

## Regulations

Idaho's used-oil regulations aim to protect human health and the environment and promote recovery of used oil. Idaho adopted the federal used-oil regulations in 1994. Used-oil handlers (transporters, processors, generators, marketers, and burners) are subject to all applicable methods and countermeasures for spill prevention and control listed in the Code of Federal Regulations (CFR) Title 40 § 112 and the Underground Storage Tank Standard in 40 CFR § 280 in addition to the used-oil requirements in 40 CFR § 279. Depending on the activities your facility engages in, other regulations may apply as well.

This brochure is intended as a guide to Idaho's used-oil regulations, which are found in 40 CFR § 279 and the Federal Register published September 10, 1992. Both of these publications are available in most libraries and online at <http://ecfr.gpoaccess.gov> or <http://adminrules.idaho.gov/rules/current/58/0105.pdf> (IDAPA 58.01.05.015).

## Used oil and the environment

- The used oil from one oil change can contaminate 1 million gallons of drinking water – a year's supply for 50 people!
- It takes 42 gallons of crude oil, but only 1 gallon of used oil, to produce 2½ quarts of new, high-quality lubricating oil.
- One pint of oil can form a slick the size of a square acre on surface water.



## For more information

### Idaho Department of Environmental Quality

#### State Office

#### Waste Management and Remediation Division

1410 N. Hilton  
Boise, ID 83706  
(208) 373-0502

#### Regional Offices

##### Boise

1445 N. Orchard  
Boise, ID 83706  
(208) 373-0550  
toll-free: (888) 800-3480

##### Lewiston

1118 F Street  
Lewiston, ID 83501  
(208) 799-4370  
toll-free: (877) 541-3304

##### Coeur d'Alene

2110 Ironwood Parkway  
Coeur d'Alene, ID 83814  
(208) 769-1422  
toll-free: (877) 370-0017

##### Pocatello

444 Hospital Way #300  
Pocatello, ID 83201  
(208) 236-6160  
toll-free: (888) 655-6160

##### Idaho Falls

900 N. Skyline, Suite B  
Idaho Falls, ID 83402  
(208) 528-2650  
toll-free: (800) 232-4635

##### Twin Falls

650 Addison Ave. W,  
Suite 110  
Twin Falls, ID 83301  
(208) 736-2190  
toll-free: (800) 270-1663

DEQ Used Oil Website: [www.deq.idaho.gov/used-oil](http://www.deq.idaho.gov/used-oil)

### Used Oil Information Series

This is part of a series of brochures on used oil. Other brochures cover used-oil regulations for generators, transporters, and burners of off-specification used oil.



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# Your Guide to Idaho's Regulations for Marketers of Used Oil



Idaho Department of  
Environmental Quality  
[www.deq.idaho.gov](http://www.deq.idaho.gov)



## What is a used oil fuel marketer?

A marketer is any person who either (1) directs a shipment of off-specification used oil from his or her facility to a used-oil burner or (2) first claims that the used oil that is to be burned for energy recovery meets the used oil fuel specifications in 40 CFR § 279.11.

To qualify as on-specification used oil, the oil to be burned for energy recovery cannot exceed any of the following limits per 40 CFR § 279.11:

\*ppm = parts per million

Constituent/Property	Allowable Level
Arsenic	5 ppm* maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash point	100 degrees F minimum
Total halogens	4,000 ppm maximum**

\*\* 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 on-specification used oil not subject to used-oil requirements. Additional requirements for the burning of used oil containing polychlorinated biphenyls (PCBs) are imposed by 40 CFR § 761.20(e).

The regulations governing used oil fuel marketers are found in 40 CFR § 279 Subpart H. (IDAPA 58.01.05.015)



## Requirements for marketers

Used oil fuel marketers must:

- Notify DEQ of their used-oil activity and obtain an EPA identification number. See the brochure titled “How to Obtain an EPA Identification Number” for more information.
- Comply with at least one of the other used-oil standards: Generator, Transporter, Transfer Facility, Processor or Re-refiner, or Off-Specification Used-Oil Burner.
- Keep copies of analyses of the used oil (or other information used to make the specification determination) for three years.
- Keep a record of each shipment of used oil to a used-oil burner. The records must be maintained for at least three years and each record must include the following information:

Off-specification used-oil shipments:

- The name, address, and EPA identification number of the transporter and burner
- The quantity and date of used oil delivered
- A one-time written notice from the burner certifying that the off-spec used oil will only be burned in an industrial furnace or boiler identified in 40 CFR § 279.61(a)

On-specification used-oil shipments:

- The name and address of the receiving facility
- The quantity and date of used oil delivered
- A cross-reference to the record of used-oil analysis or other information used to make the determination that the oil meets the specifications in 40 CFR § 279.11

**Used oil may NOT be applied as a dust suppressant at any time (40 CFR § 279.82).**

## Used-oil space heaters

Used oil can be burned in a space heater (regardless of whether it meets the specifications) provided all of the following conditions are met:

- The heater burns only used oil that the owner or operator of a business generates on-site or used oil received from a household do-it-yourself used-oil generator.
- 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 outside air.

Please note, however, that burning used oil in a space heater may be subject to additional state air quality regulations. Contact the nearest DEQ regional office for information regarding air quality requirements (see reverse).

