

3745-279-40 Applicability of standards for used oil transporter and transfer facilities.

- (A) General. Except as provided in paragraphs (A)(1) to (A)(4) of this rule, rules 3745-279-40 to 3745-279-47 of the Administrative Code apply to all used oil transporters. Used oil transporters are persons who transport used oil, persons who collect used oil from more than one generator and transport the collected oil, and owners and operators of used oil transfer facilities.
- (1) Rules 3745-279-40 to 3745-279-47 of the Administrative Code do not apply to on-site transportation.
 - (2) Rules 3745-279-40 to 3745-279-47 of the Administrative Code do not apply to generators who transport shipments of used oil totalling fifty-five gallons or less from the generator to a used oil collection center as specified in paragraph (A) of rule 3745-279-24 of the Administrative Code.
 - (3) Rules 3745-279-40 to 3745-279-47 of the Administrative Code do not apply to generators who transport shipments of used oil totalling fifty-five gallons or less from the generator to a used oil aggregation point owned or operated by the same generator as specified in paragraph (B) of rule 3745-279-24 of the Administrative Code.
 - (4) Rules 3745-279-40 to 3745-279-47 of the Administrative Code do not apply to transportation of used oil from household do-it-yourselfers to a regulated used oil generator, collection center, aggregation point, processor/re-refiner, or burner subject to the requirements of Chapter 3745-279 of the Administrative Code. Except as provided in paragraphs (A)(1) to (A)(3) of this rule, rules 3745-279-40 to 3745-279-47 of the Administrative Code, however, apply to transportation of collected household do-it-yourselfer used oil from regulated used oil generators, collection centers, aggregation points, or other facilities where household do-it-yourselfer used oil is collected.
- (B) Imports and exports. Transporters who import used oil from abroad or export used oil outside of the United States are subject to the requirements of rules 3745-279-40 to 3745-279-47 of the Administrative Code from the time the used oil enters and until the time it exits the state of Ohio.
- (C) Trucks used to transport hazardous waste. Unless trucks previously used to transport hazardous waste are emptied as described in rule 3745-51-07 of the Administrative Code prior to transporting used oil, the used oil is considered to have been mixed with the hazardous waste and shall be managed as hazardous waste unless, under the provisions of paragraph (B) of rule 3745-279-10 of the Administrative Code, the hazardous waste/used oil mixture is determined not to be hazardous waste.
- (D) Other applicable provisions. Used oil transporters who conduct the following activities are also subject to other applicable provisions of Chapter 3745-279 of the Administrative Code indicated in paragraphs (D)(1) to (D)(5) of this rule:

- (1) Transporters who generate used oil shall also comply with rules 3745-279-20 to 3745-279-24 of the Administrative Code;
- (2) Transporters who process or re-refine used oil, except as provided in rule 3745-279-41 of the Administrative Code, shall also comply with rules 3745-279-50 to 3745-279-59 of the Administrative Code;
- (3) Transporters who burn off-specification used oil for energy recovery shall also comply with rules 3745-279-60 to 3745-279-67 of the Administrative Code;
- (4) Transporters who direct shipments of off-specification used oil from their facility to a used oil burner, or first claim that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in rule 3745-279-11 of the Administrative Code, shall also comply with rules 3745-279-70 to 3745-279-75 of the Administrative Code; and
- (5) Transporters who dispose of used oil, including the use of used oil as a dust suppressant, shall also comply with rules 3745-279-80 to 3745-279-82 of the Administrative Code.

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