

**3745-279-64 Used oil storage by burners.**

Used oil burners are subject to all applicable spill prevention, control and countermeasures (40 CFR Part 112) in addition to the requirements of rules 3745-279-60 to 3745-279-67 of the Administrative Code. Used oil burners are also subject to the underground storage tank standards (Chapter 1301:7-9 of the Administrative Code) for used oil stored in underground tanks whether or not the used oil exhibits any characteristics of hazardous waste, in addition to the requirements of rules 3745-279-60 to 3745-279-67 of the Administrative Code.

- (A) Storage units. Used oil burners must store used oil in tanks, as defined in rule 3745-279-01 of the Administrative Code; in containers, as defined in rule 3745-279-01 of the Administrative Code; or in units subject to regulation under Chapters 3745-54 to 3745-57 and 3745-205 or Chapters 3745-65 to 3745-69 and 3745-256 of the Administrative Code.
- (B) Condition of units. Containers and aboveground tanks used to store oil at burner facilities must be:
  - (1) In good condition (no severe rusting, apparent structural defects or deterioration); and
  - (2) Not leaking (no visible leaks).
- (C) Secondary containment for containers. Containers used to store used oil at burner facilities must be equipped with a secondary containment system.
  - (1) The secondary containment system must consist of, at a minimum:
    - (a) Dikes, berms or retaining walls; and
    - (b) A floor. The floor must cover the entire area within the dike, berm, or retaining wall.
  - (2) The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, ground water, or surface water.
- (D) Secondary containment for existing aboveground tanks. Existing aboveground tanks used to store used oil at burner facilities must be equipped with a secondary containment system.
  - (1) The secondary containment system must consist of, at a minimum:
    - (a) Dikes, berms or retaining walls; and
    - (b) A floor. The floor must cover the entire area within the dike, berm, or retaining wall except areas where existing portions of the tank meet the ground; or

- (c) An equivalent secondary containment system.
  - (2) The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, ground water, or surface water.
- (E) Secondary containment for new aboveground tanks. New aboveground tanks used to store used oil at burner facilities must be equipped with a secondary containment system.
- (1) The secondary containment system must consist of, at a minimum:
    - (a) Dikes, berms or retaining walls; and
    - (b) A floor. The floor must cover the entire area within the dike, berm, or retaining wall; or
    - (c) An equivalent secondary containment system.
  - (2) The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, ground water, or surface water.
- (F) Labels.
- (1) Containers and aboveground tanks used to store used oil at burner facilities must be labeled or marked clearly with the words "Used Oil."
  - (2) Fill pipes used to transfer used oil into underground storage tanks at burner facilities must be labeled or marked clearly with the words "Used Oil."
- (G) Response to releases. Upon detection of a release of used oil to the environment that is not subject to the requirements of Chapter 1301:7-9 of the Administrative Code and which has occurred after October 20, 1998, a burner must perform the following cleanup steps:
- (1) Stop the release;
  - (2) Contain the released used oil;
  - (3) Clean up and manage properly the released used oil and other materials; and
  - (4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]

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