

<u>SUBJECT</u>		<u>DATE</u>
1056. Hazardous Waste Tanks and the Less than 90-Day Accumulation Time Limit	ENCORE	APR 23, 2015
1057. Decharacterized RCRA Waste - Manifesting and LDR Reporting	ENCORE	APR 30, 2015
1058. Decharacterized Hazardous Waste Listed Solely for Non-Toxic Characteristics	ENCORE	MAY 7, 2015
1059. Decharacterized Wastes, <90-Day Accumulation Time Limits and LDR Storage Prohibition	ENCORE	MAY 14, 2015
1060. Decharacterized Wastes and the LDR Dilution Prohibition	ENCORE	MAY 21, 2015
1061. Hazardous Debris Macroencapsulation and Size Reduction	ENCORE	MAY 28, 2015
1062. Universal Waste Lamps and Prohibition on Crushing		JUN 4, 2015
1063. F003 Listed Hazardous Waste and the 10% Rule	ENCORE	JUN 11, 2015
1064. F001 - F005 Listed Hazardous Waste and the 10% Rule	ENCORE	JUN 18, 2015
1065. Macroencapsulation of Hazardous Debris and Presence of Free Liquids	ENCORE	JUN 25, 2015
1066. DOT Shipping of Damaged, Defective or Recalled Lithium Batteries		JUL 1, 2015
1067. Used Oil Eligibility for Animal and Vegetable Oils	ENCORE	JUL 9, 2015
1068. Used Oil Eligibility for Petroleum Oils Mixed with Animal or Vegetable Oils		JUL 16, 2015

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TWO MINUTE TRAINING

TO: CH2M HILL PLATEAU REMEDIATION COMPANY

FROM: PAUL W. MARTIN, RCRA Subject Matter Expert
CHPRC Environmental Protection, Hanford, WA

SUBJECT: USED OIL ELIGIBILITY FOR PETROLEUM OILS MIXED WITH ANIMAL OR VEGETABLE OILS

DATE: JULY 16, 2015

<u>CHPRC Projects</u>	<u>CH PRC - Env. Protection</u>	<u>MSA</u>	<u>Hanford Laboratories</u>	<u>Other Hanford Contractors</u>	<u>Other Hanford Contractors</u>
Richard Austin Tania Bates Ty Blackford Bob Cathel Rene Catlow Richard Clinton Larry Cole John Dent Brian Dixon Eric Erpenbeck Stuart Hildreth Mike Jennings Stephanie Johansen Jeanne Kisielnicki Melvin Lakes Jim McGrogan Stuart Mortensen Anthony Nagel Dean Nester Dave Richards Phil Sheely Connie Simiele Roni Swan Michael Waters Jeff Widney	Brett Barnes Ron Brunke Bill Cox Laura Cusack Lorna Dittmer Rick Engelmann Ted Hopkins Jim Leary Dale McKenney Jon McKibben Rick Oldham Linda Petersen Fred Ruck Jennie Seaver Ray Swenson Wayne Toebe Lee Tuott Daniel Turlington Dave Watson Joel Williams	Jerry Cammann Jeff Ehlis Garin Erickson Lori Fritz Panfilo Gonzales Jr. Dashia Huff Mark Kamberg Edwin Lamm Candice Marple Saul Martinez Jon Perry Thomas Pysto Christina Robison Don Rokkan Lana Strickling Lou Upton	(TBD) <u>DOE RL, ORP, WIPP</u> Mary Beth Burandt Cliff Clark Mike Collins Tony McKarns Ellen Mattlin Greg Sinton Scott Stubblebine	Bill Bachmann Dean Baker Scott Baker Lucinda Borneman Paul Crane Tina Crane Greta Davis Jeff DeLine Ron Del Mar John Dorian Mark Ellefson Darrin Faulk Joe Fritts Tom Gilmore Rob Gregory Gene Grohs James Hamilton Andy Hobbs Ryan Johnson Dan Kimball Megan Lerchen Richard Lipinski Charles (Mike) Lowery Michael Madison Terri Mars Cary Martin Grant McCalmant Steve Metzger Tony Miskho Matt Mills Tom Moon Chuck Mulkey Mandy Pascual Kirk Peterson Jean Quigley	Dan Saueressig Merrie Schilperoort Joelle Moss Glen Triner Greg Varljen Julie Waddoups Kyle Webster Jeff Westcott Ted Wooley

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TWO MINUTE TRAINING

SUBJECT: Used Oil Eligibility for Petroleum Oils Mixed with Animal or Vegetable Oils

Q: In last week's Two Minute Training (2MT) we learned that animal or vegetable oils are not eligible for management under [40 CFR 279, Standards for the Management of Used Oil](#). But what if animal or vegetable oil is mixed with petroleum or synthetic oil as a form of bio-content in order to increase the supply of lubricant oils; would those oil mixtures be eligible for used oil management?

A: It is still EPA's position that oils derived solely from animal or vegetable oil cannot be managed as used oil since the definition of used oil includes any oil refined from crude oil or synthetic oil. However, EPA clarified in a [June 16, 2014, letter](#), that oils containing a percentage of animal or vegetable oil as bio-content are still eligible for management under the used oil standards of 40 CFR 279. As EPA stated in the June 16, 2014, letter:

"We believe that such formulations, once used, could be regulated as used oils under part 279, because the resulting used oil mixture still fits within the used oil definition. We do not believe the definition of used oil precludes the use of additives in oil formulations".

Therefore, petroleum or synthetic oils that contain a percentage of bio-content in the form of animal or vegetable oils, are eligible for management as used oils under 40 CFR 279.

SUMMARY:

- Used oil is any oil refined from crude oil, or any synthetic oil that has been used and as a result of such use is contaminated with chemical or physical impurities.
- Oil derived solely from animal or vegetable sources are not eligible for management as used oil under 40 CFR 279.
- However, petroleum and synthetic oils that contain animal or vegetable oil as bio-content, are eligible for management as used oil under 40 CFR 279.

The EPA letter dated June 16, 2014, is attached to the e-mail. If you have any questions, please contact me at "Paul_W_Martin@rl.gov" or at (509) 376-6620.

FROM: Paul W. Martin

DATE: 7/16/15

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Used Oil Eligibility for Petroleum Oils Mixed with Animal or Vegetable Oils

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 16 2014

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

Linda S. Adams
Clean Tech Advocates
1215 K Street, 17th Floor
Sacramento, California 95814

Dear Ms. Adams:

Thank you for your May 28, 2014 letter to Assistant Administrator Mathy Stanislaus requesting clarification whether vegetable or animal oil-based lubricants, when used, are regulated as used oil under the 40 CFR part 279 Used Oil Management Standards.

The definition of used oil, according to 40 CFR 279.1 is as follows:

Used oil means any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities.

The Environmental Protection Agency (EPA) has held the policy that vegetable and animal oils "are not regulated under the used oil management standards," because they are not synthetic or derived from crude oil (see RCRA Online No. 14018; February 7, 1997 and RCRA Online No. 14090, April 1997). Therefore, bio-oils (e.g., vegetable and animal oils) that have been used as lubricants, or for other industrial purposes, are not regulated under the used oil management standards of part 279. These oils could, however, be waste oils subject to regulation as a solid, and potentially hazardous, waste (e.g., if they pick up hazardous constituents during use) under the Resource Conservation and Recovery Act.

We are aware of California's Senate Bill 916 (SB 916) that would have established a state standard that motor oils contain a percentage of bio-content. We have also heard concerns about SB 916, specifically that motor oil containing any bio-content would not, after use, meet EPA's definition of used oil. While our 1997 policy regarding vegetable and animal oils addressed only those oils derived solely from plant or animal sources, that policy did not envision those situations where such oils would be mixed with conventional motor oils prior to use. We believe that such formulations, once used, could be regulated as used oil under part 279, because the resulting used oil mixture still fits within the used oil definition. We do not believe the definition of used oil precludes the use of additives in oil formulations.

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DATE: 7/16/15

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Used Oil Eligibility for Petroleum Oils Mixed with Animal or Vegetable Oils

You suggest that the used oil mixture provisions of §279.10(b) and (c) mean that mixing a (used) bio-based lubricant with used oil would simply result in more used oil. We agree, as long as the bio-based lubricants, as well as the resulting mixture meets the applicable mixing criteria described in §279.10(b) and (c).

I appreciate your interest in clarifying how the used oil regulations apply to bio-based lubricants. If you have further questions, please contact Jeff Gaines of my staff at (703) 308-8655.

Sincerely,

Handwritten signature of Cheryl S. Coleman in cursive script.

Barnes Johnson, Director
Office of Resource Conservation and Recovery