

April 30, 1986

MEMORANDUM

SUBJECT: Proposed Regulation to List Used Oil as a Hazardous
Waste - Mixture Rule Exemption

FROM: Marcia Williams
Director, Office of Solid Waste

TO: David A. Wagoner
Director, Waste Management Division

I am writing in regard to your question of whether or not OSW has considered exempting discarded mechanical parts that are contaminated with used oil from the proposed listing of used oil as a hazardous waste. We are aware that the mixture rule could be interpreted to include a myriad of discarded equipment and mechanical parts under RCRA when contaminated with used oil should the proposed listing be promulgated in its current form.

We have received many comments regarding the status of scrap metal that is contaminated with used oil. We agree with the viewpoint expressed by you and industry representatives that inclusion of discarded equipment and mechanical parts under the proposed management standards for used oil would pose a major burden on generators and storage facilities as well as implementation and enforcement staff. In an effort to resolve this issue, we have met with members of various trade associations which represent metal scrap reclaiming operations to discuss the subject listing on their activities and what impacts it may have as well as possible solutions to this potential problem. At this point in time, we are likely to grant an exemption (where appropriate) this type of material in the final rules.

We thank you for your concern and invite your comments on our response to this issue during work group review. If you have any further questions or comments on the used oil listing, please contact Matt Straus at 475-8551 (FTS).

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
726 MINNESOTA AVENUE
KANSAS CITY, KANSAS 66101

MAR 25, 1986

MEMORANDUM

SUBJECT: Proposed Regulation to List Used Oil as a Hazardous Waste -Mixture Rule Exemptions

FROM: David A. Wagoner
Director, Waste Management Division

TO: Marcia Williams, (WH-562) Director, Office of Solid Waste

We note that the comment period for the proposed rule to list used oil as a hazardous waste (F030) has been reopened for three specific issues including mixture rule exemptions.

The only mixture rule exemptions noted are industrial wipers, oily wastewaters and oil soaked sorbent minerals. Has consideration been given to the exemption of discarded mechanical parts that have oil residues on them?

If such discarded parts are included under the mixture rule we would be burdened with regulating virtually all commercial automotive and equipment service shops as hazardous waste generators and possibly as storage facilities. Salvage yards and parts rebuilders would possibly be regulated as storage facilities under a combination of the mixture rule and speculative accumulation provisions.

Considering the vast number of these installations our staff would be hopelessly overburdened if they are included in the regulated universe.

We urge that consideration be given to clarifying this final rule to list used oil as a hazardous waste.

