

Wyoming Department of Environmental Quality (WDEQ)

Solid & Hazardous Waste Division (SHWD), Inspection & Compliance (I&C)

Revised Used Oil Handout

Frequently Asked Questions (FAQ)

2/2/2009

The Wyoming State Used Oil requirements can be found under the Wyoming Hazardous Waste Rules & Regulations (HWRR), Chapter 12, Sections 10-18, and under the Wyoming Solid Waste Rules & Regulations (SWRR), Chapters 1, 6 & 7, and at the following web sites:

http://deq.state.wy.us/shwd/HWRules_z03.asp and

http://deq.state.wy.us/shwd/SW/SWRules_z03.asp Copies of the rules and additional guidance can be obtained from the WDEQ/SHWD, 122 W. 15th Street, Cheyenne, WY 82002, or by phone at 307-777-7752.

I. Used Oil Storage

How much can my used oil storage capacity be before I become subject to the permitting and SPCC requirements?

You are exempt from state permitting requirements if your total used oil storage capacity is less than 2000 gallons and you do any type of vehicle service activities at your business (i.e., change oil on personal vehicles, etc.). If you do not perform any type of vehicle service activity at the facility, you are exempt if your total used oil storage capacity is less than 500 gallons. If your total used oil storage capacity exceeds 1,320 gallons, you are subject to the SPCC requirements and must have an approved plan onsite. To obtain a used oil permit, please contact the WDEQ, Solid Waste Permits & Corrective Action (SWP&CA) group at 307-777-7752. Phone number contacts for each specific SWP&CA District can be found at the following web site:

<http://deq.state.wy.us/shwd/SW/contact%20information.asp>

What do I count to determine my total used oil storage capacity?

For evaluation of the applicability of the state permitting requirement, all container types and sizes are counted. When evaluating the applicability of the SPCC requirement, only containers greater than 55 gallons are counted to make the determination.

What are the used oil storage labeling requirements?

You are required to label all used oil containers (i.e., drip pans, tanks, used oil filter containers, etc.) with the wording "Used Oil".

II. Used Oil Specification

What is the used oil specification?

The specification is a listing of chemical constituent levels that determine whether used oil can be burned in certain specified types of burners. It contains the following constituents and levels:

| | |
|----------------|----------------------------------|
| Arsenic | 5 ppm maximum¹ |
| Cadmium | 2 ppm maximum¹ |

| | |
|----------------|------------------------------|
| Chromium | 10 ppm maximum ¹ |
| Lead | 100 ppm maximum ¹ |
| Total halogens | 4,000 ppm maximum. |
| Flash point | 100°F minimum. |

¹Total analysis, not TCLP

Once the used oil has been shown not to exceed any of the above levels and the one making this demonstration complies with the following requirements: 1) There is test data or copies of test data or information showing the oil meets all of the above constituent levels, 2) The determination information is kept for a minimum of 3 years 3) The person making the claim obtains a State/EPA ID#, and 3) The person making the claim complies with the on-spec used oil shipment requirements listed under HWRR, Chapter 12, Section 16(e)(ii); then, the used oil is no longer regulated under the used oil provisions of the HWRR.

How can I determine whether on-spec or off-spec used oil can be burned in my burner unit?

Off spec used oil can be burned only in a boiler or industrial furnace as defined by the HWRR, a utility boiler or hazardous waste incinerator. On-spec used oil can be burned in any type of combustion unit including those in schools, hospitals, apartment complexes, etc.

III. Used Oil Burning

What are the requirements if you burn used oil onsite in a space heater?

You are allowed to burn your own used oil (the used oil generated by your own business) and household do-it-yourselfers (DIY) in your own space heater provided the space heater is vented to the outside and has a capacity of not more than 0.5 million Btu/hr. If you meet these requirements, you do not have to determine whether the used oil meets the specification. However, any unit that exceeds the Btu capacity is considered a nonindustrial boiler and you are not allowed to burn off-spec used oil in the unit.

What are the requirements if I burn other business used oil in my space heater or burning unit?

If you burn other business used oil and you are the first person to make the specification determination for the used oil or you direct a shipment of off-spec used oil from your facility to a used oil burner, you are defined as a used oil marketer and must comply with the following marketer requirements: 1) Obtain a State/EPA ID#; 2) Ensure that off-spec used oil is shipped only to used oil burners that have a State/EPA ID# and they plan to combust the oil in a burner that meets the definition of a boiler or industrial furnace, utility boiler, or hazardous waste incinerator; 3) Obtain a certification of compliance from the burner prior to the first off-spec used oil shipment to that party; 4) Maintain records of on spec used oil analysis and shipments of on spec and off-spec used oil (only shipments to the initial facility).

If there is test data or adequate process knowledge to demonstrate the other business used oil meets the specification (on spec), then you are allowed to burn the used oil as fuel product and are exempt from all other HWRR used oil requirements provided these three (3) requirements are met: 1) Have documentation to verify the used oil spec has been met and retain the document for three years; 2)

Have a State/EPA ID#; and 3) Maintain a record of any shipment of the on-spec used oil to used oil burners.

IV. Used Oil Transportation

Do I need any permits to transport my used oil?

You may transport your own used oil without an ID# and permit if the following criteria are met: 1) No more than 55 gallons of used oil is transported at any one time; 2) The used oil is transported in a vehicle owned by the generator or one of its employees; and 3) The used oil is transported to a collection center that is permitted or recognized/allowed by a state, county or municipal government, or aggregation point that has the same owner. A used oil collection center is defined as any site or facility that accepts, aggregates or stores used oil from used oil generators and households, that bring their used oil to the collection center in shipments no more than 55 gallons at a time.

V. Mixing Used Oil & Hazardous Waste

Am I allowed to burn my used oil and mix hazardous waste with it before it is burned?

You are allowed to mix ignitable-only hazardous waste and used oil and burn it in a space heater if the entire mixture exhibits the hazardous waste characteristic of ignitability only (i.e., flashpoint less than 60°C. or 140°F.). However, if any other characteristic hazardous waste (i.e., reactive, corrosive or Toxicity Characteristic) is mixed with the used oil and the entire mixture exhibits that characteristic, the burning of the mixture would be classified as hazardous waste treatment and you would need to have a hazardous waste treatment permit to burn it in the used oil burner. If you mix any listed hazardous waste with the used oil and you burn it in a used oil burner, it would also be classified as hazardous waste treatment.

VI. Used Oil Spills/Releases

If I have a spill of used oil, what are my requirements?

You are required to stop the spill/release, contain the spill/release, repair or replace any leaking units before returning them to storage service, and clean up and properly manage the released used oil and other materials.