

Used Oil Management for Generators

Used oil is any oil refined from crude oil, or synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities. Visit [EPA's Reference Table](#) for examples of what used oil is and what it is not.

Used oil that will be recycled – i.e. reconditioned, re-refined, inserted into a petroleum refinery, or burned for energy recovery – is not considered a hazardous waste and is subject to less stringent regulatory requirements at [40 CFR § 279](#). The Part 279 management standards include requirements for: generators, collection centers and aggregation points, transporters and transfer facilities, processors and re-refiners, used oil burners, and marketers.

On-Site Storage

Used oil generators are subject to all applicable Spill Prevention, Control, and Countermeasure ([40 CFR § 112](#)) and Underground Storage Tank ([40 CFR § 280](#)) regulations in addition to the below requirements ([§ 279.22](#)).

Storage Units

Containers and aboveground tanks must be in good condition and non-leaking (no rust, dents, bulges, etc.).

Container Labeling

Containers, aboveground tanks, and pipes transferring used oil to underground storage must be labeled with the words "Used Oil".

Releases or Spills

Stop and contain the release, clean up the release with an absorbent, repair or replace the unit if necessary.

Mixing Provisions

Mixing used oil with hazardous wastes or products is not permitted except for these circumstances ([NAC 444.8681](#)):

- Mixing with waste gasoline, if the resulting mixture does not exhibit any hazardous waste characteristics.
- Mixing with diesel fuel or waste diesel fuel. Written approval must be granted by the Nevada Department of Environmental Protection (NDEP) if the mixture will be used for mining activities relating to extraction.
- Mixing with other fuels, if the mixture will be used for the recovery of energy.
- Mixing with absorbent materials when used to manage isolated leaks and spills.
- Mixing with non-hazardous wastes, if documentation of the determination that the waste was not hazardous is maintained on-site for 3 years ([NAC 444.8683](#)).

If burned for energy recovery or recycled, the mixtures listed above must be managed under the Part 279 management standards ([NAC 444.8682](#)). Mixtures that will be disposed of, or mixtures of used oil and substances other than those allowed by regulation, must be managed as a hazardous waste. Mixtures of used oil and absorbents can be managed either under the Part 279 management standards *or* as a hazardous waste.

Very Small Quantity Generator Provisions

Very Small Quantity Generators (VSQGs) who generate ignitable hazardous waste are allowed to mix less than 5 gallons of that waste per calendar month with used oil if the resulting mixture does not exhibit the ignitability characteristic ([NAC 444.8681](#)). VSQGs must maintain records for at least 3 years that include: the quantity and description of hazardous waste mixed with the used oil, the amount of used oil to which the waste was added, the date the mixing occurred, and records of all solvents purchased that would exhibit the ignitability characteristic upon disposal.

On-Site Processing

Generators can conduct some processing activities without being subject to the used oil processing requirements if used oil is generated on-site and is not being sent off-site to a burner of used oil fuel ([§ 279.20\(b\)\(iii\)](#)):

- Filtering, cleaning, or otherwise reconditioning used oil before returning it for reuse.
- Separating used oil from wastewater generated on-site to make the wastewater acceptable for discharge.
- Using oil mist collectors to remove droplets of used oil from in-plant air, making plant air suitable for recirculation.
- Draining or removing used oil from materials containing or otherwise contaminated with used oil in order to remove excessive oil to the extent possible.
- Filtering, separating or otherwise reconditioning used oil before burning it in a space heater.



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On-Site Burning

Generators can burn their used oil in oil-fired space heaters on site, provided that ([§ 279.23](#)):

- The heater burns only used oil that the owner or operator generates, or used oil received from household do-it-yourself used oil generators.
- The heater is designed to have a maximum capacity of not more than 0.5 million Btu per hour.
- The combustion gases from the heater are vented to the ambient air.

Air permits for on-site used oil space heaters are generally not required for heaters with a capacity of 0.5 million Btu per hour. BEP provides free, confidential assistance with air quality permitting for [NDEP's Bureau of Air Pollution Control](#). Please contact BEP with any questions regarding your on-site used oil space heaters.

Facilities located in Clark County are encouraged to contact [Clark County Department of Environment and Sustainability](#) for questions regarding on-site used oil space heaters at (702) 455-5942. Facilities located in Washoe County are encouraged to contact [Northern Nevada Public Health Air Quality Management Division](#) at (775) 784-7200.

Transporting Used Oil

Generators can transport their used oil to a registered used oil collection center or to an aggregation point owned by the generator provided that the vehicle used is owned by a generator or generator's employee, and that the amount of used oil transported is no more than 55 gallons ([§ 279.24\(a\) & \(b\)](#)).

Generators using a used oil transporter must ensure that the transporter has an EPA ID number, unless they are utilizing a tolling arrangement. A tolling arrangement is a contractual agreement pursuant to which reclaimed oil is returned by the processor/re-refiner to the generator for use as a lubricant, cutting oil, or coolant. Detailed requirements for used oil tolling arrangements are at [§ 279.24\(c\)](#).

Used Oil Filters

Non-terne plated used oil filters that are not mixed with other hazardous wastes are exempt from hazardous waste regulations if they have been gravity hot-drained using any one of these methods ([§ 261.4\(b\)\(13\)](#)):

- Puncturing the filter anti-drain back valve or the filter dome end and hot-draining.
- Hot-draining and crushing.
- Dismantling and hot-draining.
- Any other equivalent hot-draining method which will remove used oil.

Hot draining means draining oil close to or at engine temperature. After draining, the non-terne filters can be recycled for scrap metal or disposed if recycling services are not available.

Used Oil Regulatory Status

There are some circumstances in which hazardous waste regulations apply to used oil instead of the Part 279 management standards. The Part 279 management standards apply to used oil until a facility decides to dispose of the used oil or sends it offsite for disposal, instead of recycling it. At that point the used oil must undergo a waste determination to verify whether it is a hazardous or non-hazardous waste. If the used oil is determined to be listed or characteristically hazardous, then hazardous waste regulations would apply ([§ 279.81](#)).

Used oil that is considered a hazardous waste in the state where it was originally generated, like California for example, must be managed as a hazardous waste if transported to Nevada for disposal or recycling. Recycling used oil that is a hazardous waste would require a [Written Determination](#) issued by NDEP.

Used oil containing PCB's may be further regulated under the Toxic Control Substances Act at [40 CFR § 761](#), and used oil containing halogenated solvents above 1,000 ppm is regulated as a hazardous waste.



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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.