



Regulatory Assistance Guidance Document, November 2008

## Managing Used Oil Filters for Generators

### **Regulatory Assistance Officers Notes:**

This guidance provides an overview of requirements for managing used oil filters in California. Although certain fuel filters may be managed as used oil filters under certain circumstances please see separate guidance for fuel filters. For a complete legal description of requirements specific to used oil filters, consult California Health and Safety Code (HSC), chapter 6.5, division 20, article 13 §[25250.22](#), and California Code of Regulations title 22, division 4.5, (22CCR) §[66266.130](#).

### ***Used Oil Filters***

Used oil filters may exhibit hazardous characteristics for lead, other heavy metals and petroleum-derived compounds and are classified as hazardous waste in California. To encourage recycling of used oil filters, DTSC adopted reduced handling requirements for drained used oil filters that are sent for recycling as scrap metal.

If not sent for recycling, used oil filters are assumed to be hazardous waste unless they are proven to be non-hazardous by laboratory analysis. This means that, unless you can prove that they are not hazardous waste by chemical testing, used oil filters that are **not** recycled must be managed as fully regulated hazardous waste. Improper management of used oil filters can result in significant fines and penalties. Do not dispose of used oil filters in trashcans or at non-hazardous waste landfills.

### ***Summary of Generator Management Requirements for Used Oil Filters and Fuel Filters:***

- Drain and collect the free-flowing oil from the filters.
- The collected oil may be managed under the requirements for used oil.
- Properly contain, label and store the used filters.
- Store the filters within the allowed time limits.
- Transport under a bill of lading to an appropriate destination for eventual metal recycling.
- Keep a copy of the bill of lading for three years.

### ***Draining: How much is enough?***





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Used oil and fuel filters must be drained of all free-flowing oil or fuel before they are placed in storage containers. The term “free-flowing” means a continuous stream of used oil from the filter when it is turned over. Used oil that flows drop-by-drop is not considered to be free-flowing. If the filter is equipped with a flapper valve or other device that blocks the drainage, the valve must be opened or the filter case punctured or opened to allow the residual used oil or fuel to drain freely.

Oil filter crushers are commonly used by oil filter generators to remove oil and compact oil filters for shipping. The used oil filter regulations allow generators to pierce and crush drained oil filters to prepare them for recycling, and this treatment does not require a hazardous waste treatment permit. The generator must properly manage all used oil and other residues that drain from the filters as a result of the crushing, puncturing or other activities. Used oil must be managed as hazardous waste.

### ***Containers: What to keep them in?***

Since oil filters can still drip oil after they have been drained, oil filters must be placed in a container that can capture all of the used oil that continues to drain from the filters.

The containers of used filters must be:

- Labeled as “Drained Used Oil Filters”, clearly marked with the initial date of accumulation or receipt. The initial date of accumulation is the date when the first filter is placed in the container, or the date when a container of filters is received at a second location,
- Contained in rainproof, non-leaking, closed containers, and
- Closed and sealed containers during transportation so that used oil will not spill out if the containers are placed or fall on their sides.

### ***Storage: How much and for how long?***

Generators may store up to one ton of used oil filters for a period of up to one year, and storage of one ton or more of used oil filters is limited to 180 days, unless the storage facility has a hazardous waste permit authorizing longer storage. One ton of filters are approximately equivalent to nine drums of uncrushed filters or six drums of crushed filters.

### ***Allowed Destinations: Where can I send them?***

The purpose of the oil filter regulations is to encourage recycling of the metal cases and oil. Because of this, you may only send them to certain facilities. While anybody can collect properly drained used oil filters without a hazardous waste permit, the only allowed destinations for used oil filters are:

- to a used oil collection center that accepts used oil filters;
- to a smelter or scrap metal processor for recycling;
- to a municipal solid waste incinerator for energy recovery, only if the remaining metal casings then are sent to a smelter or scrap metal processor for recycling;
- to a storage or consolidation facility that then transfers the filters to a smelter, scrap metal processor or municipal solid waste incinerator as described above; or
- to an authorized hazardous waste facility including a household hazardous waste facility.





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## ***Transportation: Who and how?***

You can either take your filters to a destination facility in your own vehicle, or you can hire a shipper to take them there for you. The shipper does not need to be a registered hazardous waste transporter. Before you ship, you need to be sure that you:

- only transport filters that have been properly drained;
- prevent any spillage of used oil by sealing the containers tightly before transportation and inspecting them to be sure that they do not leak;
- secure the containers in the transport vehicle to prevent movement or tipping during transportation;
- use a bill of lading with each shipment of used oil filters, and include the following information on the bill of lading:
  - Generator's name, address, and telephone number;
  - Transporter's name, address, and telephone number;
  - Name, address and telephone number of the receiving facility quantity and capacity of the containers in the shipment;
  - Date of transportation.

A copy of each bill of lading must be kept on file by the transporter, generator and receiving facility for at least 3 years. Unlike the hazardous waste manifest, copies of bills of lading are not sent to DTSC.

## **USEFUL CONTACT INFORMATION**

### ***DTSC Regulatory Assistance Officers***

If you cannot find the answer to your question in this fact sheet, contact the DTSC Regulatory Assistance Officers. You can contact them at 800-728-6942, through their email address [RAO@dtsc.ca.gov](mailto:RAO@dtsc.ca.gov), or contact them through the Department of Toxic Substances Control [Web site](#).

DTSC Regulatory Assistance Officers provide informal guidance only regarding management of hazardous waste for the convenience of the public. Such advice is not binding upon DTSC, nor does it have the force of law. If you would like a formal opinion on a matter by DTSC, please contact the responsible program office directly. You should also refer to the statutes and regulations, DTSC Policies and Procedures, and other formal documents.

