

| <u>SUBJECT</u> |   | <u>DATE</u>            |
|----------------|---|------------------------|
| 1320.          | Treated Hazardous Waste Used as Dust Suppressant  | FEB 28, 2019           |
| 1321.          | Decharacterized RCRA Waste - Manifesting and LDR Reporting                                  | ENCORE<br>MAR 7, 2019  |
| 1322.          | Decharacterized Hazardous Waste Listed Solely for Non-Toxic Characteristics                 | ENCORE<br>MAR 14, 2019 |
| 1323.          | Decharacterized Wastes, ≤90-Day Accumulation Time Limits and LDR Storage Prohibition        | ENCORE<br>MAR 21, 2019 |
| 1324.          | Decharacterized Wastes and the LDR Dilution Prohibition                                     | ENCORE<br>MAR 28, 2019 |
| 1325.          | PCB Decontamination Standard with No Decontamination Performed                              | ENCORE<br>APR 4, 2019  |
| 1326.          | PCB Manifest Relief a.k.a., When is a PCB Manifest Not Required?                            | ENCORE<br>APR 11, 2019 |
| 1327.          | PCB Manifest Relief a.k.a., When is a PCB Manifest Not Required? – The Sequel               | ENCORE<br>APR 18, 2019 |
| 1328.          | PCB Concentrations and Micrograms per Centimeters Squared (µg/cm <sup>2</sup> )             | ENCORE<br>APR 25, 2019 |
| 1329.          | Operating Record vs. Operating Log  | ENCORE<br>MAY 2, 2019  |
| 1330.          | Operating Records Not Referenced in the “Operating Record” Regulations                      | ENCORE<br>MAY 9, 2019  |
| 1331.          | Washington State Used Oil and Mixtures with Other Materials                                 | ENCORE<br>MAY 16, 2019 |
| 1332.          | Used Oil Filter Regulation – The Feds vs. Washington State                                  | ENCORE<br>MAY 23, 2019 |
| 1333.          | Printed Circuit Board Recycling – Shredded vs. Whole  | ENCORE<br>MAY 30, 2019 |
| 1334.          | Universal Waste Alkaline Batteries and Self-Transportation                                  | ENCORE<br>JUN 6, 2019  |
| 1335.          | Universal Waste Lithium Batteries and Self-Transportation                                   | ENCORE<br>JUN 13, 2019 |
| 1336.          | RCRA Hazard Labeling – A Random Scenario  | ENCORE<br>JUN 20, 2019 |
| 1337.          | Regulatory Status of Chromated, Copper, Arsenate, (CCA) Wood as Wood Mulch                  | ENCORE<br>JUN 27, 2019 |
| 1338.          | Unused Paraformaldehyde - U Listed Hazardous Waste or Not?                                  | ENCORE<br>JUL 3, 2019  |
| 1339.          | The Hazardous Waste Characteristic of Reactivity (D003)                                     | ENCORE<br>JUL 11, 2019 |
| 1340.          | Central Accumulation Areas and Signage Requirements   | ENCORE<br>JUL 18, 2019 |
| 1341.          | RCRA EPA Identification Numbers – Site Specifics  | ENCORE<br>JUL 25, 2019 |
| 1342.          | RCRA EPA Identification Numbers – Transporters  | ENCORE<br>AUG 1, 2019  |
| 1343.          | Paint Wastes and the Applicability of the F001-F005 Listings to Ingredients                 | ENCORE<br>AUG 8, 2019  |
| 1344.          | F Listings and Ingredients in Commercial Chemical Product Formulations                      | ENCORE<br>AUG 15, 2019 |
| 1345.          | PCB Containers and ≥50 ppm  | ENCORE<br>AUG 22, 2019 |
| 1346.          | CERCLA Hazardous Substances – The Petroleum Exclusion                                       | ENCORE<br>AUG 29, 2019 |
| 1347.          | PCB Concentration Assumptions for Use vs. PCB Disposal                                      | ENCORE<br>SEP 5, 2019  |
| 1348.          | RCRA LR One-Year Storage Prohibition vs., PCB One-Year Disposal Time Limit                  | ENCORE<br>SEP 12, 2019 |
| 1349.          | Regulatory Status of PCB Remediation Wastes Disposed Prior to April 18, 1978                | ENCORE<br>SEP 19, 2019 |
| 1350.          | Regulatory Status of PCB Remediation Wastes Disposed Prior to April 18, 1978 – A Follow-Up  | ENCORE<br>SEP 26, 2019 |
| 1351.          | PCB Waste Regulation and April 18, 1978 vs. July 2, 1979                                    | ENCORE<br>OCT 3, 2019  |
| 1352.          | PCB Waste Storage Limitations and the One-Year Extension                                    | ENCORE<br>OCT 10, 2019 |
| 1353.          | PCB Waste Storage Limitations and the PCB Radioactive Waste Exemption                       | ENCORE<br>OCT 17, 2019 |
| 1354.          | LDR One-Year Storage Prohibition and Generator Permitted Storage                            | ENCORE<br>OCT 24, 2019 |
| 1355.          | LDR Notification/Certification and Generator Permitted Storage                              | ENCORE<br>OCT 31, 2019 |
| 1356.          | Disposing of PCB Ballasts with PCB Potting Material   | ENCORE<br>NOV 7, 2019  |
| 1357.          | Fluorescent Light Ballasts and PCB Annual Reporting   | ENCORE<br>NOV 14, 2019 |
| 1358.          | Multiple Characteristic Hazardous Waste Codes and Underlying Hazardous Constituents         | ENCORE<br>NOV 21, 2019 |
| 1359.          | Multiple Characteristic and Listed Hazardous Waste Codes and the “in lieu of” LDR Principle | ENCORE<br>NOV 26, 2019 |
| 1360.          | Universal Waste Lamps and Prohibition on Crushing   | ENCORE<br>DEC 5, 2019  |
| 1361.          | Used Oil and Weekly Inspections   | ENCORE<br>DEC 12, 2019 |
| 1362.          | Used Oil and Keeping Containers Closed – Washington State vs. the Feds                      | ENCORE<br>DEC 19, 2019 |
| 1363.          | ’Twas the Night Before Christmas – The Twenty-Sixth Annual Edition                          | ENCORE<br>DEC 24, 2019 |
| 1364.          | Generator Weekly Inspection Log Documentation – Federal vs. WA State                        | ENCORE<br>JAN 2, 2020  |
| 1365.          | PCB Reporting and Recordkeeping Relief  | ENCORE<br>JAN 9, 2020  |
| 1366.          | Satellite Accumulation and Product Vessel Cleanouts   | ENCORE<br>JAN 16, 2020 |
| 1367.          | TSDF Requirements When Shipping Dangerous Waste to another TSDF                             | ENCORE<br>JAN 23, 2020 |
| 1368.          | The Hazardous Waste Manifest Instructions – Where did they go?                              | ENCORE<br>JAN 30, 2020 |
| 1369.          | The Mixtures Rule – Washington State vs. The Feds   | ENCORE<br>FEB 6, 2020  |
| 1370.          | Used Oil and the Rebuttable Presumption   | ENCORE<br>FEB 13, 2020 |
| 1371.          | Used Oil, Secondary Containment and Response to Spills                                      | ENCORE<br>FEB 20, 2020 |
| 1372.          | Used Oil Eligibility for Animal and Vegetable Oils  | ENCORE<br>FEB 27, 2020 |
| 1373.          | Used Oil Eligibility for Petroleum Oils Mixed with Animal or Vegetable Oils                 | ENCORE<br>MAR 5, 2020  |

## 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 FORMULATED WITH ANIMAL OR VEGETABLE OILS

**DATE:** MARCH 5, 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>  |
|--|---|---|--|--|---|
| Richard Austin<br>Tania Bates<br>Rene Catlow<br>Richard Clinton<br>Larry Cole<br>Laura Cusack<br>John Dent<br>Lorna Dittmer<br>Stuart Hildreth<br>Mike Jennings<br>Stephanie Johansen<br>Sasa Kosjerina<br>Melvin Lakes<br>Richard Lipinski<br>Stuart Mortensen<br>Dave Richards<br>Phil Sheely<br>Connie Simiele<br>Jeff Westcott | Jeff Bramson<br>Bob Bullock<br>Frank Carleo<br>Danielle Collins<br>Bill Cox<br>Jeanne Elkins<br>Ryan Fisher<br>Jonathan Fullmer<br>Barry Lawrence<br>Diane Leist<br>Mitch Marrott<br>Stewart McMahand<br>Brian Mitcheltree<br>Anthony Nagel<br>Linda Petersen<br>Sean Sexton<br>Dave Shea<br>Kat Thompson<br>Wayne Toebe<br>Eric Trotta<br>Daniel Turlington<br>Dave Watson | Brett Barnes<br>Michael Carlson<br>Mike Demiter<br>Kip George<br>Jerry Cammann<br>Jeff Ehlis<br>Garin Erickson<br>Panfilo Gonzalez Jr.<br>Dashia Huff<br>Mark Kamberg<br>Jon McKibben<br>Saul Martinez<br>Matt Mills<br>Carly Nelson<br>Michelle Oates<br>Eric Pennala<br>Jon Perry<br>Christina Robison<br>Christian Seavoy<br>David Shaw<br>John Skogleie<br>Lana Strickling<br>Greg Sullivan | (TBD)<br><br><u>DOE RL, ORP, WIPP</u><br><br>Mary Beth Burandt<br>Duane Carter<br>Al Farabee<br>Tony McKarns | Bill Bachmann<br>Dean Baker<br>Scott Baker<br>Lucinda Borneman<br>Paul Crane<br>Tina Crane<br>Ron Del Mar<br>John Dorian<br>Mark Ellefson<br>Darrin Faulk<br>Rob Gregory<br>James Hamilton<br>Andy Hobbs<br>Ryan Johnson<br>Megan Lerchen<br>Mike Lowery<br>Michael Madison<br>Terri Mars<br>Cary Martin<br>Grant McCalmant<br>Steve Metzger<br>Tony Miskho<br>Tom Moon<br>Chuck Mulkey<br>Kirk Peterson | Dan Saueressig<br>Joelle Moss<br>Glen Triner<br>Greg Varljen<br>Julie Waddoups<br>Jay Warwick<br>Ted Wooley |

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## TWO MINUTE TRAINING

**SUBJECT:** Used Oil Eligibility for Petroleum Oils Formulated 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 as used oil under the [40 CFR 279, Standards for the Management of Used Oil](#). However, if animal or vegetable oil were formulated with petroleum or synthetic oil products as a form of bio-content, would those "bio-oils", once used, 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 ([RO 14849](#)) and reiterated in a December 4, 2015, letter ([RO 14854](#)) 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 formulated with 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, contact me at [Paul W. Martin@rl.gov](mailto:Paul_W_Martin@rl.gov) or at (509) 376-6620.

**FROM:** Paul W. Martin

**DATE:** 03/05/2020

**FILE:** 2MT\2020\030520.rtf

**PG:** 1

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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.

FROM: Paul W. Martin

DATE: 03/05/2020

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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, with the text "Cheryl S. Coleman / Acting for" written above it.

Barnes Johnson, Director  
Office of Resource Conservation and Recovery