

Used Oil Regulations

A Quick Guide for Auto Repair Shops

New York State Department of Environmental Conservation Division of Materials Management

Taking the precautions listed below will help you avoid used oil accidents, limit your legal liability, and protect both your workers and the environment.

Storing Used Oil

- ◆ Store used oil in sturdy, leakproof metal containers or tanks approved by State or local building and fire codes.
- ◆ Used oil tanks must be registered, regardless of capacity. To determine if a tank is registered and, if so, its registration status - use DEC's Bulk Storage Database Search: www.dec.ny.gov/cfm/xtapps/derexternal/index.cfm?pageid=4
- ◆ If your tank is not yet PBS registered, PBS registration has expired, or you have questions on PBS tank registration call (518) 402-9543 or send an email to derweb@dec.ny.gov.
- ◆ The container or tank must be clearly labeled: "USED OIL"
- ◆ Aboveground tanks must be labeled with the tank's design and working capacity, and the API color code symbol (purple square for used oil).
- ◆ Fill pipes for underground tanks must be labeled with the tank's capacity and the API color code symbol (purple square for used oil).
- ◆ Do not overfill tanks and containers. When full, promptly contact an authorized industrial waste hauler to empty or remove them. Haulers transporting over 2,000 lbs. of used oil in a single shipment must have a Part 364 waste transporter permit.
- ◆ Keep containers closed unless you are adding or removing used oil.
- ◆ Tanks and containers should be placed on an impervious surface, such as concrete, that has no cracks or gaps. To minimize the impact of spills, it is recommended that the storage area be bermed to contain 110% of the volume of the largest tank or container.
- ◆ Store used oil away from drains or ignition sources.

Inspecting Storage Areas

- ◆ Check tanks and containers at least monthly for areas of wear, corrosion, and spills or leaks.
- ◆ Keep written records of the tank inspections.

Accepting Used Oil

- ◆ Service establishments that sell at least 500 gallons per year of new oil and perform vehicle servicing must accept from the public, at no charge, up to 5 gallons of used oil per person per day.
- ◆ Retail establishments that sell at least 1,000 gallons per year of new oil must either accept used oil from the public, as service establishments do, or contract to have another service or retail establishment accept it on their behalf.
- ◆ Post a sign stating: "WE ACCEPT USED OIL FOR RECYCLING AT NO CHARGE."
- ◆ Retail establishments that arrange to have another entity accept used oil on their behalf must post a sign stating the name and address of the contracted establishment.
- ◆ *Remember:* When you change motor oil for customers, it is against the law to charge them a fee for used oil disposal.

Recycling or Disposing of Used Oil

- ◆ Contract with an authorized industrial hauler to pick up your used oil for recycling or disposal. Haulers transporting over 2,000 lbs. of used oil in a single shipment must have a Part 364 waste transporter permit.
- ◆ If allowed in your municipality, you may burn your used oil in an approved space heater. The space heater must be no more than half a million BTUs/hour, vented to the outside air, and contain no chemical waste. You can only burn used oil from your own operation or from do-it-yourself oil changers. Burning must also be done in compliance with applicable air regulations.
- ◆ The following fluids are handled as used oil: used motor oil, hydraulic fluid, power steering fluid, transmission fluid, brake fluid, and gear oil.

Managing Used Oil Filters

- ◆ Follow these steps when changing oil filters:
 - (1) Remove the filter from the engine while warm and immediately drain free flowing oil into your used oil drum or tank.
 - (2) Puncture the filter dome. Place the filter on a rack to drain into a used oil drum or tank for 12 hours, starting at or near engine operating temperature, and keep the filter at or above room temperature (60 degrees Fahrenheit) for the 12-hour period.
 - (3) Filters may also be crushed or dismantled in addition to hot draining.
 - (4) If possible, recycle your used oil filters at scrap metal yards or with a filter recycler.

Handling Shop Towels and Absorbents Containing Used Oil

- ◆ Store shop towels and absorbents in separate, leak-proof metal containers with tight-fitting lids.
- ◆ If the shop towels will be sent for burning for energy recovery, you must manage them as used oil and meet the used oil storage, transportation, and disposal requirements.
- ◆ If the shop towels contain free-flowing used oil you must:
 - Manage the towels as used oil and meet the used oil storage, transportation, and disposal requirements; or
 - Remove the free-flowing oil from the towels, then manage the oil removed from the towels as used oil and meet the used oil storage, transportation, and disposal requirements.
- ◆ If the shop towels do not contain free-flowing used oil and are not contaminated with hazardous waste:
 - Label containers “Oily Shop Towels Only” or “Oily Waste Absorbents Only,” as appropriate.
 - These towels and absorbents may be sent to an industrial laundry or thrown away in the normal trash.
- ◆ If the shop towels are contaminated with hazardous waste (e.g., solvents, chlorinated brake cleaner, etc.) you must:
 - Manage and dispose of them as hazardous waste; or
 - Manage them as hazardous waste on-site and send them to an industrial laundry according to DEC’s Policy for Laundered Industrial Rags & Soiled Clothing: www.dec.ny.gov/regulations/8761.html.

Improper Management of Used Oil Is Against the Law

It is illegal to discard used oil in a dumpster, down a sewer, in the water, or on the ground. In addition, any mixture of used oil and solvents may be considered a hazardous waste, which could increase disposal costs.

Why Is Used Oil Regulated?

Used oil is regulated because it often contains harmful contaminants, such as benzene and lead, that are picked up during the operation of a vehicle. Safe management and disposal of used oil protects not just drinking water, fish, and land, but also the workers in your shop.

Why Does It Make Good Business Sense to Reduce Used Oil Spills?

Used oil spills cost money and take time to clean up. Even minor spills can cause major contamination problems. You are legally required to clean up any spills, and you may also be subject to government fines.

Preparing for a Spill

- ◆ Keep cleanup and containment materials ready for immediate use.
- ◆ Write an emergency response plan, post the instructions in an easily visible spot in the shop, and train employees on the procedures.
- ◆ If you have an oil spill, immediately call NYSDEC Spills Hotline at 1-800-457-7362.

Pollution Prevention Tips

Good housekeeping reduces spills and protects you against liability. Here are several suggestions for limiting used oil problems in your shop.

- ◆ Place drip pans under cars.
- ◆ Use different pans for used oil and for parts covered with solvents.
- ◆ Fill drip pans only half-way and then use a funnel to pour the oil into a drum or tank.
- ◆ Use dry clean-up methods when you do have spills, like reusable absorbent pads or mops that absorb only oily liquids. Wring out or pour the used oil you clean up into a container or tank. Clean up any leftover used oil with a rag. As a last resort, use clay absorbents or sawdust, or alternatives such as corn cobs or peat. Work the absorbents into the oil with a broom, sweep up the used absorbent material, and discard the clean-up debris in a separate container from the used oil.

If You Need Help

If you want more information, copies of the used oil regulations, additional publications for vehicle maintenance shops, or free confidential technical assistance call the Bureau of Hazardous Waste and Radiation Management at (518) 402-8652 or email info.sgg@dec.ny.gov.