

## Oily Wastes, Sorbent Clays (cat litter), Oily Rags, Organic Sorbent Material

[Rule 62-710.201(1), F.A.C.]

“Oily wastes” mean those materials that are mixed with used oil and have become separated from that used oil.

These materials may be landfilled (e.g., placed in your trash or dumpster) provided that:

- It is not prohibited in other department rules or local ordinances
- The amount generated is de minimus (a small amount)
- It is the result of minor leaks or spills resulting from normal process operations
- All free-flowing oil has been removed to the practical extent possible



## Storage of Used Oil Filters

[Rule 62-710.850, F.A.C.]

Used oil filters must be stored in above ground containers that are clearly labeled “Used Oil Filters” and which are in good condition. The storage containers must be sealed or otherwise protected from weather and stored on an oil-impermeable surface such as sealed concrete or asphalt. A list of approved sealants and coatings can be found on the Department's Storage Tank Equipment Approval/Registration List. Any leak or spill must be stopped, contained, cleaned up and managed, and the tank or container repaired or replaced.

No person who removes or manages used oil filters shall dispose of such filters, or mix filters with solid waste, for disposal in a landfill in Florida.

## The Basics of Staying Clean

- Closed and in Containment
- Labeled “Used Oil” or “Used Oil Filters”
- Ensure Proper Disposal
- Encourage Recycling
- Abate and Clean Up Discharges
- Keep it Neat



Contact your Florida Department of Environmental Protection district office for additional information or if you have any questions.

### DEP Offices:

**Northwest: Pensacola, 850-595-8300**

**Northeast: Jacksonville, 904-256-1700**

**Central: Orlando, 407-897-4100**

**Southwest: Tampa, 813-470-5700**

**Southeast: West Palm Beach, 561-681-6600**

**South: Fort Myers, 239-344-5600**

Visit us online at  
**FloridaDEP.gov/waste**



# Used Oil Management Facts

What businesses need to know and do to maintain a CLEAN operation when handling used oil and used oil filters

# Used Oil Generator

## (40 Code of Federal Regulations, Part 279)

40 CFR 279.1 defines a used oil generator as any person, by site, whose act or process produces used oil or whose act first causes used oil to become subject to regulation.

A wide variety of businesses generate and handle used oil. By complying with federal and state regulations, these businesses protect human health and the environment. The following persons or entities are exempted from the management standards for used oil generators:

- Households [40 CFR 279.20(a)(1)]
- Vessels at sea or at port [40 CFR 279.20(a)(2)]

## Used Oil, Defined

### [403.75(7), Florida Statutes]

Used oil is any oil that has been refined from crude oil or synthetic oil and, as a result of use, storage or handling, has become contaminated and unsuitable for its original purpose.

Used oil includes synthetic oils, transmission and brake fluids, lubricating greases, etc. Used oil does not include products derived from vegetable or animal fats. Used oil destined for recycling is presumed not to be hazardous, provided that the total halogen content is less than 1,000 parts per million.

The information contained in this brochure was compiled from Chapter 62-710, Used Oil Management, Florida Administrative Code (F.A.C.), effective November 13, 2019, and the Department of Environmental Protection's Guidance for Used Oil Management, Chapter 62-710, F.A.C., May 21, 2020. The rule has adopted the federal used oil regulations in 40 CFR Part 279 by reference. It is not intended to be a substitute for department rules. For copies of these documents, please contact DEP at 850-245-8707 or visit our website at [FloridaDEP.gov/waste](http://FloridaDEP.gov/waste).

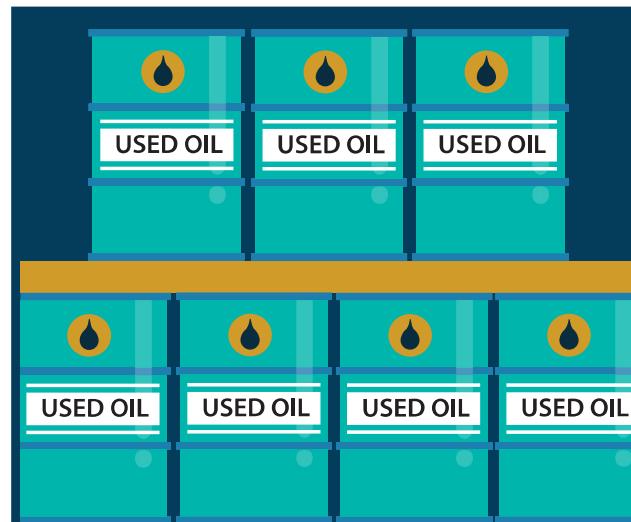
# Guidance for Used Oil Management: Used Oil Storage

## [Rule 62-710.401(6), F.A.C.]

There are several requirements that apply to the storage of used oil in tanks or containers. The terms "tanks" and "containers" are defined in 260.10, which is adopted by reference in 279.1. "Containers" are movable, and include cargo tanks and frac tanks in addition to drums, drip pans and dollies. "Tanks" are stationary, regardless of size. All used-oil storage tanks and containers must be labeled with the words "Used Oil" in order to minimize the risk of cross contamination.

The rule also refers to a "structure" without defining that term. In context, it is clear that this term refers to those structures that will protect the used oil storage tank or container from the weather, much the same way as would a covering and/or proper use of lids. Any structure other than a building with four walls and a roof must be evaluated on a case-by-case basis to determine whether it is expected to adequately protect the used oil from the weather.

All tanks and containers stored outside of a structure, regardless of their size, must be closed or covered and must either be double-walled or stored on an oil-impermeable



surface with engineered secondary containment, which has the capacity to hold 110% of the volume of the largest tank or container.

DEP recognizes it is not always practical to have specially constructed secondary containment for small containers, drip pans and portable collection containers, and that the environmental risks of a spill of used oil from small containers is minimal.

DEP assumes that portable collection containers, satellite accumulation containers and other small containers (those with a total capacity of equal to or less than 55 gallons) stored on an oil-impermeable surface inside a structure will meet the secondary containment requirement.

For larger containers, the facility may demonstrate that the building structure meets secondary containment requirements. This demonstration could include, but is not limited to, the following:

- Appropriate documentation (such as an analysis by an engineer with experience in containment structures) that is maintained at the facility to demonstrate the structure's secondary containment is sufficient to contain spills and leaks from containers and prevent migration of used oil to the soil, ground water or surface water.
- The container is in good condition and is not stored near a doorway leading outside or on a surface that slopes toward an outside doorway or drain that leads to the environment; the floor surface is in good condition and is oil impermeable; the walls connect to the floor, and there is sufficient volume to collect the used oil if it spills.

In addition, any portable collection container regardless of size will meet the secondary containment requirement if it has wheels, has the capacity to hold 110% of the volume of the largest tank or container, is typically emptied within 24 hours and is stored on an oil-impermeable surface inside a structure.