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CLARIFICATION OF USED OIL MANAGEMENT STANDARDS PERTAINING TO  
USED OIL GENERATED AND MANAGED

United States Environmental Protection Agency  
Washington, D.C. 20460  
Office of Solid Waste and Emergency Response

July 28, 1993

Mr. J.W. Eggenberger  
Director, Directorate of  
Disposal Management and  
Environmental Protection  
Defense Logistics Agency  
Defense Reutilization and Marketing Service  
74 Washington Ave., N  
Battle Creek, Michigan 49017-3092

Dear Mr. Eggenberger,

Thank you for your letter of July 9, 1993 requesting clarification of the RCRA Used Oil Management Standards as they pertain to used oil that is generated and managed on-site.

Per your request, this letter confirms your interpretation of EPA's Used Oil Management Standards regarding off-site shipments of used oil (40 CFR 279.24). The used oil transportation standards do not apply to "on-site" movement of used oil (see 40 CFR 260.10 for the definition of "on-site"). Accordingly, used oil may be transported anywhere on-site in any quantity without being subject to compliance with either the section 279.40 transporter standards or the section 279.24 requirements for off-site shipments. More specifically, as correctly stated in your letter, a Defense Reutilization and Marketing Office (DRMO) may receive more than 55 gallons of used oil at one time as long as the used oil being received by the DRMO is generated on the site on which the DRMO is located.

You also requested confirmation of your interpretation of what constitutes an "on-site" DRMO. According to the section 260.10 definition, DRMO's located on property owned by but located "across the street" from the used oil generator would be considered on-site

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if either: 1) the property is contiguous and the entrance and exit between the properties on either side of the street is at a cross-roads intersection, and access is by crossing as opposed to going along the right of way; or 2) the property is non-contiguous but connected by a right-of-way which the owner controls and which is inaccessible to the public.

If you have any further questions on these or other provisions of the Used Oil Management Standards, please contact Eydie Pines (202) 260-3509 or Bryan Groce (202) 260-9550.

Sincerely,  
Michael J. Petruska  
Chief, Regulatory  
Development Branch