in Washington State publication.¹¹</p>	<p>If applicable, test used oil to show it meets the on-specification limits.</p> <p>See more about testing in the "How to test used oil" section of the Basics of Managing Used Oil in Washington State publication.¹¹</p>

¹¹ <https://apps.ecology.wa.gov/publications/SummaryPages/2504004.html>

Topic and Regulations	Transporters and Transfer Facilities	Processors and Re-refiners	Off-Specification Used Oil Burners	Fuel Marketers
<p>Recordkeeping</p>	<p>You must keep these records on site for at least three years:</p> <ul style="list-style-type: none"> • For each client you accept used oil from or deliver used oil to: <ul style="list-style-type: none"> ○ Their name and address. ○ Their EPA/State ID Number (if applicable). ○ The quantity and date accepted or delivered. ○ Their signature on those records. • Annual reports. • Analytical results. • Inspections. • Maintenance. • Any other related information. 	<p>You must keep these records on site for at least three years.</p> <ul style="list-style-type: none"> • Details about each shipment of used oil: <ul style="list-style-type: none"> ○ Names of all transporters and generators. ○ Addresses of all transporters and generators. ○ All related EPA/State ID Numbers. ○ Quantity and dates of acceptance. • Inspections. • Repairs. • Annual reports. • Analytical results. • Agreements with local authorities. • The written contingency plan. • Any other plan or operating records. 	<p>You must submit an annual report.</p> <p>Keep these records on site for at least three years:</p> <ul style="list-style-type: none"> • The following information from each batch of used oil: <ul style="list-style-type: none"> ○ Name and address of the transporter who delivered the oil. ○ Names and addresses of where the oil came from (the sources). ○ All related EPA/State ID Numbers. ○ The quantity and date the used oil was accepted or delivered. • Test results and other information if you use the rebuttable presumption. • Copies of all certifications.¹² 	<p>You must submit an annual report.</p> <p>Keep records on site for at least three years:</p> <ul style="list-style-type: none"> • The following information for each off- and on-specification used oil shipment: <ul style="list-style-type: none"> ○ Name and address of the transporter who delivered the oil. ○ Name and address of the off-specification burner. ○ All related EPA/State ID Numbers. ○ The quantity and date the used oil was accepted or delivered. ○ A cross reference to test records for on-specification used oil.

¹² 40 CFR 761.20(e)

Topic and Regulations	Transporters and Transfer Facilities	Processors and Re-refiners	Off-Specification Used Oil Burners	Fuel Marketers
				<ul style="list-style-type: none"> • Test results and other information used to claim oil is on-specification.
Notification	Notify Ecology ¹³ and obtain an EPA/State ID Number.	Notify Ecology ¹³ and obtain an EPA/State ID Number.	Notify Ecology ¹³ and obtain an EPA/State ID Number.	Notify Ecology ¹³ and obtain an EPA/State ID Number.
Recommendations	If used oil has more than 1,000 ppm total halogens, refer to the Used Oil Management Standards flowchart in the Basics of Managing Used Oil in Washington State publication . ¹⁴	None	None	None

¹³ <http://ecology.wa.gov/dwnotification>

¹⁴ <https://apps.ecology.wa.gov/publications/SummaryPages/2504004.html>

Glossary of Terms

CFR

Code of Federal Regulations

EPA/State ID Number

EPA/State Identification Number

Off-specification

Used oils that don't meet on-specification requirements.

On-specification

Used oil that meets the allowable level of constituents. If the total halogen content exceeds 1,000 ppm, it can also pass the **rebuttable presumption**.

If the total halogen count in a container or tank of used oil exceeds 1,000 ppm, we presume the used oil was mixed with dangerous waste and is now all dangerous waste. However, you may rebut this presumption if your used oil exceeds 1,000 ppm but is less than 4,000 ppm and you can demonstrate no such mixing has occurred. In other words, Ecology's presumption is rebuttable if you have and can provide adequate generator knowledge.

ppm

Parts per million

TSD

Treatment, storage, and disposal

WAC

Washington Administrative Code

USDOT

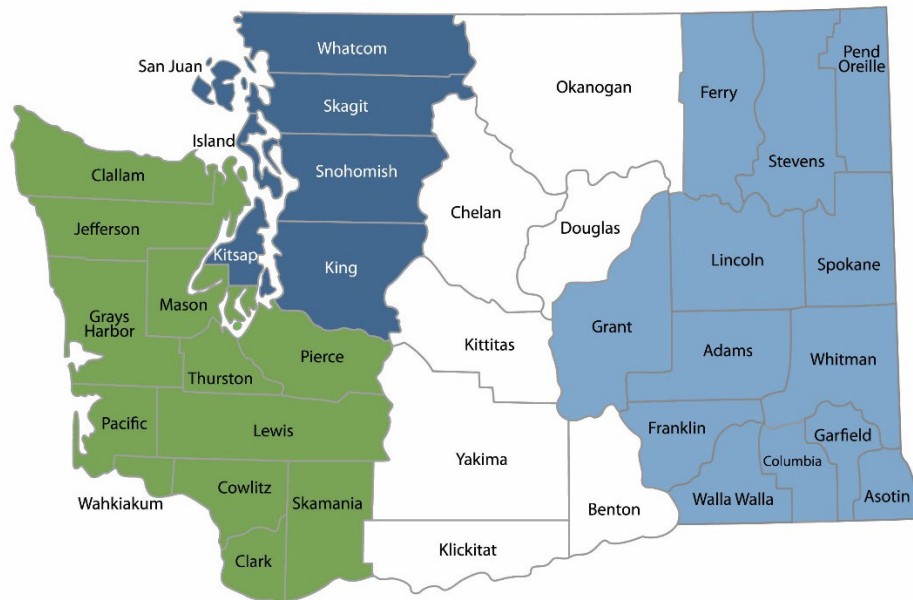
Department of Transportation

Questions?

To speak to a dangerous waste specialist, contact your region's Ecology office.

Department of Ecology Region Offices

Map of counties served



Southwest Region 360-407-6300	Northwest Region 206-594-0000	Central Region 509-575-2490	Eastern Region 509-329-3400
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Northwest Region Office, Shoreline: 206-594-0000

Counties: Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom

Southwest Region Office, Lacey: 360-407-6300

Counties: Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum

Central Region Office, Union Gap: 509-575-2490

Counties: Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima

Eastern Region Office, Spokane: 509-329-3400

Counties: Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman