

**USED OIL TRANSPORTER (UOT)
AND TRANSFER FACILITY (UOTF)
REGISTRATION INSTRUCTION AND INFORMATION PACKET**

THE USED OIL (UO) REGULATION

Solid Waste Management Regulation R.61-107.279 - Used Oil, governs the generation, collection, transporting, processing and disposal of used oil (UO) in South Carolina. Subpart E of this regulation details the standards for used oil (UO) transporters (UOT) and transfer facilities (UOTFs).

HOW TO GET A REGISTRATION

- # To request the appropriate registration - used oil transporter (UOT) or used oil transfer facility (UOTF) - the attached pages must be completed as detailed. Additional information regarding other used oil (UO) registrations, permits, and contacts has been included for the applicant's information. If additional assistance is needed, please contact the Department at (803) 896-4207, FAX (803) 896-4001, and ask for Solid Waste Compliance - Used Oil.
- # Please retain a copy of all information submitted. Send the completed application to:

SCDHEC Division of Mining & Solid Waste Management
Solid Waste Compliance Unit
2600 Bull Street
Columbia, SC 29201

REGISTRATION REQUIREMENTS

- # The UOT registration should be completed if the transporter handles or is responsible for more than 55 gallons of UO at any given time (transportation, storage, etc.). An UOT is anyone who transports UO, collects UO from more than one generator and transports the collected oil, and/or owns and operates an UO transfer facility (UOTF).
- # All persons, businesses and entities requesting UO transporter (UOT) registration must complete the registration packet before the Department will issue the registration.
- # Incomplete registration requests will not be processed until all required information has been received by the Department.
- # Original forms/letters should be submitted when signatures are required.
- # **It is the applicant's responsibility to provide the documentation for each requirement, and the location (page number, section, etc.) of the documentation in the application. All documentation should reference used oil specifically if at all possible. Please number each page of the application or, clearly mark/highlight the location of the required items. The index of the training manual may be included also.**

EPA IDENTIFICATION NUMBER, SCDHEC FORM 2701:

- # Section 279.42: Notification and Insurance Requirements of the UO regulation states: UOTs must notify the Department's Hazardous Waste Compliance Monitoring Section (HWCMS) of all UO management and transporting activities to obtain an **EPA identification number**. If the UOT already has an EPA ID #, the UOT must re-notify the Department's HWCMS of all UO transporting activities. If the applicant has an EPA ID # assigned by another state, the applicant must submit documentation of such and must notify the Department's HWCMS of his or her UO activities.
- # SCDHEC Form 2701 must be completed to request an EPA ID # and to update any information previously submitted on SCDHEC Form 2701. This form may be requested by contacting the Department, Theresa Hayes, at (803) 896-4139.
- # Once this number has been assigned, the UOT must submit this information with the UOT application.

SCDHEC USED OIL TRANSPORTER AND TRANSFER FACILITY REGISTRATION FORM

- # Section 279.42: Notification and Insurance Requirements of the UO regulation states: Each UOT is required to **register with the Department**. Each applicant must complete and submit the SCDHEC UO Transporter and Transfer Facility Registration Form. If the applicant intends to store UO, the UOTF registration is required. Information needed to register UOTFs can be included on the UOT registration form.

SCDHEC USED OIL TRANSPORTER CERTIFICATE OF INSURANCE FORM

Section 279.42: Notification and Insurance Requirements of the UO regulation states: UOTs are required to have and maintain **financial responsibility for sudden and accidental occurrences in the amount of at least one million dollars (\$1,000,000.00) per occurrence exclusive of legal defense costs**. Coverage must provide for claims arising out of injury to persons, property or the environment including the spillage of used oil while such wastes are being transported and including the costs of cleaning up the spill. Such liability coverage must be maintained at all times while the registration is in force and may be established by any one or combination of the following, as detailed in the regulation (evidence of liability insurance, self insurance, other evidence approved by the Department).

Each applicant is required to complete and submit the Department's UOT Certificate of Insurance or similar document from the insurer.

Please submit with application. Applicant should keep a copy also.

EMPLOYEE TRAINING PROGRAM - From pick up (identification) or rejection, transportation, then delivery:

Section 279.43: Used Oil Transportation states that all registered UOTs are required to show evidence of familiarity with laws and regulations governing UO transportation by **submitting an employee training program for approval by the Department**. Information regarding employee participation in training and certification programs should also be submitted to the Department. The program (manual) should detail **proper UO management practices**. Include the index and the location (sections) of the training devoted to the specific requirements. At a minimum, this program or employee training program must include provisions for the following:

- UOTs must demonstrate compliance with state and federal regulations governing UO.
- # UO must be delivered to another registered UO transporter, an on-spec UO burner facility, or, UO processing/re-refining facility or off-spec UO burner facility which has an EPA ID #. Specifics should be stated in the program. **Δ** If the UOT is required to make the on-spec determination (Subpart H), the UOT must contact the Department for permitting requirements for UO fuel marketers [(803) 896-4220].
- # UOTs must comply with all applicable requirements under the US Department of Transportation regulations in 49 CFR parts 171-180. Persons transporting UO that meets the definition of a hazardous material in 49 CFR 171.8 must comply with all applicable regulations in 49 CFR parts 171-180. Specifics should be stated in the program.
- # **Basic Waste Identification:** It is the responsibility of the UOT to ensure that the UO to be transported or stored at a transfer facility is not a hazardous waste and thus, it is the responsibility of the UOT to determine if the UO to be transported or stored at a transfer facility has a halogen content above (hazardous waste) or below (used oil) 1,000 ppm. This determination may be made by testing the UO or, by applying knowledge of the halogen content of the UO in light of the materials or processes used. Specifics of how the transporter test, identifies, or documents that the load to be hauled is used oil (halogen testing, manifesting, etc.) should be stated in the program.
- # **Appropriate response action to any release or spill (contingency plans/spill response):** In the event UO is discharged during transportation, the UOT must clean up any UO discharged or take appropriate immediate action to protect human health and the environment; and, must notify the appropriate federal, state, local, or Department authorities, as detailed in the regulation. **Please include the SCDHEC Emergency Response Toll Free Reporting Number used to report chemical and oil spills, and fish kills: 1-888-481-0125. In the Columbia area, use (803) 253-6488.** What steps will the UOT follow in the event of a spill or discharge to protect human health, the UOT's own health, and the environment?
- # How are containers/trucks/equipment marked, stored, handled and inspected?
- # Manifesting practices.
- # New employee orientation/introduction to applicable laws and rules prior to driving the UO transportation vehicle.
- # Verification that company personnel handling or transporting UO have successfully completed the training program. New employees directly involved with the handling or transporting of UO must complete the training program as soon as possible, but no later than ninety (90) days after beginning employment.
- # Include all relevant training events (recommended training includes - HazMat, DOT, etc.). Include copies of certificates; course names & numbers, descriptions; a syllabus; etc. check the local technical school for courses if needed.

NOTIFICATION OF REGISTRATION

Once the UOT applicant submits all of the information necessary to complete registration, a departmental review

will ensue. If the registration is deemed complete and appropriate for registration, the applicant will be notified in writing of the registration.

- # For filing purposes, beginning July 1999, registered UOTs will be assigned a registration number based on the EPA ID numbers.
- # The SCDHEC Hazardous Waste Compliance Monitoring Section (HWCMS) and the Department of Public Safety's Transport Police will receive a list of the current UOTs.

REGISTRATION STATUS AND RENEWAL REQUIREMENTS

At present, UOT registrations do not expire and, thus, do not require renewal. Therefore, the **status** of the UOT's registration will depend on the following:

- # The registration will remain **current**, providing the UOT **maintains a current certificate of insurance**. It is the UOT's responsibility to track expiration dates of certificates and, to submit current certificates of insurance to avoid a lapse in coverage. **If the coverage lapses, the UOT's registration will be suspended.** If suspended, all transporting activities are to cease until the UOT receives written notification from the Department stating that the registration has been reestablished.
- # Registered UOTs are **required to submit an annual report** on or before March 15. **If the annual report is not submitted as required, the UOT's registration will be suspended.** If suspended, all transporting activities are to cease until the UOT receives written notification from the Department stating that the registration has been reestablished.
- # **Registered UOTs are required to abide by and comply with the language in the used oil regulation. Failure to comply may result in compliance and/or enforcement actions, the assessment of fines, and having the registration suspended.** If suspended, activities are to cease until the UOT receives written notification from the Department stating that the registration has been reestablished.
- # If a registered UOT continues to transport UO without a current registration, the UOT may face compliance or enforcement actions which could result in the assessment of substantial fines.

REPORTING AND MANIFESTING REQUIREMENTS

The Manifest: Section 279.46 states that all UOTs must prepare and maintain a manifest for each shipment of UO transported and delivered, or exported. The format of the manifest is determined by the UOT. This manifest is required to accompany each load at all times. The UOT must provide both, the generator of the UO and the facility accepting the UO, a copy of the manifest. The UOT must also keep and maintain a copy of each manifest for at least three (3) years. Along with the UOT's name, address, phone number and UOT ID number, at a minimum, the manifest for each load must include:

- # Origin of the load - name, address, EPA ID (if applicable) and dated signature of generator, transporter, processor, re-refiner or facility representative.
- # Quantity of UO accepted for transport and date accepted.
- # Destination of the load - name, address, EPA ID # of receiving facility, transporter.
- # Quantity of UO delivered and date delivered.
- # Dated signature of receiving facility representative or transporter.

The Annual Report: Each UOT is required to submit an annual report on or before March 15 of each year. At a minimum, this report must include all of the information required on the manifest, as well as the end use of the materials in SC. Individual manifest copies are not acceptable. The format of the annual report is determined by the UOT.

NOTE: Information submitted to the Department is available for public review through the Freedom of Information Office. Please mark all confidential information and information considered a trade secret as such so special considerations may be made before providing this information to the public.

COMPLIANCE ISSUES

- # Failure to register any UO transporting business is subject to compliance and/or enforcement actions and could

result in the assessment of fines.

- # Transporting UO without a current registration may result in compliance or enforcement actions and could result in the assessment of substantial fines.
- # Registered UOTs no longer in the business of transporting UO in the state of SC, must notify the Department in writing to have the UOT removed from the UOT list. Once this documentation has been received by the Department, the registration will be revoked.
- # Periodically, the UOTs may be asked to complete compliance updates for tracking and planning purposes, and, to update the status of the registration.
- # UOTs are required to be familiar with and abide by the language in the UO regulation, 61-107.279. The UOT may be required to register or permit other UO activities, as described in the regulation.

ASSISTANCE

- # If additional assistance or information is needed, please contact the Department:

SCDHEC Division of Mining & SW Management
2600 Bull Street, Columbia, SC 29201. (803) 896-4207, FAX (803) 896-4001

ADDITIONAL SOLID WASTE REGISTRATIONS AND PERMITS FOR USED OIL ACTIVITIES

UOTs are required to be familiar with and abide by the language in the used oil regulation, 61-107.279. The UOT may be required to register or permit other used oil activities, as described in the used oil regulation.

Mobile Oil Changing Businesses

- # Mobile oil changing businesses are **generators of UO** and are subject to regulation as used oil generators (Subpart C).
- # If in the course of business, 55 gallons or less of used oil are transported at any given time, the **transportation of the changed oil** from the site where it was generated is considered the same as the transportation of household do-it-yourselfer (DIY) used oil. The transportation of the DIY UO to a regulated UO generator, collection center, aggregation point, processor/re-refiner, or burner is exempt from used oil regulation.

If the business transports more than 55 gallons of UO that does not meet the definition of DIY used oil, then business is required to meet all of the requirements for UOTs.
- # If applicable, the **storage of DIY UO** collected by a mobile oil changing business must be stored in compliance with the requirements for UO generators (279.22) and for UO DIY collection centers; this includes meeting required storage and storage tank requirements (see below). UO collection centers must register with the Department by completing the DHEC registration form for UO collection centers and aggregation points. Registered UO collection centers are also required to submit an annual report (Subpart D) by March 15 and, to submit the registration/renewal form along with the annual report if the collection center wants to continue the registration.
- # The collected used oil must be transported by a registered UOT, as specified in Subpart E.

UO Collection Centers (UOCCs) and Aggregation Points (Subpart D)

- # All UOCCs are required to register with the Department by completing the DHEC registration form for UO collection centers and aggregation points.
- # All registered UOCCs are required to meet the UO generator standards in Subpart C and, are required to submit an annual report by March 15. If the center wants to continue the registration, the registration/renewal form must be submitted along with the annual report.
- # Closure of any UOCC will require notifying the Department in writing of the intent to close. At a minimum, closure must consist of removal and proper disposal of all oil collected; dismantling and removal, or proper cleaning of all equipment; and proper removal and disposal or treatment of any oil stained soils.
- # All aggregation points are required to meet the standards for UO generators.

UO Transfer Facility (UOTF) Requirements (279.45)

- # UOTs may consolidate or aggregate loads of UO for the purposes of transportation (279.41.a) only.
- # If during transportation, the UOT plans to store used oil at a loading dock, in a parking or storage area, or at any site for more than 24 hours and not longer than 35 days during the normal course of transportation, the UOT is required to register this site as a **UO transfer facility (UOTF)** (279.45).
- # To properly register any UOTF site, the applicant must complete the **UOTF registration section** of the UOT/UOTF registration form.

UOTF and UOCC Containers and Storage Tanks (279.31.d, 279.45.a-l)

- # Containers and above ground storage tanks used to store UO at all UOCCs or UOTFs must be labeled “used oil,” and in good condition (no severe rusting, apparent structural defects, deterioration) with no visible leaking.
- # Containers and above ground tanks used to store UO at the UOTF should have a **secondary containment system** capable of retaining the volumetric contents of the largest container/tank. At a minimum, this containment must include dikes, berms or retaining walls with a floor that covers the entire area within the berms, dikes or walls; or an equivalent system approved by the Department. The entire system must be sufficiently impervious to UO to prevent UO released into the system from migrating out of the system to the soil, groundwater, or surface water.
- # Fill pipes on underground storage tanks used at UOTFs are required to be labeled or marked clearly with the words “used oil.” For **underground storage tank requirements**, please contact the Bureau of Underground Storage Tanks at (803) 898-4350. Also, contact the local fire department for additional information.
- # If a facility has a total aboveground oil storage capacity greater than 1,320 gallons; or if a facility has a completely buried oil storage capacity greater than 42,000 gallons; the UOT/owner/operator is required to submit a **Spill Prevention, Control Countermeasures Plan**, as specified in the SPCC Information Guide (40 CFR 112). Compliance with the requirements of the SPCC plan will be determined by inspection, not by a review of the plan submitted. For additional information regarding SPCC plans, please contact Emergency Response at (803) 896-411.
- # If a release of UO is detected, the UOTF owner/operator is required to perform certain steps to cleanup the oil, including: stopping/containing the release, properly cleaning up the spilled oil and other materials, repairing/replacing any leaking tanks/containers, and contacting the Department if further assessment and remediation are necessary.

UO Processors and Re-refiners Requirements (Subpart F)

- # UOTFs that store UO for more than 35 days are subject to regulation in Subpart F which governs **UO processors and re-refiners**. Please contact the Department for permitting requirements for UO processors and re-refiners [(803) 896-4220].
- # All UO processing and re-refining activities are permitted by the Department. Please contact the Department for permitting requirements for UO processors and re-refiners [(803) 896-4220].

Off-Specification UO Burners (Subpart G)

- # Facilities where off-spec used oil (UO not meeting the specification detailed in section 279.11 of the regulation) is burned in an industrial furnace or boiler for the purpose of energy recovery are required to permit this activity. Please contact the Department for permitting requirements for off-spec UO burners [(803) 896-4220].

UO Fuel Marketers (Subpart H)

- # If the UOT is required to make the on-spec determination for any load, the UOT must contact the Department for registration requirements for **UO fuel marketers** [(803) 896-4207].

UO From Filters (279.92)

- # UO collected from crushing filters or from hot draining filters must be processed, re-refined or recycled.

ASSISTANCE

- # If additional assistance or information is needed, please contact the Department and ask for Solid Waste Compliance - Used Oil:

SCDHEC Division of Mining & SW Management
2600 Bull Street, Columbia, SC 29201. (803) 896-4207, FAX (803) 896-4001.