

**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

August 14, 2012

RE: SUGAR RIDGE, INC.
LORAIN COUNTY
NOTICE OF VIOLATION (NOV)
OHR 000 159 426
COMPLAINT NUMBER 7541

Edward Nowak
President
Sugar Ridge, Inc.
41850 Oberlin-Elyria Road
Elyria, OH 44035

Dear Mr. Nowak:

On August 7, 2012, I and John Paquelet, as representatives of the Ohio EPA Division of Materials and Waste Management, conducted an inspection of Sugar Ridge, Inc. (SRI) located at 41850 Oberlin-Elyria Road, Elyria, Ohio, for compliance with Ohio's hazardous waste and used oil regulations. You and Matt Bartlome represented SRI during that inspection.

The inspection was in response to a complaint received by Ohio EPA alleging mismanagement of gasoline, used oil, anti-freeze and battery acid during vehicle salvage operations.

Ohio EPA previously conducted an inspection of this facility for a complaint of used oil mismanagement on April 19, 2010. That inspection resulted in a Notice of Violation (NOV)/Return to Compliance (RTC) letter dated May 10, 2010.

The main building on the site is used for: office space, retail sales, vehicle repair in the service garage and for vehicle recycling/dismantling in the "work area". The unpaved yard behind (to the west and south of) the main building is used for storage and for some dismantling activities. Materials stored in the yard include: vehicles to be recycled, dismantled vehicle components such as engines and transmissions in trailers, crushed vehicles, metals to be recycled, and several piles of used tire.

SRI operates a vehicle salvage and recycling facility. SRI purchases vehicles from private parties and on the wholesale market. SRI also purchases other materials to be recycled such as scrap metal. Many of the recycled vehicles have been damaged in accidents. Some vehicle dismantling processes (e.g., gasoline tank removal, catalytic converter removal, some fluid removal, cutting body structural members) are conducted inside the main building "work area" on a concrete floor in which all floor drains reportedly have been plugged. Other vehicle dismantling processes (e.g., engine and transmission removal and storage, cutting of larger vehicles) occur outdoors in the unpaved area behind (to the west and south of) the building.

The salvage process generates used oil, antifreeze coolant, gasoline, batteries, tires and scrap metal. Used oil is stored in two used oil tanks. Akron Canton Waste Oil is the current used oil transporter. Anti-freeze is collected and reportedly sold or given away. Lead acid batteries are collected in a plastic tote and shipped to a local battery recycler. Gasoline is collected and used in company vehicles. Used tires are either left with the vehicle or sold for re-use. Scrap tires are placed in the vehicles which are crushed onsite and shipped to an off-site shredder/recycler.

I took 14 pictures during the inspection. If you want to have copies of any pictures emailed to you, please let me know.

This letter identifies violations observed during the inspection and steps that must be taken to address those violations. Based on the facility documents reviewed and observations made during the facility walk-through, Ohio EPA has determined that SRI has violated the following state used oil regulations:

1. **OAC 3745-279-22(D) Generator must respond to used oil releases to the environment and perform cleanup steps**

I observed a number of areas with releases of used oil to the environment at SRI including:

- Oil that was flowing in a continuous stream from the storage trailer for engines and or transmissions in the yard storage area. My rough estimate was that the leakage rate was about a quart per minute. My understanding is that used oil remains in the engines and transmissions during storage and shipment to the recycler. The trailers used for storage and shipment are to be "leak tight" to prevent oil releases to the environment. The soil in the area of the storage trailers for engines and transmissions is very oily. Oil leakage from dismantled vehicle components prior to placement in the trailers is a possible contributory cause of this staining. Pictures were taken of the leaking trailer and area near the trailers.
- Soil adjacent to the rear (west) overhead door for the "work area" in the main building is heavily stained and appears oily. The concrete floor in the work area was very oily. It appears that vehicles exiting through the door have gotten oil on the tires and dragged oil out onto the soil. Leakage from moving vehicles being dismantled through the area might also have contributed to this staining. Pictures were taken of the soil near the rear (west) door of "work area".
- The entire area between the storage trailers and the rear (west) door of "work area" has significant discoloration, probably from used oil.
- Isolated spots in the storage yard where used oil has leaked from vehicles and equipment in storage.

OAC Rule 3745-279-22(D) requires SRI, as a generator of used oil, to respond to releases of used oil by taking the following steps:

- 1) Stop the release;
- 2) Contain the released used oil;
- 3) Clean up and manage properly the released used oil and other materials; and
- 4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

Based on the observations noted above SRI was not in compliance with OAC Rule 3745-279-22(D) at the time of the inspection.

To return to compliance with OAC Rule 3745-279-22(D), SRI must:

- A. Stop work practices that release used oil to the environment;
- B. Immediately cease outdoor usage of all storage trailers for all components that contain used oil unless the trailer has been inspected and determined to not have any leaks;
- C. Develop written procedures for tightness inspections of trailers storing components that contain used oil;

- D. Develop a written procedure on oil sorbent usage in the “work area” to eliminate tracking used oil out of the building. For example, use sorbent whenever any oil gets on the floor, sweep up the sorbent prior to saturation, or at a minimum, sweep-up sorbent at the end of each work day. Used sorbent must be placed in your trash dumpster; it cannot be placed in vehicles sent to recyclers;
- E. Assess the site for presence of soils visibly contaminated with used oil to determine whether any locations in addition to those noted above are present at which used oil has been released since October 20, 1998;
- F. Identify the locations of soils visibly contaminated with used oil on a facility plot plan;
- G. Promptly excavate the most heavily contaminated soils;
- H. Store excavated soils and debris in roll-offs until evaluated and appropriate disposal or treatment options are identified;
- I. Develop a schedule for removal of other soils visibly contaminated with used oil. Equipment lying on the ground will have to be removed and/or relocated as necessary to complete this work;
- J. Manage used oil and contaminated soils and debris from the cleanup in one of the two following ways:
 - If the clean-up residue is to be burned for energy recovery, it can be managed as used oil under the used oil regulations. If SRI wishes to have the contaminated residue burned for energy, SRI must check with a recycler to make sure he can accept/manage the material.

OR;

- If the clean-up residue is not going to be burned for energy recovery, it must be managed as a waste;
 - Prior to off-site shipment the newly removed contaminated soil and material must be evaluated to determine if it is a hazardous waste, which will require sampling and testing using the TCLP Test, unless SRI can demonstrate that it possesses adequate knowledge to rely on “generator knowledge”. Submit the evaluation results to this office prior to shipping contaminated soil and material off-site;
 - Depending on the results of the evaluation, the contaminated soils and materials must be managed as either hazardous or non-hazardous waste;
 - Consistent with the evaluation results, contaminated soil and debris must be shipped to an appropriate disposal or treatment facility (e.g., a hazardous waste facility or a solid waste landfill);
 - Documentation in the form of manifests or shipping papers for all shipments of oil contaminated soils and debris must be retained by SRI and copies provided to this office.
- K. Notify me when the clean-up has begun so that I have the opportunity to inspect. Also schedule return visits by me as needed to assess the status of the removal action.
 - L. No clean fill materials (e.g. shaved asphalt, crushed concrete, gravel, soil) are to be spread over locations where oil contaminated soil was removed before inspection by the Ohio EPA and receipt of a written response from Ohio EPA: and,
 - M. Submit written responses for Item Numbers A through L. The written responses must be submitted to this office within 14 days of the date of receipt of this letter. If the item has not been completed by that time, report the work done to-date and provide a schedule for expected response and/or completion.

Ohio EPA uses a visual standard when determining whether a clean-up of released used oil and any media (for example soil) containing used oil is adequate. Ohio EPA does not require confirmatory soil sampling and lab analysis to demonstrate that the release has been cleaned up.

2. **OAC 3745-279 22(C)(1) Used oil containers and tanks must be labeled with the words "Used Oil"**

SRI collects used oil. We observed a tote of about 300 gallon capacity, about 1/5 full of used oil, in the service garage. It was not labeled with the words "Used Oil". The tote was marked during the walk-through with the words "Used Oil".

One of the two tanks for used oil located outdoors behind the "work area" near the north fence line was not labeled with the words "Used Oil". The tank was labeled during the walk-through with the words "Used Oil".

Labeling the container and tank during the inspection abated this violation. No further action regarding this violation is necessary at this time. In the future all containers and tanks holding used oil should be marked or labeled with the words "Used Oil".

Copies of several Ohio EPA Guidance Documents on Used Oil management are enclosed for your assistance.

SRI needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, SRI is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to neil.wasilk@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, SRI is requested to submit written correspondence of the steps that will be taken by a date certain to attain compliance.

Submit the above requested response documentation to this office within 14 days of receipt of this letter. Response correspondence sent by the U. S. Postal Service should be sent to:

**Neil Wasilk
Northeast District Office
Ohio Environmental Protection Agency
2110 East Aurora Road
Twinsburg, OH 44087**

Enclosed you will find a copy of the checklists completed during the August 7, 2012 inspection.

CONCERNS

Used Oil Transfers

We discussed requirements applicable to used oil generators that transfer used oil to businesses that own a used oil fired space heater. Management of used oil from a business, including giving it away, is subject to the used oil marketer rules. As I mentioned during the inspection, small businesses almost never choose to become used oil marketers; rather they almost always choose instead to have their used oil removed by a licensed used oil transporter. Following is a summary of the requirements applicable to used oil generators that are also used oil marketers.

Space heaters owned by small businesses (other than one operated by the used oil generator) can only burn used oil that is "on specification" or more commonly referred to as "on-spec" used oil. Generators cannot self-transport more than 55 gallons of used oil at one time, unless it is "on-spec" used oil.

Prior to managing his used oil as "on-spec", the generator must determine that the used oil meets the "on-spec" fuel specifications by performing analyses or obtaining copies of analyses or other information documenting that the used oil fuel meets the specifications. The party who first claims that used oil meets the "on-spec" specifications is a "marketer" of used oil. If the generator is the party that first claims that used oil meets the "on-spec" fuel specifications, he must keep copies of analyses of the used oil (or other information used to make the determination) for three years.

A generator who first claims that used oil to be burned for energy recovery meets on-spec fuel specifications, must keep a record of the information identified in the rules for each shipment of used oil to an on-specification used oil burner. Used oil fuel marketers who have not previously done so must obtain a U.S. EPA identification number.

Should you have any questions regarding this letter, please contact me at (330) 963-1165.

Sincerely,



Neil J. Wasilk
Environmental Specialist
Division of Materials and Waste Management

NJW:ddw

cc: Marlene Kinney, Ohio EPA, DMWM, NEDO
ec: Natalie Oryshkewych, Ohio EPA, DMWM, NEDO
Nyall McKenna, Ohio EPA, DMWM, NEDO
John Paquelet, Ohio EPA, DMWM, NEDO
Jeff Mayhugh, Ohio EPA, DMWM, CO

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
---	---	-----------------------

Completed verification forms required to be submitted to CO should be e-mailed to brad.hauser@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: OHR000159426	
Site Name	Name: Sugar Ridge, Inc.	Website: (Optional)
Site Location Information	Street Address: 41850 Oberlin-Elyria Road	
	City, Town, or Village: Elyria	State: OH
	County Name: LORAIN	
Site Land Type (check only one)	Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>	Zip Code: 44035
NAICS code(s) www.census.gov/epcd/www/naics.html		

Facility Representative	First Name: Edward	MI:	Last Name: Nowak
Additional names can be recorded in number 12	Title: President		
Only provide address information if it is different than the site address	Phone Number: 216-276-3026		Phone Number Extension:
	E-Mail Address: eddienowak@gmail.com		
	Fax Number:		Fax Number Extension:
	Street or P.O. Box:		
	City, Town or Village:		
	State:	Zip Code:	

Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner:		Date Became Owner (mm/dd/yyyy):	
	Owner Type:	Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>		
	Street or P.O. Box:			
	City, Town or Village:		Owner Phone #:	
	State:	Country:	Zip Code:	
	Name of Site's Operator:		Date Became Operator (mm/dd/yyyy):	
	Operator Type:	Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>		
	Street or P.O. Box:			
	City, Town or Village:		Operator Phone #:	
	State:	Country:	Zip Code:	

VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--------------------------	---

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>	<input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator
---	---	--

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

- | | |
|---|--|
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED

(CHECK ALL BOXES THAT APPLY)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste
(accumulates 5,000 kg. or more) | |

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

- Batteries
 Pesticides
 Mercury containing equipment
 Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
 Used Oil Transporter
 Used Oil Transfer Facility
 Used Oil Processor
 Used Oil Re-refiner
 Off-Specification Used Oil Burner
 Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
 Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

- College or University
 Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
 Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced Yes No Additional Facility Representatives: **Matt Bartlome**
 Tanks Yes No
 Containers Yes No

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
N. Wasilk	J. Paquelet	8/7/2012 1:40 p.m.

Comments:

Hazardous Waste Compliance Inspection Process Flow

Facility:

OHR000159426

Sugar Ridge, Inc.
41850 Oberlin-Elyria Road
Elyria, OH 44035

Sugar Ridge, Inc. (SRI) operates a vehicle salvage and recycling facility. SRI purchases vehicles from private parties and on the wholesale market. SRI also purchases other materials to be recycled such as scrap metal and used lead-acid batteries. Many of the recycled vehicles have been damaged in accidents.

Some vehicle dismantling processes (e.g., gasoline tank removal, catalytic converter removal, some fluid removal, cutting body structural members) are conducted inside the main building “work area” on a concrete floor in which all floor drains reportedly have been plugged. Other vehicle dismantling processes (e.g., engine and transmission removal and storage, cutting of larger vehicles) occur outdoors in the unpaved area behind (to the west and south of) the building. Dismantling activities in the “work area” are done first; then engines and transmissions are pulled and vehicle is crushed.

The main building on the site is used for: office space, retail sales, vehicle repair in the service garage and for vehicle recycling/dismantling in the “work area”. The unpaved yard behind (to the west and south of) the main building is used for storage and for some dismantling activities. Materials stored in the yard include: vehicles to be recycled, dismantled vehicle components such as engines and transmissions in trailers, crushed vehicles, metals to be recycled, and several piles of used tire. Transmissions and engines are pulled, stored and shipped to a recycler with some used oils in them

The salvage process generates used oil, antifreeze coolant, gasoline, batteries, tires and scrap metal. Used oil is stored in two used oil tanks located near the north fence line, one about 275 gallons and one about 350 gallons capacity, both in containment boxes.

Lead acid batteries are collected in a plastic tote in the “work area” and shipped about twice per week to a local battery recycler. Gasoline is collected and used in company vehicles. Used tires are either left with the vehicle or sold for re-use. Scrap tires from on-site tire piles (up to a maximum of 5 tires per vehicle) are placed in the vehicles. Vehicles are crushed onsite and shipped to an off-site shredder/recycler.

About three tire piles, each estimated to have more than 100 tires, are present in the western portion of the yard. Piles appear to be historic; reportedly were much larger.

SUGAR RIDGE INC.

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS – BATTERIES AND LAMPS		
Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more		
Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less		
PROHIBITIONS		
1.	Did the SQUWH dispose of universal waste? [3745-273-11(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
2.	Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in OAC rule 3745-273-17 or managing specific wastes as provided in OAC rule 3745-273-13? [3745-273-11(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
WASTE MANAGEMENT AND LABELING/MARKING		
UNIVERSAL WASTE BATTERIES <i>SEE NOTE BELOW, NO U.W. BATTERIES WERE OBSERVED</i>		
3.	Are batteries that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
4.	If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
5.	Are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
6.	If the electrolyte is removed or other wastes generated, has it been determined whether the electrolyte or other wastes exhibit a characteristic of hazardous waste? [3745-273-13(A)(3)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	If the electrolyte or other waste is characteristic, is it managed in compliance with OAC Chapters 3745-50 through 3745-69? [3745-273-13(A)(3)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
7.	Are the batteries or containers of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
UNIVERSAL WASTE LAMPS <i>NO U.W. LAMPS WERE OBSERVED. SEE NOTE BELOW.</i>		
8.	Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
9.	Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<p>NOTE: Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)]. A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of generator treatment (OAC rule 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility using a hazardous waste manifest.</p>		
10.	Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"? [3745-273-14(E)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

ACCUMULATION TIME		
11.	Is the waste accumulated for less than one year? [3745-273-15(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	a. If not, is the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Accumulation is defined as date generated or date received from another handler.</i>		
12.	Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)] If yes, describe below:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
EMPLOYEE TRAINING		
13.	Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
RESPONSE TO RELEASES		
14.	Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
15.	Is the material released characterized? [3745-273-17(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
16.	If the material released is a hazardous waste, was it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to OAC Chapter 3745-52) [3745-273-17(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
OFF-SITE SHIPMENTS		
<i>NOTE: If a SQUWH self-transport waste, then the handler must comply with the Universal Waste transporter requirements.</i>		
17.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
18.	Is the handler aware of DOT requirements for packaging and shipping? If no, make aware of 49 CFR 171-180.	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
19.	Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-18(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
20.	Has the originating handler ever had an off-site shipment rejected by another handler or destination facility?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	a. If yes, did the originating handler receive the waste back or agree to where the shipment was sent? [3745-273-18(E)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
21.	If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss and do <u>one of the following</u> :	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	a. Send the waste back to the originating handler or send the shipment to a destination facility (If both the originating and receiving handler agree)? [3745-273-18(F)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
22.	If the handler received a shipment of hazardous waste that was not a universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
EXPORTS		
23.	Is waste being sent to a foreign destination? If so:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

a.	Does the small quantity handler comply with primary exporter requirements in OAC rules 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Is waste exported only upon consent of the receiving country and in conformance with the U.S. EPA "Acknowledgment of Consent" as defined in OAC rules 3745-52-50 to 3745-52-57? [3745-273-20(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Is a copy of the U.S. EPA "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

OHIO EPA UNDERSTANDS THAT LEAD ACID BATTERIES ARE SALVAGED, STORED IN A TOTE IN THE "WORK AREA" WHICH ^{IS} ROOFED AND ENCLOSED, AND PICKED UP ABOUT TWICE PER WEEK BY A BATTERY RECYCLER. THESE BATTERIES ARE NOT BEING MANAGED AS U.W., BUT AS LEAD ACID BATTERIES THAT ARE RECYCLED

OHIO EPA UNDERSTANDS THAT USED LAMPS ARE TAKEN TO THE LORAIN COUNTY SOLID WASTE DISTRICT FACILITY SHORTLY AFTER GENERATION.

SUGAR RIDGE INC.

USED OIL INSPECTION CHECKLIST GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS

NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
----	--	------------------------------	-----------------------------	---

NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] <i>HOWEVER TRAILER FOR ENGINE / TRANSMISSION</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] <i>STORAGE WAS LEAKING USED OIL</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
a.	Stopped the release? <i>TRAILER FOR ENGINE / TRANSMISSION STORAGE LEAKING AT TIME OF INSPECTION</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b.	Contained the release?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

ON-SITE BURNING IN SPACE HEATER

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
a.	Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).

GENERATOR TRANSPORTATION

11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? <i>SEE NOTE BELOW</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.	If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).

COLLECTION CENTERS AND AGGREGATION POINTS

13.	Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.

OHIO EPA NOTED THAT FROM DOCUMENTATION SUPPLIED BY SRE, 208 GALLONS ^{OF} USED ^{OF} OIL WERE SHIPPED TO AKRON CANTON WASTE OIL ON 10-25-11. APPARENTLY SOME USED OIL WAS GIVEN TO A BUSINESS WITH A USED OIL SPACE HEATER PRIOR TO THIS SHIPMENT.

USED OIL RELEASES WERE NOTED DURING THE INSPECTION. PHOTOS WERE TAKEN.

The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil

DHWM Guidance Document

Date: April 2006

If your business generates used oil, it is important that you understand and comply with Ohio EPA's used oil regulations. This guidance document outlines the basic used oil generator requirements in Ohio Administrative Code (OAC) rules 3745-279-20 through 3745-279-24. If you need more information or have questions about Ohio's used oil regulations, please contact the Division of Hazardous Waste Management (DHWM) at (614) 644-2917 or visit our [Web site](#).

Why is Used Oil Regulated?

Used oil that is not managed safely can pose a threat to humans and the environment. Improperly disposing of used oil can also lead to contamination of drinking water, surface water, ground water and soils. The used oil regulations describe proper used oil management. Because used oil is a reusable resource, the regulations also promote used oil recycling.

What is Used Oil?

Petroleum-based or synthetic oils that are used and contaminated with physical and chemical impurities are defined as used oil. To determine whether your material meets the definition of used oil, you must determine if it meets the following three criteria:

Did you know that...

U.S. businesses produce about 1.2 billion gallons of used oil a year?

- 1) Origin -** The material must come from either refined crude oil or from synthetic materials including materials derived from coal, shale or polymer-based starting material (e.g., Mobil 1, Castrol Syntec, and water based cutting and hydraulic oils).
- 2) Use -** The material must be used as a lubricant, hydraulic fluid, heat transfer fluid (coolant), cutting fluid, buoyant or for some other similar purpose. Materials that have not been used, such as bottoms from a virgin oil tank clean-out or a virgin oil spill, are not considered used oil. Other materials that are not considered used oil include petroleum products used for cleaning (solvents) and other petroleum-derived products such as antifreeze and kerosene.

Used Oil Generators

- 3) **Contaminants** - the material must be contaminated with either physical or chemical impurities from its use. Examples of contaminants could include dirt, metal shavings, solvents or halogens.

What is a Used Oil Generator?

A used oil generator is a person whose action or process first causes used oil to become subject to regulation. Used oil is commonly generated through vehicle or equipment maintenance. Many different types of businesses generate used oil, including: manufacturing companies, machine shops, metal working industries, auto service stations, quick lube shops and others.

There are additional regulations for other used oil activities such as:

- [transportation](#)
- [collection centers](#)
- [re-refining or reprocessing](#)
- [burning](#)
- [marketing](#)

If your business is involved in any of these activities, you may have to comply with the applicable requirements. For information about the regulations that might apply to you, contact the [Division of Hazardous Waste Management](#).

What Are My Responsibilities if I Generate Used Oil?

Ohio's regulations include some specific requirements for used oil generators. Most of these regulations relate to good housekeeping practices. See the checklist on the following page for used oil generator requirements.

What is Used Oil?

Used Oil Includes:

- engine oils from vehicles and equipment
- lubricating oil
- brake fluids
- transmission fluid
- hydraulic fluid
- insulating oils
- metal cutting fluids
- industrial process oils
- compressor/refrigerant oils

Used oil does not include:

- oil products
- cleanup materials from oil product spills
- animal or vegetable oils
- oil sludge from virgin oil storage tanks
- antifreeze
- kerosene (unless used as a lubricant)
- petroleum distillates used as solvents

Used Oil Generators

Besides Ohio's used oil regulations, you may be subject to regulation under other programs. For example, if your facility has the ability to store 660 or more gallons of used oil in a single above ground storage container or tank, you may need to develop a spill prevention plan (called an SPCC plan). Call Ohio EPA's Division of Emergency and Remedial Response at (614) 644-2924 for more information.

If you store used oil in an underground tank, you may be subject to regulation by the Bureau of Underground Storage Tank Regulation (BUSTR), Division of State Fire Marshal. Contact BUSTR for more information at (614) 752-7938.

How Can I Dispose of or Recycle My Used Oil?

As a used oil generator, you have several recycling and management options. Under no circumstances, however, can you dispose of used oil on your property.

Take your used oil to a collection center

You can transport small amounts of used oil generated at your site to a registered used oil collection center without being subject to the used oil transporter requirements. To do this, you must use your own vehicle or a vehicle owned by an employee and transport no more than fifty-five gallons at a time.

Take your used oil to an aggregation point(s)

You can transport small amounts of used oil that you generate to aggregation points that you own. A used oil aggregation point is a site or facility that you own in which you transport used oil to. You can transport your used oil to your aggregation point(s) without being subject to the used oil transporter requirements if you use your own vehicle or a vehicle owned by an employee and you transport no more than fifty-five gallons at a time.

Burn your used oil in a space heater

You can burn used oil generated at your business or used oil received from a household do-it-yourselfer in an on-site space heater.

Used Oil Generator ✓ List

- ✓ Label containers or tanks of used oil with the words, "Used Oil."
- ✓ Store used oil in containers or tanks that are in good condition (not rusting, leaking, etc.).
- ✓ If there is a leak of used oil: stop the leak, contain it, clean it up and properly manage the cleanup materials.
- ✓ Use a transporter with an EPA identification number when shipping used oil off site.
- ✓ Do not mix your used oil with other wastes such as mineral spirits, brake cleaner fluid or washer solvents, unless you are sure that you are complying with the appropriate regulations.

Used Oil Generators

To do this, your space heater cannot burn used oil at a rate exceeding 0.5 million Btu per hour and all combustion gases from your space heater must be vented to the outside. Please note, though, that besides complying with the used oil regulations, you may also be subject to regulation by Ohio EPA's Division of Air Pollution Control. If you want to burn used oil in a space heater, you should contact the air division at your local Ohio EPA District Office to discuss any applicable requirements.

Contact a used oil recycler

The best way to manage your used oil is to send it to a used oil recycler. Ohio EPA maintains a list of companies that recycle used oil. Used oil recyclers conduct various recycling methods such as:

Reconditioning

Involves removing impurities and reusing the oil.

Re-refining

Involves treating the used oil and removing impurities. Re-refining returns the oil to close to its original state so that it can be used to make new products.

Reusing

Used oil is returned to a petroleum refiner to be used as a feedstock for gasoline or coke production.

Burning for energy recovery

Used oil is treated to remove impurities such as water and solids. It is then burned as a fuel to generate heat.

Note: If you mix your used oil with other wastes (solvents, for example), this may cause the entire mixture to become a hazardous waste. This mixture may subject you to the hazardous waste rules, or to other rules which may result in higher recycling/disposal costs.

If you plan to send your used oil off-site to a used oil recycler, you must use a used oil transporter who has a U.S. EPA identification number.

Additional Tips on Handling Used Oil

Good housekeeping practices and training can help your company stay in compliance with the used oil regulations. In addition, there are other things you can do to reduce the amount of used oil generated at your company. These include:

- 1) Use high performance or long-lasting oils. They prolong the need for an oil change.

Used Oil Generators

- 2) Consider testing the oil periodically to determine the level of contamination or degradation. The testing may reveal problems in machinery or equipment.
- 3) Install by-pass on vehicle engines. These small devices are used to complement "full-flow" oil filters by removing contaminants smaller than 40 microns. These filters extend engine and oil life.

Handling Used Oil...

DO inspect equipment for oil leaks and take quick actions if repairs are needed.

DO train personnel on the correct methods for handling used oil.

DO look for ways to reduce the amount of used oil waste that your business generates.

Handling Used Oil...

DON'T throw your used oil on the ground, down the sewer, in a septic tank or down a floor drain.

DON'T put liquid used oil in the trash dumpster with your solid waste. Solid waste landfills cannot take liquids.

DON'T mix your used oil with other wastes that might cause the whole mixture to become a hazardous waste.

You can contact your vendor or supplier for additional information. Ohio EPA's Office of Pollution Prevention at (614) 644-3469 also can provide information about reducing the amount of waste you generate.

How Can I Dispose of Used Oil Filters?

According to OAC rule 3745-51-04(B)(13), non-terne plated used oil filters that are hot-drained are not hazardous wastes. Non-terne plated filters do not contain lead in the metal portion of the filter. Hot-draining may be accomplished by either:

- puncturing the anti-drain back valve or the filter dome end and hot-draining;
- hot-draining and crushing;
- dismantling and hot-draining; or
- other equivalent method.

We consider a filter to be hot-drained when it is brought up to normal engine operating temperature just before you remove it for draining. The oil filter should be allowed to drain for 12 hours. After the oil has been drained, the filter may be disposed of in the municipal waste stream. However, we encourage you to recycle the filters as scrap metal. The oil collected must be managed as used oil.

Used Oil Generators

While most automobile oil filters are non-terne plated, industrial filters and other types may still be terne-plated. The Filter Manufacturers Council (FMC) maintains information on filters. For more specific data on the discontinuation of terne-plated oil filters and other types of filters, you should refer to [FMC's Web site](#).

Where Can I Go For More Help?

Please contact Ohio EPA's Division of Hazardous Waste Management's [Regulatory Services Unit](#) at 614-644-2917 if you have used oil management questions or wish to learn about ways you can reduce the amount of waste you generate.

Common Used Oil Management Standards (Ohio Administrative Code Chapter 3745-279)

Handler Type Mgmt. Standards	<u>Generator/ Collection Center</u>	<u>Transporter/ Transfer Facility</u>	<u>Off-Spec Burner</u>	<u>Processor/ Re-refiner</u>	<u>Marketer*</u>
Storage	Yes 3745-279-22(A)	Yes 3745-279-45(A)	Yes 3745-279-64(A)	Yes 3745-279-54(A)	N/A
Secondary Containment	No	Yes 3745-279-45(D)	Yes 3745-279-64(C)	Yes 3745-279-54(C)	N/A
Response to Releases	Yes 3745-279-22(D)	Yes 3745-279-45(H)	Yes 3745-279-64(G)	Yes 3745-279-54(G)	N/A
<u>Notification/ EPA ID Number</u>	No (Non-DIY collection centers must register with the state)	Yes 3745-279-42(A)	Yes 3745-279-62(A)	Yes 3745-279-51(A)	Yes 3745-279-73(A)
Tracking	No	Yes 3745-279-46	Yes 3745-279-65	Yes 3745-279-56	Yes 3745-279-74

* Storage, secondary containment and release response issues are not applicable to marketers, however, marketers must be one other type of handler.

The Regulation of Used Oil: *Used Oil Burners*

DHWM Guidance Document

Date: August 2005

This guidance document contains information for businesses that burn off-specification used oil (used oil burners). It summarizes Ohio EPA's used oil burner management standards. These requirements are detailed in Ohio Administrative Code (OAC) rules 3745-279-60 through 3745-279-67. For more information or further explanation of these rules, contact Ohio EPA's Division of Hazardous Waste Management (DHWM) at (614) 644-2917, or visit our Web site. You can also contact a DHWM inspector for your area in one of the District Offices.

What is Used Oil?

Used oil is any oil, synthetic or refined that has been contaminated as a result of its use. Examples include:

- Motor oil
- Hydraulic fluid
- Electrical insulating oils
- Transmission fluid
- Compressor oils

Who is a Used Oil Burner?

A used oil burner is any person who burns used oil that:

- does not meet the specification standards found in OAC rule 3745-279-11,
- burns the used oil for purposes of energy recovery, and
- burns the used oil in either a boiler or an industrial furnace.



Is It Possible to Burn Off-Specification Used Oil and Not Be Subject to The Used Oil Burner Requirements?

It is possible to burn off-specification used oil and not be subject to the used oil burner requirements if:

- you only burn in an on-site space heater,
- you only burn the used oil generated at your business or used oil received from a household do-it-yourselfer (used oil generated from a households),
- your space heater does not burn used oil at a rate exceeding 0.5 million Btu per hour, and
- all the combustion gases from your space heater are vented to the outside.

Even though you may not have to comply with used oil burner requirements, you are still required to comply with other used oil requirements, such as used oil generator requirements, if applicable.

Is There any Used Oil that Would Not be Subject to the Used Oil Regulations?

Used oil that has been proven to meet the specifications found in OAC rule [3745-279-11](#) (commonly referred to as "on-specification used oil") and is burned for energy recovery is not subject to used oil requirements. For example, used oil that meets the requirements of OAC rule [3745-279-11](#) may be burned in an oil-fired space heater regardless of the source of the generator. For used oil to be considered "on-specification," its constituent levels must be at or below (except for flash point) the following levels:

- 5 ppm or less of arsenic
- 2 ppm or less of cadmium
- 10 ppm or less of chromium
- 100 ppm or less of lead
- 100° F minimum flash point
- 4,000 ppm or less of total halogens*
- less than 2 ppm PCBs

The person who makes the claim that the used oil meets these specifications must keep all records of the analysis and a record of all shipments of the used oil.

* Note that if the used oil contains greater than 1,000 ppm total halogens, you must successfully rebut the presumption that the used oil has been mixed with a hazardous waste before it can be marketed as an on-specification used oil not subject to used oil requirements.

What Type of Unit Qualifies as a Boiler or an Industrial Furnace?

Generally, a boiler is an enclosed device that uses controlled flame combustion to recover and deliver energy in the form of steam, heated fluid or heated gases. An industrial furnace is an enclosed device that is an integral part of a manufacturing process, and uses thermal treatment to recover materials or energy. You can find more information on what qualifies as an industrial furnace in OAC rule [3745-50-10\(A\)](#). For a boiler, first read OAC rule [3745-50-10\(A\)](#), then make sure your unit meets one of the identification criteria found in OAC rule [3745-279-61\(A\)\(2\)](#). For burning used oil, space heaters do not qualify as either a boiler or industrial furnace. If you have further questions regarding what qualifies as either a boiler or industrial furnace, please contact a member of DHWM's [Regulatory Service Unit](#).

What Must I Do if I am a Used Oil Burner?

As a used oil burner, you must do the following:

- Notify Ohio EPA, [DHWM](#), and obtain an EPA identification number by filling out a notification form ([9029](#)) or by submitting a letter to [Ohio EPA](#) with the appropriate information. You can obtain a copy of the form and [instructions](#) on our Web page or by calling (614) 644-2917.
- Determine if the used oil contains more than one thousand parts per million (ppm) total halogens, and retain the records of all analyses or information used to make these determinations for the last three years (OAC rule [3745-279-44](#)). Acceptable analytical test protocols include [SW-846 Test Methods](#) 9075, 9076 and 9077. The latter of these methods is a field test method such as Chlor-D-Tect 1000® and Chlor-D-Tect 4000®.
- Manage all residues from burning or storing used oil in accordance with OAC rule [3745-279-10\(E\)](#).
- Retain records of all accepted shipments of used oil for at least three years. The records must include:
 - name, address and U.S. EPA ID number of the used oil transporter;
 - name, address and U.S. EPA ID number (if applicable) of the generator, processor/re-refiner from where the used oil was sent;
 - date of acceptance; and
 - quantity of used oil received.

Note: Besides Ohio's used oil regulations, you may be subject to regulation under other programs. For example, if you store a large quantity of used oil on-site in containers or tanks, you may need to develop a [spill prevention plan](#) (called an SPCC plan). Call Ohio EPA's [Division of Emergency and Remedial Response](#) at (614) 644-2924 for more information.

Used Oil Burners

Prior to accepting any used oil, you must provide the supplying generator transporter or processor/re-refiner a one-time written and signed notice certifying that:

- you have notified Ohio EPA of your used oil management activities, and
- you will only burn the used oil in a boiler or industrial furnace.

What Management Requirements Must I Follow if I am Storing Used Oil At My Facility Before Burning It?

If you are storing used oil at your facility you must:

- Store used oil only in tanks or containers that are in good condition and are not leaking.
- Equip used oil container storage areas with secondary containment that is sufficiently impervious to used oil (including the floor, dikes, berms and retaining walls) to prevent any used oil from migrating to the soil, ground water or surface water.
- Equip used oil aboveground storage tank(s) with secondary containment that is sufficiently impervious to used oil (including the floor, dikes/berms and retaining walls) to prevent any used oil from migrating to the soil, ground water or surface water. (If you are operating a tank that was installed after October 20, 1998, the floor must cover the ground underneath the tank. If the tank was in operation prior to October 20, 1998, then the floor only has to come up to the point where the tank meets the ground.)
- Label all used oil storage tanks (including fill pipes to underground storage tanks) and containers with the words "Used Oil."

Upon detection of a release to the environment you must:

- Stop the release;
- Contain the released used oil;
- Clean up and manage the released used oil and other remediation materials; and
- Repair or replace any container or tanks prior to returning them to use.

If I Determine that I am a Used Oil Burner, Should I Contact any other Divisions at Ohio EPA for other Regulations I May Need to Comply With?

Yes. You should contact a member of the Division of Air Pollution Control (DAPC). You may need to receive an air permit or modify an existing permit in order to burn used oil. You can contact a member of DAPC by visiting their [Web page](#).

Who Can I Contact if I Have Other Questions Regarding Burning Used Oil or Used Oil in General?

Please contact DHWM's [Regulatory Services Unit](#) at 614-644-2917 if you have used oil management questions or wish to learn about ways that you can reduce the amount of waste you generate.