

USED OIL

Guidance

OVERVIEW

Oil regulations that apply when managing used oil will depend on the type of oil, the flashpoint, how much storage capacity is on-site, who generated it, who will be transporting it, and if it will be recycled or burned as a fuel. Specific guidance documents on managing and recycling used oils are provided in this document.

Used oil in a liquid form **CANNOT** be disposed of by any of the following methods:

- ∅ Dumped down drains or sewers or into surface or groundwater,
- ∅ Disposed of in landfills,
- ∅ Burned in municipal solid waste incinerators or other incinerators without energy recovery, or
- ∅ Used as dust control or weed control.

It is important to understand oil has different meanings under various regulations and is regulated by several agencies. In Michigan, oil is regulated by the Department of Environment, Great Lakes, and Energy (EGLE) under various Parts of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), Act 138 of 1998, and their Administrative Rules. Depending on the oil, there are also federal and state regulations overseen by U.S. Environmental Protection Agency (EPA), U.S. Department of Transportation, Department of Licensing and Regulatory Affairs, and Michigan State Police. Some communities may also have local ordinances that may apply, and insurance companies may have requirements.

DEFINITION

Used oil as defined by the Part 111 rules (R 299.9109 (p)), **the federal used oil regulations in 40 CFR Part 279, and Part 121** of Act 451 (324.12102(p)) is “any oil which has been refined from crude oil, or any synthetic oil, which has been used and as a result of use, is contaminated with physical or chemical impurities.” Examples of used oil under these regulations include:

- ◆ used motor oil
- ◆ used hydraulic oil
- ◆ used transmission and brake fluids
- ◆ metal working, metal forming & machine oils and synthetic coolants (also called spent synthetic cutting and machine oils)
- ◆ spent quench oils
- ◆ spent gear oils
- ◆ non-PCB transformer oils

- ◆ CFC-contaminated oils from air-conditioning and refrigeration units
- ◆ oil water mixtures if sufficient oil exists for legitimate recycling and oil does not arise from “de minimis” sources. De minimis means small spills, leaks, or other drippings from pumps, machinery, pipes, and other similar equipment during normal operations. (40CFR279.10(f))
- ◆ oil drippings from metal shavings from metalworking and metal forming (e.g. turning and drawing operations, etc.)

Used oil under the hazardous waste regulations does not include petroleum-based products that are not used as lubricating agents or in other protective applications. It does not include fuels (gasoline, diesel, and fuel oils), mineral spirits, animal fats and vegetable oils, along with test and calibration fluids. Although exempt from the Part 111 used oil rules (R 299.9810), “do it yourself” household oil changers, and farmers who generate an average of 25 gallons or less per month, must properly handle and recycle their used oil.

Used oil as defined under Part 167 of Act 451, is petroleum-based oil that is not used for its original purpose due to the presence of impurities or loss of original properties (324.16701).

Oils as defined under the [Flammable and Combustible Liquid Rules](#) would be liquids that have a flashpoint below 200 degrees Fahrenheit.

Petroleum, as a “regulated substance” under Part 211, Underground Storage Tank Regulations, and Part 213, Leaking Underground Storage Tanks, of Act 451, includes crude oil or any fraction of crude oil that is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute). It also includes but is not limited to mixtures of petroleum with de minimis quantities of other regulated substances, and petroleum-based substances composed of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversion, upgrading, or finishing such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, and petroleum solvents.

Oil as defined by the Part 5 rules under Part 31 of Act 451, and the federal Spill Prevention, Control and Countermeasure (SPCC) is any oil of any kind or form. This includes oil refuse and oil mixed with waste, petroleum, gasoline, diesel and fuel oils, grease, sludge, animal fats, and vegetable oils [R 324.2001 and 40 CFR Part 112.2). It includes oil that is a product, waste or by-product. See examples of materials considered to be oils by the U.S. Coast Guard at www.gecap.org/pdf/listoils.doc.

USED OIL RELATED GUIDANCE

Household Do-It-Yourselfer Used Motor Oil and Filters — for household members who change their own private vehicle’s motor oil and also have used oil filters

Used Motor Oil Generator Requirements — for facilities that generate motor oils from servicing their own vehicles and equipment that meets certain conditions

Other Used Oil Generator Requirements — for facilities that generate other used oil types like cutting fluids, lubricating oils, oils from transformers, etc., or generate oils that don’t meet the conditions listed in the used motor oil generator guidance

Used Oil Filters Generator Requirements – for facilities that generate used oil filters

Burning Used Oil – for facilities burning used oil generated on-site or operating an off-spec fuel burner

Used Oil Sorbents, Oil Contaminated Textiles, & Other Petroleum Contaminated Materials – for facilities that generate these wastes from cleaning up oil spills

Oil Water Separators – for facilities operating separators and managing the collected oil

Used Oil Collection Centers and Aggregation Points – for locations that collect oils from do-it-yourselfers, other companies, or from other locations owned by the same facility

Mobile Oil Changing Business – for companies that offer mobile services where they go to another business or residential location to change oil in vehicles or equipment

Emptying Product Tanks and Containers – for facilities removing materials due to tank closure, maintenance or repair activities

Used Oil Commercial Transporters – Commercial transporters who haul used oil for other facilities must be [permitted and registered liquid industrial waste transporters](#). Transporters operating transfer facilities storing used oil more than 35 days are required to submit [used oil biennial reports](#) by March 1 of each even numbered year that covers the previous year’s activities. See information and inspection forms at Michigan.gov/EGLEwaste “Hazardous and Liquid Industrial Waste Transporters.”

Used Oil Processors/Re-refiners and Oil Marketers – Discuss requirements with the EGLE [district office](#). Used oil processors, re-refiners, and transfer facilities storing used oil more than 35 days are required to submit [used oil biennial reports](#) by March 1 of each even numbered year that covers the previous year’s activities. See related [inspection forms](#) at Michigan.gov/EGLEwaste “Hazardous and Liquid Industrial Waste” Hazardous and Liquid Industrial Waste Management” under the heading “Forms.”

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