

## 1. The Definition of Used Oil

The standards for the management of recycled used oil in 40 CFR Part 279 define used oil as "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." Does this definition include materials derived from crude oil, such as petroleum-based solvents or antifreeze?

Petroleum-based solvents and antifreeze are not included in the definition of used oil under Part 279. The definition of used oil is based on three criteria: origin, use, and contamination. A material must meet all three parts to be defined as used oil under Part 279.

First, the used oil must be derived from crude oil or synthetic oil (i.e., derived from coal, shale, or polymers). Examples of crude-oil derived oils and synthetic oils are motor oil, mineral oil, laminating surface agents and metalworking oils. The origin-based definition would not include animal and vegetable oils. Second, the oil must have been used as a lubricant, coolant, heat (non-contact) transfer fluid, hydraulic fluid, or for a similar use. Lubricants include, but are not limited to, used motor oil, metalworking lubricants, and emulsions. An example of a hydraulic fluid is transmission fluid. Heat transfer fluids can be materials such as coolants, heating media, refrigeration oils, and electrical insulation oils. Authorized states or regions determine what is considered a "similar use" on a site-specific basis according to whether the material is used and managed in a manner consistent with Part 279 (e.g., used as a buoyant). Third, the used oil must be contaminated by physical (e.g., high water content) or chemical (e.g., lead, halogens, or other hazardous constituents) impurities as a result of use.

Petroleum-based solvents are not considered to be used oil because solvent use does not meet the use-based criterion. Petroleum-based solvent used for its solvent properties, that is to solubilize (dissolve) or mobilize other constituents, is not use as a lubricant, heat transfer fluid, hydraulic fluid, or similar use (see 57 FR 41566, 41575). Antifreeze also is not regulated as used oil under Part 279. Although it is possible for antifreeze to meet all three criteria for used oil, EPA does not intend to regulate antifreeze as used oil, and encourages it to be recycled separately.