

Mr. Joseph DeFilippis  
Joseph.DeFilippis@prudential.com

Dear Mr. DeFilippis:

Thank you for your e-mail of February 28, 2003, to Administrator Whitman regarding the management of used oil. Specifically, you ask whether the Environmental Protection Agency (EPA) requires retailers who sell automotive fluids (i.e., motor oil, transmission fluid) to collect and recycle those fluids once they are spent and/or taken out of service. You also ask how the EPA regulates synthetic motor oils with respect to conventional motor oils. Your e-mail was forwarded to my office for response.

The Used Oil Management Standards promulgated under the Resource Conservation and Recovery Act (RCRA), the statute that governs the management of solid and hazardous waste, do not include provisions requiring retailers who sell automotive fluids to collect and recycle those fluids once they are spent and/or taken out of service. However, the regulations do require service stations who take advantage of the Service Station Dealers (SSD's) exemption, a provision exempting SSD's from Superfund liability, to accept used oil (i.e., used motor oil, spent transmission fluid) from do-it-yourselfers (DIY's) like yourself. Also, many county and local municipalities have collection and recycling facilities that accept used oil from DIY's as well.

The EPA's used oil regulations do not make a distinction between synthetic and conventional motor oils. Both types of motor oils, when spent and/or taken out of service, are managed as used oil under the Used Oil Management Standards. As you correctly mentioned in your e-mail, synthetic motor oils have extended drain intervals, but they are much more expensive to produce than conventional motor oils making it unlikely that conventional oils will be "phased out" in the near future. Finally, the EPA has no plans to mandate the use of synthetic motor oils over conventional motor oils.

I appreciate your interest in the safe and effective management of used oil.

Sincerely yours,

Robert Springer, Director  
Office of Solid Waste

RO 14657