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1320.	Treated Hazardous Waste Used as Dust Suppressant	FEB 28, 2019
1321.	Decharacterized RCRA Waste - Manifesting and LDR Reporting	ENCORE MAR 7, 2019
1322.	Decharacterized Hazardous Waste Listed Solely for Non-Toxic Characteristics	ENCORE MAR 14, 2019
1323.	Decharacterized Wastes, ≤90-Day Accumulation Time Limits and LDR Storage Prohibition	ENCORE MAR 21, 2019
1324.	Decharacterized Wastes and the LDR Dilution Prohibition	ENCORE MAR 28, 2019
1325.	PCB Decontamination Standard with No Decontamination Performed	ENCORE APR 4, 2019
1326.	PCB Manifest Relief a.k.a., When is a PCB Manifest Not Required?	ENCORE APR 11, 2019
1327.	PCB Manifest Relief a.k.a., When is a PCB Manifest Not Required? – The Sequel	ENCORE APR 18, 2019
1328.	PCB Concentrations and Micrograms per Centimeters Squared (µg/cm ²)	ENCORE APR 25, 2019
1329.	Operating Record vs. Operating Log	ENCORE MAY 2, 2019
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1331.	Washington State Used Oil and Mixtures with Other Materials	ENCORE MAY 16, 2019
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1333.	Printed Circuit Board Recycling – Shredded vs. Whole	ENCORE MAY 30, 2019
1334.	Universal Waste Alkaline Batteries and Self-Transportation	ENCORE JUN 6, 2019
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1338.	Unused Paraformaldehyde - U Listed Hazardous Waste or Not?	ENCORE JUL 3, 2019
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1344.	F Listings and Ingredients in Commercial Chemical Product Formulations	ENCORE AUG 15, 2019
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1347.	PCB Concentration Assumptions for Use vs. PCB Disposal	ENCORE SEP 5, 2019
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1349.	Regulatory Status of PCB Remediation Wastes Disposed Prior to April 18, 1978	ENCORE SEP 19, 2019
1350.	Regulatory Status of PCB Remediation Wastes Disposed Prior to April 18, 1978 – A Follow-Up	ENCORE SEP 26, 2019
1351.	PCB Waste Regulation and April 18, 1978 vs. July 2, 1979	ENCORE OCT 3, 2019
1352.	PCB Waste Storage Limitations and the One-Year Extension	ENCORE OCT 10, 2019
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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, SECONDARY CONTAINMENT AND RESPONSE TO SPILLS

DATE: FEBRUARY 20, 2020

<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>
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TWO MINUTE TRAINING

SUBJECT: Used Oil, Secondary Containment and Response to Spills

Q: During a routine environmental walkabout, a customer inspects their outside used oil storage area containing a single used oil drum. A small amount of used oil is observed in the secondary containment pallet. The drum is not leaking and the accumulated oil is determined to be from a careless addition of used oil to the container. The customer is unsure if the small amount of used oil in the secondary containment pallet must be immediately removed. So what, if any, response is required for a small amount of used oil in a secondary containment pallet?

A: Per [40 CFR 279.22\(d\)](#), [[WAC 173-303-515\(6\)](#)], "Response to releases" it basically states that upon detection of a release of used oil to the environment, a generator must stop the release; contain the released used oil; clean up and manage properly the released used oil and other materials; and if necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service. The key phrase in the above wording is "a release of used oil to the environment". According to a RCRA Hotline Monthly Report ([RO 14339](#)) dated March 1999, EPA stated:

"A spill onto a containment pad would not be considered a release to the environment that is subject to the response steps in Section 279.22(d). The September 10, 1992, Federal Register (57 FR 41566, 41586) states that releases to the environment would not include releases within contained areas, such as concrete floors or impervious containment areas, unless the releases go beyond the contained areas. Used oil handlers, however, have an obligation to clean up used oil spills or leaks onto a containment area before the used oil reaches the environment. Such cleanup operations prevent the potential contamination of unprotected soils near storage and work areas. If a release of used oil goes beyond a container pad and into the environment, then the responses to releases requirements in Section 279.22(d) apply."

Since the customer's used oil is within the containment pallet, a release to the environment has not occurred...yet. Technically, the customer would not have to respond immediately to the used oil in the containment pallet since the used oil has not been released to the environment; however, if more used oil accumulated or if rainwater overflowed the containment pallet, then a release of used oil to the environment could occur and the response to releases would apply. Therefore, a best management practice would be to clean up the used oil in the containment pallet BEFORE a release to the environment occurred.

SUMMARY:

- Releases of used oil to the environment require the release to be stopped, contained, cleaned up and managed properly, and if necessary, the container or tank repaired or replaced.
- Used oil within a secondary containment pallet is not a release to the environment...yet.
- A best management practice (and an EPA expectation) is that used oil spills or leaks onto a containment area be cleaned up before the used oil reaches the environment.

40 CFR 279.22 and the March 1999 RCRA Hotline Monthly Report are attached to the e-mail. If you have any questions, please contact me at [Paul W Martin@rl.gov](mailto:Paul_W_Martin@rl.gov) or at (509) 376-6620.

FROM: Paul W. Martin

DATE: 02/20/2020

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TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: Used Oil, Secondary Containment and Response to Spills

40 CFR 279.22 Used oil storage

Used oil generators are subject to all applicable Spill Prevention, Control and Countermeasures (40 CFR part 112) in addition to the requirements of this Subpart. Used oil generators are also subject to the Underground Storage Tank (40 CFR part 280) standards for used oil stored in underground tanks whether or not the used oil exhibits any characteristics of hazardous waste, in addition to the requirements of this subpart.

(a) *Storage units.* Used oil generators shall not store used oil in units other than tanks, containers, or units subject to regulation under parts 264 or 265 of this chapter.

(b) *Condition of units.* Containers and aboveground tanks used to store used oil at generator facilities must be:

- (1) In good condition (no severe rusting, apparent structural defects or deterioration); and
- (2) Not leaking (no visible leaks).

(c) *Labels.*

- (1) Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."
- (2) Fill pipes used to transfer used oil into underground storage tanks at generator facilities must be labeled or marked clearly with the words "Used Oil."

(d) *Response to releases.* Upon detection of a release of used oil to the environment that is not subject to the requirements of part 280, subpart F of this chapter and which has occurred after the effective date of the recycled used oil management program in effect in the State in which the release is located, a generator must perform the following cleanup steps:

- (1) Stop the release;
- (2) Contain the released used oil;
- (3) Clean up and manage properly the released used oil and other materials; and
- (4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

[57 FR 41612, Sept. 10, 1992, as amended at 58 FR 26425, May 3, 1993; 63 FR 24969, May 6, 1998]

TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: Used Oil, Secondary Containment and Response to Spills

RO 14339
EPA530-R-99-012c
SUB-9224-99-003

RCRA/SUPERFUND HOTLINE MONTHLY REPORT

March 1999

1. Used Oil Spills on Containment Pads

Spills of used oil into the environment from aboveground tanks and containers require a used oil generator to comply with the following response steps: (1) stop the release; (2) contain the released used oil; (3) clean up and manage properly the released used oil and other materials; and (4) repair or replace any leaking used oil storage containers or tanks prior to returning them to service if necessary to prevent future releases (40 CFR Section 279.22(d)). If a used oil generator storing used oil in aboveground tanks has a spill onto a containment pad, would this spill be subject to the response requirements of Section 279.22(d)?

A spill onto a containment pad would not be considered a release to the environment that is subject to the response steps in Section 279.22(d). The September 10, 1992, Federal Register (57 FR 41566, 41586) states that releases to the environment would not include releases within contained areas, such as concrete floors or impervious containment areas, unless the releases go beyond the contained areas. Used oil handlers, however, have an obligation to clean up used oil spills or leaks onto a containment area before the used oil reaches the environment. Such cleanup operations prevent the potential contamination of unprotected soils near storage and work areas. If a release of used oil goes beyond a container pad and into the environment, then the response to releases requirements in Section 279.22(d) apply. Releases of used oil from underground storage tanks may be subject to the corrective action requirements of Part 280, Subpart F, as applicable.