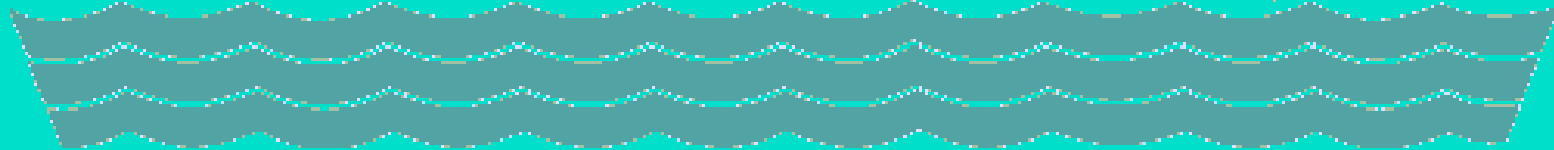


DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA







Rule 62-710 Florida Administrative Code (F.A.C.) Used Oil Management

Raoul Clarke
Florida Department
of
Environmental Protection



“All I know is that I know nothing.”

(Attributed to Socrates, Greek philosopher, c. 400 B.C.)

“I’m not young enough to know everything.”

(Oscar Wilde, 19th Century Irish author)



Used Oil Management Standards Which are Effective in Florida

- Federal EPA: Chapter 40, Part 279 of the Code of Federal Regulations
- Florida Statutes: Chapters 403.75-403.769 (404.751 FS: Prohibitions)
- DEP: Rule 62-710, Florida Administrative Code (F.A.C.)



Rule Making History

- 1984 Sections 403.75-403.769, Florida Statutes
- 1988 Amendments to SWMA
- 1993 Statutory Amendments (to align with Feds)
- 1995 Adopted Federal EPA 40 CFR 279
- 1996 Rule Amended to include processing permits
- 1997 Technical Corrections
- 2005 Latest Amendment with significant changes



Adoption Process

- February 24, 2005 ERC Briefing
 - No significant issues raised
- April 7, 2005 Final Adoption Hearing
 - Adopted by the ERC with few final amendments
- **Effective date: June 9, 2005**



Notable Changes

- Add an applicability section
- Move previously deleted sections back into this Rule
- **Strengthened Used Oil Storage standards**
- Revise Used Oil Transporter Certification requirements
- Require financial assurance for closing of used oil processing facilities



“Not everything that can be counted counts, and not everything that counts can be counted.”

(Albert Einstein, German-born American physicist)

“A little incaccuracy sometimes saves a lot of explanation.”

(H. H. Munro, *Saki*, British author)



Applicability

- Brand new section (for guidance only)
- Mobile lube operators are held only to generator standards, but they **SHOULD** have a spill control plan in place.
- Generators **MUST** have used oil managed by registered party
- Used oil storage **AND** process tanks subject to Tanks Rules
- Clean up standards found in Rule 62-770, F.A.C.



Sections Moved

- Definitions (from 62-701)
- Prohibitions (repeats Statutory language as DEP enforces Rules)
- Forms (from 62-701)

One stop shopping once again



Transporter Certification

- DETAILED Halogen screening SOP as part of required training program
- **Transporters MUST leave a copy of the halogen screening results with the generator**
- Insurance
 - Specific to environmental clean up (not simply vehicle liability)
 - Minimum \$1 million coverage
- Revocation mechanism strengthened



Financial Assurance for Used Oil Processing Facilities

- At least 5 Used Oil sites are on the Superfund list
- Closing cost estimate must address worst case scenario, be certified by an engineer, be adjusted for annual inflation and adjusted for any major process changes
- Persons may select a variety of mechanisms to establish financial assurance



Other Changes

- Definitions
- Prohibitions



Definitions

- Used oil transporter: transporting more than 55 gallons at one time
 - Generators transporting MORE than 55 gallons at one time MUST register as a transporter
 - Some may have to become certified (insurance and training)
 - Some may now be Used Oil Collection Centers
 - Some may now be Used Oil Transfer Facilities (and so need to look towards when they might be considered a Used Oil Processor).



Prohibitions

- 62-710.401 Prohibitions

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(6) ALL used oil storage tanks must be sealed and protected from the weather and, if not double walled, have secondary containment.



Rule 62-710.401 (6)

- See Dec. 9, 2005 Guidance Memo entitled “Enforcement Guidance for Rule 62-710, Florida Administrative Code, Used Oil Management.”
- Use common sense in interpreting compliance with this requirement
 - Are the containers stored outside?
 - Do the walls meet the floor?
 - Is the floor sloped to a containment area?



Rule 62-710.401 (6) The Bottom Line When Determining Compliance

*Do site specific conditions create a
likelihood that a release of used oil
would NOT be adequately contained?*



Regarding Used Oil Generators

- Standards for generators are minimal and found in 40 CFR 279, Subpart C (NOTE: Storage Standards in Rule 62-710.401(6))
- Standards for Used Oil Filter management directly parallel the Used Oil management standards.
- Storage tanks should be in good condition, not leaking, compatible material, labeled “Used Oil”
- Release response: stop it, clean it, fix it.



Regarding Used Oil Generators (Part II)

- Generators can burn their own used oil in space/water heaters
 - Must be their own used oil, or household used oil
 - Unit cannot exceed 500,000 Btu's per hour
 - Combustion gases vented to outside air
 - Can perform minimal processing (filtering)
 - Burning in a “burn barrel” does NOT qualify



Regarding Used Oil Generators (Part III)

- Can self-transport (<55 gallons at one time)
- If transported by a third party, the transporter **MUST** be registered/certified with DEP
- **SHOULD** keep records
- PUOCCs must meet generator standards
- Guide to questions to ask transporters is on the Used Oil web page.

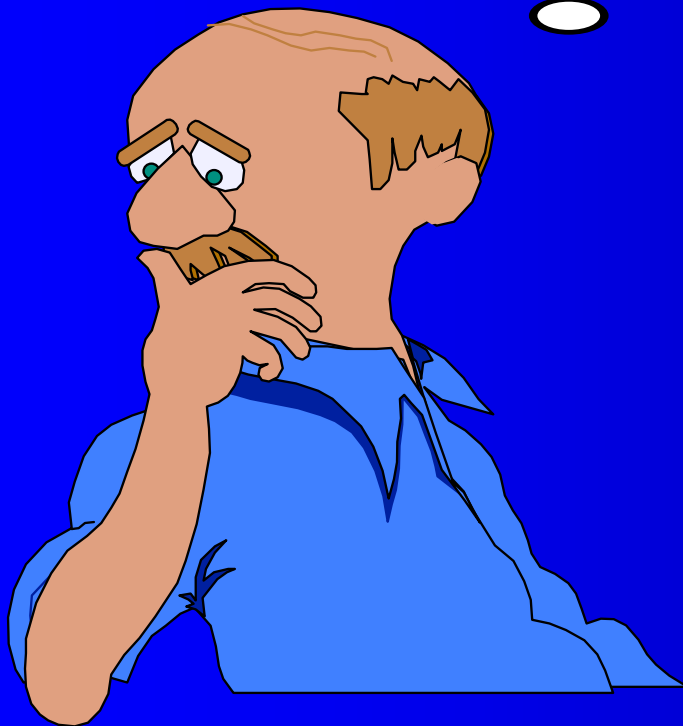


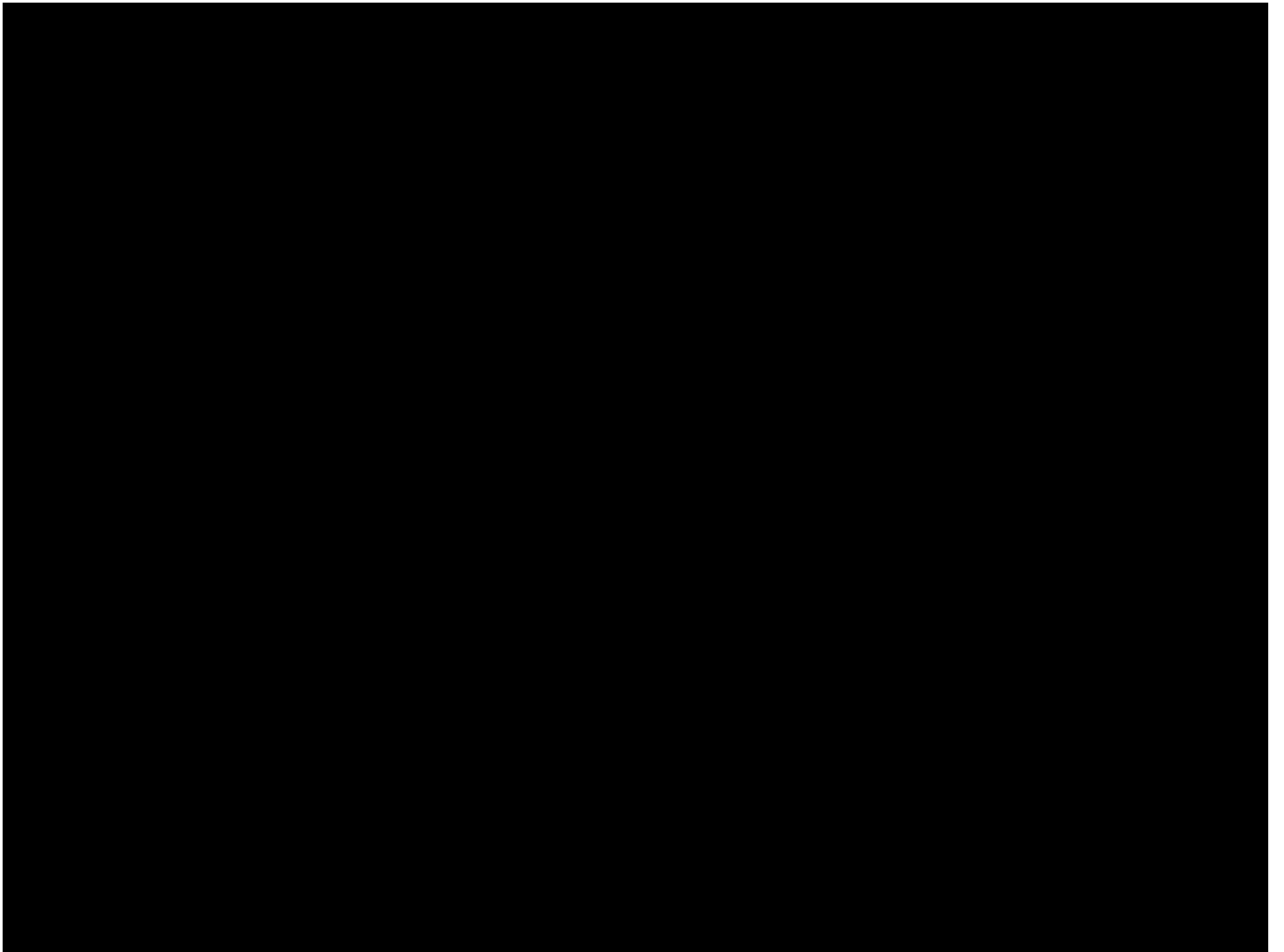
Regarding Used Oil Generators (Part IV)

- CESQG hazardous waste CAN be mixed with Used Oil, and the resultant mixture be managed as used oil
- FDEP does NOT encourage this practice
- MUST properly determine generator status and keep the waste profile on record



QUESTIONS???







FDEP Used Oil Recycling Coordinator

Rick Neves

Phone: (850) 245-8755

Email: Richard.neves@dep.state.fl.us

FDEP Used Oil Recycling Web Page:

http://www.dep.state.fl.us/waste/categories/used_oil/default.htm