

PPC 9495.1986(09)

BURNING OF USED OIL IN THE MARINE INDUSTRY AND
USED OIL GENERATOR NOTIFICATION REQUIREMENTS

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

APR 21 1986

Mr. Gordon D. Hall
Lake Carriers Association
614 Superior Avenue, N.W.
915 Rockefeller Building
Cleveland, Ohio 44113-1306

Dear Mr. Hall:

Bob Holloway asked me to respond to your letter of March 17, 1986, in which you requested clarification of the application of the November 29, 1985, final rules for the burning of hazardous waste and used oil fuels to the marine industry.

As we stated in the preamble to the rules (50 FR at 49193), burning used oil in marine engines is not covered by these regulations because we have not fully considered whether marine engines meet the definition of a boiler. Burning used oil in a shipboard steam boiler for heating purposes, however, is regulated. Although we did not consider in the development of the rule whether shipboard boilers should be classified as industrial or nonindustrial boilers, we believe that, because of their location relative to population centers, exposures resulting from emissions of shipboard boilers would be more similar to the exposures resulting from manufacturing and utility boilers rather than the exposures resulting from typical residential and commercial boilers. Thus, shipboard boilers should be considered industrial rather than nonindustrial boilers for regulatory purposes in this situation. As such, burning of off-specification oil is allowed. Although the owner or operator would not need to perform analyses of the used oil, he must notify EPA of his burning activities (see §266.44). Note that notification is not required for burners of used oil that meets the specification, but such burners must analyze the used oil or otherwise obtain data to document that the used oil fuel meets the specification.

You are correct in your assumption that used oil generators are not required to notify unless they market directly to a burner. Ships generating used oil that is then burned on board in a boiler are considered to be burners, and are required to notify as burners if they burn off-specification used oil fuel.

RO 12622

-2-

No notification of generator status is necessary. In the case where used oil generated on board a ship is generated and transferred to a transporter, the transporter, not the ship, may be subject to regulation as a marketer.

I hop this answers your questions. If you need further clarification or assistance, please call me at (202) 475-6128.

Sincerely,

Karen A. Walker
Environmental Scientist
Waste Combustion Program (WH-565A)