

**OFFICE OF THE STATE FIRE MARSHAL
STATE OF ILLINOIS**

Statute, Rule or Standard Policy Interpretation: **Classifying Used or “Waste” Oil and
Storage of Waste Oil at Public-Drop Off Sites**

Title:	Storage, Transportation, Sale and Use of Gasoline and Volatile Oils: Rule and Regulations Relating to General Storage
Part:	41 Ill. Adm. Code 160
Section Number:	Multiple Sections
Section Title:	Multiple Sections
Policy Number:	07-TS-003

Purpose: This instruction provides for current policy and guidance to ensure uniform enforcement of the Title 41 Illinois Administrative Code Part 160 *“Storage, Transportation, Sale and Use of Gasoline and Volatile Oils: Rule and Regulations Relating to General Storage”* and specifically for the interpretation of how the agency classifies “used” or “waste” crankcase oil including storage at facilities that allow “public drop-off” of waste oils.

Scope: Statewide

Current Code: The Part 160 rules do not offer a specific definition of “waste oil” or “used oil” and furthermore, do not address the treatment of facilities that allow public drop off of waste oil.

Policy: It is the policy of the Office of the Illinois State Fire Marshal that:

Waste oil is classified as a Class IIIB combustible liquid. However, when waste oil storage tanks allow the deposit of waste products received from the general public, the agency classifies the tank’s contents as Class IIIA in consideration that the public waste products may contain liquids of lower flash point than typical waste motor/crankcase oils.

It is possible for ASTs containing waste oils accepted from the public to remain classified as Class IIIB tanks if defined requirements are followed. These requirements are:

- Acceptable products for deposit are limited to waste motor oil, waste transmission fluid, waste hydraulic fluid.
- The aboveground waste oil collection tanks are not accessible to the general public during times that an attendant/employee is not present to monitor the liquids being placed in the AST.
- Visual examination of the liquid to be deposited in the AST is conducted by an attendant/employee of retail occupancy accepting the product (this is primarily to check for separation of product – oil does not separate).

- A written log is maintained to indicate the name and address of the person depositing waste oil products into the AST.
- Tanks are marked with signage that indicates “Used Oil Only”.
- Customers are limited to depositing no more than 5 gallons per visit.
- A program approved by the OSFM is in place either by the vendor where the AST is located or by the company that collects product from the AST to conduct periodic testing of deposited liquids to ensure that the flash point is greater than 200o F (and thus qualifies as a Class IIIB liquid). Records of these periodic tests must be maintained for the past year of operation and be available for submittal to the OSFM if requested.

Reason:

Aboveground storage tanks containing Class IIIB combustible liquids enjoy several relaxed requirements in the rules enforced by the Office of the Illinois State Fire Marshal when compared to those enforced against tanks containing other classes of flammable or combustible liquids (e.g., Class IIIB storage tanks do not require secondary containment methods, electrical grounding, outside venting or filling. Furthermore, Class IIIB tanks may be located in basements, and have less stringent separation distances to buildings, property lines, and other tanks).

Effective Date:

May 2005