

Used Oil Collection Centers

A used oil collection center is subject to state and federal environmental regulations. The purpose of this fact sheet is to provide general guidance to used oil collection centers. Used oil collection centers accept used oil that is generated by Do-it-yourselfers and/or regulated entities. Used oil collection centers accept used oil that is brought to them by the used oil generator. Oil that is picked up or accepted by used oil transporters (haulers) with EPA transporter ID numbers go to facilities that are separately regulated and are not considered “Used Oil Collection Centers” under EPA regulations.

Nevada has adopted the federal EPA regulations found in title 40 of the Code of Federal Regulations (CFR), Part 279. For specific guidance for your individual situation, you are encouraged to refer to the applicable regulation listed in brackets following each bold heading.

What is Used Oil? [40 CFR 279.1]

EPA's regulatory definition of used oil is as follows: 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. To meet EPA's definition of used oil, a substance must meet each of the following three criteria:

- **Origin** — the first criterion for identifying used oil is based on the origin of the oil. Used oil must have been refined from crude oil or made from synthetic materials. Animal and vegetable oils are excluded from EPA's definition of used oil.
- **Use** — the second criterion is based on whether and how the oil is used. Oil(s) used as lubricants, hydraulic fluids, heat transfer fluids, buoyants, and for other similar purposes are considered used oil. The main point is that the oil has been *USED* for its intended purpose.
- **Contaminants** — the third criterion is based on whether or not the oil is contaminated with either physical or chemical impurities. In other words, to meet EPA's definition, used oil must become contaminated as a result of being used.

EPA has determined that synthetic oils are included in the definition of used oil. This includes water soluble petroleum based oils. The agency has determined that synthetic oils function similarly to petroleum based oils, therefore meet the three criteria above.

Used Oil Collection Centers

There are three (3) types of oil collection centers:

1. Do-it-yourselfer (DIY) used oil collection center [40 CFR 279]

A DIY used oil collection center is any site or facility that accepts or aggregates and stores used oil collected from individuals that generate used oil through the maintenance of their vehicles. A DIY does NOT accept used oil from other business or government operations. DIY collection centers are subject to the following requirements under EPA's used oil regulations:

Used oil generators management standards (**40 CFR 279, Subpart C**).

- a) Label all containers and tanks as “*Used Oil*”.
- b) Keep containers and tanks in good condition. Don't allow tanks to rust, leak, or deteriorate.
- c) Take steps to prevent leaks and spills.
- d) Generators, collection centers, and aggregation points must use transporters with EPA ID numbers for shipping used oil off site, unless the volume is less than 55 gallons/shipment; the used oil is shipped to an aggregation point or to a registered used oil collection center; or the used oil will be returned to the generator for reuse as a lubricant, cutting oil or coolant.

There are no quantity or storage limits for used oil DIY collection centers. Depending on the amount of used oil stored, there may be Spill Prevention Control (SPCC) Plan requirements.

2. Used oil collection center [40CFR 279.31]

A used oil collection center is any site or facility that accepts and/or stores used oil collected from used oil generators regulated under 40 CFR 279, Subpart C (businesses, government operations, non-profit organizations). DIY generators are excluded from this regulation.

- **The collection centers must notify NDEP of their activity** and have a NDEP Used Oil Collection Center identification number. (See NDEP Registration form at www.ndep.nv.gov/bwm/uocc.htm).
Used oil collection centers are also subject to the following requirements:
 1. The collection center must comply with the used oil generator requirements found in 40 CFR 279, Subpart C (i.e. storage, labeling, and transportation requirements).
 2. The collection center accepts used oil from generators in quantities of no more than 55 gallons at any time.
 3. The used oil generator transports the used oil in a vehicle owned or leased by the generator or owned by an employee of the generator.
 4. Used oil collection centers may also accept oil from household DIYs.
 5. There are no quantities or time limits for used oil collection centers.
 6. Depending on the amount of used oil stored, there may be SPCC Plan requirements defined in 40 CFR 112.

3. Used oil aggregation points owned by the generator [40 CFR 279.32]

A used oil aggregated point is any site or facility that accepts, aggregates and stores used oil only from generation sites owned or operated by the owner or operator of the aggregation point. Used oil aggregation point operators are subject to the following requirements:

1. Used oil is accepted only from other used oil generation sites owned or operated by the owner or operator of the aggregation point.
2. The aggregation point collection center must comply with used oil generator requirements found in 40 CFR 279, Subpart C (i.e. storage, labeling, and transportation requirements).
3. The generator must transport used oil to the aggregation points in quantities of no more than 55 gallons at any time.
4. The self-transport of used oil by the generator must be in a vehicle owned or leased by the generator or owned by an employee of the generator.
5. Used oil aggregation points may also accept used oil from household DIYs.
6. There are no quantity or time storage limits for used oil aggregation points.
7. Depending on the amount of used oil stored, there may be SPCC Plan requirements as defined in 40 CFR 112.
8. Use oil contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFCs are destined for recycling. The rebuttable presumption does apply to used oil contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units. Record of analysis or information used to rebut the presumption must be maintained by the transporter for at least three (3) years.

Used oil transfer facility [40 CFR 279.1 and 40 CFR 279.45]

A used oil transfer facility is any transportation related facility including areas where shipments of used oil are held for more than 24 hours during the normal course of transportation and not longer than 35 days.

Used oil transfer facilities are subject to the following requirements:

1. Must not store use oil for more than 35 days. Transfer facilities storing used oil more than 35 days are subject to more stringent requirements for used oil processors/re-refiners [40 CFR 279, Subpart F].
2. Used oil must be stored in tanks or containers.
3. Containers and tanks must be in good condition (no leaking, severe rusting, or apparent structural defects).
4. Containers and tanks need to be labeled with the words “Used oil”.
5. Secondary containment needs to be provided for aboveground tanks and containers.
6. Underground storage tanks storing used oil are subject to management standards found in 40 CFR 280 (underground storage tank requirements).
7. An owner or operator of a transfer facility must respond to Spill Control and Countermeasure Plan (SPCC) requirements depending on quantity of oil stored per 40 CFR 112.

Used oil transfer facility; Recordkeeping [40 CFR 279.46]

Acceptance

Used oil transporters must keep records, for at least three (3) years, of each oil shipment accepted for transport. Records for each shipment must include:

1. The name and address of the used oil generator, transporter, or processor/re-refiner that provided the used oil for transport.
2. The EPA/NDEP identification number if applicable for the generator, transporter or processor/re-refiner who provided the used oil for transport);
3. The quantity of used oil accepted;
4. The date of acceptance, and
5. The signature of a representative of the generator, transporter, or processor/re-refiner who provided the used oil for transport.

Delivery

Used oil transporter must keep records of each shipment for at least three (3) years, of used oil that is delivered to another used oil transporter or to a used oil burner, processor/re-refiner or disposal facility. Records of each delivery must include:

1. The name and address of the receiving facility or transporter;
2. The EPA/NDEP identification number of the receiving facility or transporter;
3. The quantity of used oil delivered;
4. The date of the delivery; and
5. The date signature of a representative of the receiving facility or transporter.

Questions and Answers; for transporter and transfer facility:

1. Does the transportation of used oil require a manifest?

NO, although there is some paperwork associated with shipping used oil (see 40 CFR 279.46); there is no requirement for the use of a hazardous waste manifest. If the used oil is being sent for disposal and it meets the definition of hazardous waste, then a manifest is required.

2. Can a transporter/transfer facility terminate a manifest of used oil generated in California?

California as determined that used oil is a hazardous waste. As such, the used oil must be managed as hazardous waste. Only recycling facilities that have obtained a Written Determination or permitted treatment storage or disposal facilities can terminate a manifest in Nevada.

3. Is oil and grease (fats oil and grease (FOG)) from food service operations covered by this regulation?

NO, these waste materials were not derived from a petroleum source nor do they function in a similar capacity as petroleum based oil and grease.

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DISCLAIMER: This guidance document is intended as general information and is not provided nor intended to act as a substitute for legal advice or other professional services. BEP advises the regulated community to read all applicable regulations set forth in both US Code of Federal Regulations (Title 40 C.F.R. Parts 260-279) and the Nevada Hazardous Waste Regulations and to keep informed of all subsequent revisions or amendments to these regulations. This guidance document was developed by BEP with funding support provided by the Nevada Division of Environmental Protection.