



Ohio Administrative Code Rule 3745-279-43 Used oil transportation.

Effective: September 29, 2021

(A) Deliveries. A used oil transporter shall deliver all used oil received to one of the following:

- (1) Another used oil transporter, provided that the transporter has obtained a U.S. EPA identification number.
- (2) A used oil processing or re-refining facility that has obtained a U.S. EPA identification number.
- (3) An off-specification used oil burner facility that has obtained a U.S. EPA identification number.
- (4) An on-specification used oil burner facility.

(B) U.S. DOT requirements. Used oil transporters shall comply with all applicable requirements under the U.S. department of transportation (U.S. DOT) regulations in 49 CFR Parts 171 to 180. Persons transporting used oil that meets the definition of "hazardous material" in 49 CFR 171.8 shall comply with all applicable regulations in 49 CFR Parts 171 to 180.

(C) Used oil discharges.

- (1) In the event of a discharge of used oil during transportation, the transporter shall take appropriate immediate action to protect human health and the environment (e.g., notify local authorities, dike the discharge area).
- (2) If a discharge of used oil occurs during transportation and an official (state or local government or a federal agency) acting within the scope of official responsibilities determines that immediate removal of the used oil is necessary to protect human health or the environment, that official may authorize the removal of the used oil by transporters who do not have U.S. EPA identification numbers.



(3) An air, rail, highway, or water transporter who has discharged used oil shall:

(a) Give notice, if required by 49 CFR 171.15, to the "National Response Center" at 800/424-8802;

[Comment: The public utilities commission of Ohio, which has adopted 49 CFR 171.15 by reference, also requires notice of such discharge.]

(b) Report in writing as required by 49 CFR 171.16; and

(c) Give notice to the Ohio EPA "Emergency Response Unit" at 800/282-9378.

(4) A water transporter who has discharged used oil shall give notice as required by 33 CFR 153.203.

(5) A transporter shall clean up any used oil discharge that occurs during transportation or take such action as may be required or approved by federal, state, or local officials so that the used oil discharge no longer presents a hazard to human health or the environment.

[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."]