

## **1. Generator Storage of Used Oil**

*A used oil generator storing used oil on site must comply with the used oil storage standards found in 40 CFR Section 279.22. These regulations specify that a generator can only store used oil in “tanks, containers, or units subject to regulation under Parts 264 or 265...” Does this mean that containers and tanks storing used oil must meet the hazardous waste storage requirements of Parts 264/265, Subparts I or J respectively, or only units other than containers or tanks (i.e., surface impoundments) storing used oil?*

A used oil generator storing used oil in containers and tanks does not need to comply with Parts 264/265, Subparts I or J, provided the used oil has not been mixed with a hazardous waste. Tanks and containers storing used oil must meet the requirements in Section 279.22(b) and (c), which address the condition and labeling of the units, respectively. Units other than tanks and containers storing used oil, however, must be permitted or operating under interim status. For example, a used oil generator is prohibited from storing used oil in a surface impoundment unless the surface impoundment meets the general facility standards of Parts 264/265, Subparts A-H, the unit specific requirements of Parts 264/265, Subpart K, and the applicable requirements of Part 270. In addition, a state's regulations can be more stringent than the federal regulations. Therefore, a used oil generator should inquire with the state for additional regulations that may apply to the storage of used oil.