§1319-Y. Requirements for used oil collection centers

Owners and operators of used oil collection centers who wish to register their used oil collection centers for the purposes of section 1319-G, subsection 3 must comply with the following requirements in addition to any other requirements that may be established in rules adopted pursuant to section 1319-O, subsection 2, paragraph B. Other used oil collection centers are not required to comply with the provisions of this section. [PL 1995, c. 573, §6 (NEW).]

1. Registration. Registration of used oil collection centers is governed by this subsection.

A. The owner or operator of a used oil collection center shall register the center on a form provided by the department. The registration form must be sent by certified mail or hand-delivered to the department. The registration form must be accompanied by photographs of the used oil collection center that clearly show that the design requirements of subsection 2 have been met. [PL 1995, c. 573, §6 (NEW).]

B. If the applicable requirements of this section have not been met, the department shall notify the owner or operator in writing no later than 30 days after the department receives the completed registration form and photographs. If the department has not notified the applicant within the 30-day period, the center is deemed to be registered. [PL 1995, c. 573, §6 (NEW).]

C. The owner or operator of a used oil collection center shall file an amended registration form within 10 business days upon any change in the information provided on the initial registration form. [PL 1995, c. 573, §6 (NEW).]

[PL 1995, c. 573, §6 (NEW).]

2. Design requirements. In order to qualify for the waiver of reimbursement under section 1319-G, subsection 3, the following design requirements applicable to aboveground tanks used to collect or store used oil must be met.

A. Tanks that are located outdoors must be watertight, must be equipped with spill and overfill protection, must be secured to prevent the tank from tipping over and must either:

(1) Be double-walled; or

(2) Have an alternate means of impervious secondary containment that is watertight and has the capacity to hold a minimum of 110% of the contents of the tank, with a roof over both the tank and the secondary containment. [PL 1995, c. 573, §6 (NEW).]

B. Tanks that are located inside a building must have rigid piping, must have a funnel that is rigidly attached, must be secured to prevent the tank from tipping over and must either:

(1) Be double-walled; or

(2) Have an alternate means of impervious secondary containment that has the capacity to hold a minimum of 50% of the contents of the tank. [PL 1995, c. 573, §6 (NEW).]

C. Tanks must be constructed of fiberglass, steel or other nonporous material. [PL 1995, c. 573, §6 (NEW).]

D. The total aggregate capacity of all used oil tanks at a used oil collection center may not exceed the greater of 660 gallons or the total aggregate capacity of the used oil tanks at that center on the effective date of this section. [PL 1995, c. 573, §6 (NEW).]

E. Tanks must be located in a manner that permits them to be readily inspected for evidence of leaks. [PL 1995, c. 573, §6 (NEW).]

F. Tanks may not be located where any leaks could drain into sewers, floor drains or storm water catch basins or in areas subject to floods. [PL 1995, c. 573, §6 (NEW).]

G. Tanks must be maintained in good condition with no severe rusting, no apparent structural defects or deterioration and no visible leaks. [PL 1995, c. 573, §6 (NEW).]

H. Tanks must be clearly labeled or marked with the words "Used Oil." [PL 1995, c. 573, §6 (NEW).]

I. Tanks must be located so that they are not exposed to a spill or leak of a Class I or Class II liquid. [PL 1995, c. 573, §6 (NEW).]

J. The installation of tanks must be in accordance with applicable local ordinances. [PL 1995, c. 573, §6 (NEW).]

K. Tanks must be protected from vehicular traffic by location or protection with bollards or similar devices. [PL 1995, c. 573, §6 (NEW).]

[PL 1995, c. 573, §6 (NEW).]

3. Operational requirements. In order to qualify for the waiver of reimbursement under section 1319-G, subsection 3, the owners and operators of used oil collection centers:

A. May accept no more than 20 gallons of used oil from any entity or individual in a 24-hour period; [PL 1995, c. 573, §6 (NEW).]

B. Shall inspect each load of used oil by sight or scent before accepting the used oil for collection; [PL 1995, c. 573, §6 (NEW).]

C. Shall keep the used oil collection tank locked at all times, except when used oil is being added or removed; [PL 1995, c. 573, §6 (NEW).]

D. Shall supervise the addition of used oil to the tank; [PL 1995, c. 573, §6 (NEW).]

E. Shall provide ongoing maintenance and repairs at the used oil collection center to avoid any environmental hazards such as spills, leaks, discharges, fires and explosions; [PL 1995, c. 573, §6 (NEW).]

F. May offer used oil only to persons licensed with the department as waste oil transporters pursuant to section 1319-O, subsection 2, paragraph A; [PL 1995, c. 573, §6 (NEW).]

G. Shall report to the Department of Public Safety within 2 hours of becoming aware of a discharge and immediately take action to contain and remove any discharges of used oil; and [PL 1995, c. 573, §6 (NEW).]

H. Shall notify the department no later than 24 hours after discovery that used oil delivered to or collected at the center is a hazardous waste. [PL 1995, c. 573, §6 (NEW).]

[PL 1995, c. 573, §6 (NEW).]

SECTION HISTORY

PL 1995, c. 573, §6 (NEW).

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