SECTION 8
PETROLEUM, OIL, AND LUBRICANT (POL) MANAGEMENT

Pennsylvania Supplement, May 2000

This section covers the state requirements for POL Management and is intended to supplement the U.S. TEAM Guide. Refer to the U.S. TEAM Guide and the DOD Component Supplements for Federal, DOD, and service-specific requirements.

NOTE: Pennsylvania classifies waste oil that contains greater than 1000 ppm halogens as a hazardous waste with a waste code of PA01. Waste oil that is not hazardous waste and that is being recycled or reused in a manner other than burning for energy recovery is regulated as a residual waste (see SO. 9.1PA. through SO.9.25.PA.)

Definitions

- **Act** - the Solid Waste Management Act (35 P.S. Sections 6018.101-6018.1003) (Title 25 of the Pennsylvania Administrative Code, Chapter 260, Section 260.2 (25 PA Code 260.2)).

- **Boiler** - an enclosed device using controlled flame combustion which is also a combustion unit as defined in Section 121.1 (relating to definitions) with a flue as defined in Section 121.1 with a rated heat input greater than 25 MBtu/h and meets the following criteria:
  1. the unit has physical provisions for recovering and exporting thermal energy in the form of steam, heated fluids or heated gases
  2. the unit's combustion chamber and primary energy recovery sections is of integral design
  3. the term may include the following units even if they are not of integral design: process heaters (units that transfer energy directly to a process stream) and fluidized bed combustion units
  4. while in operation, the unit maintains a thermal energy recovery efficiency of at least 60 percent, calculated as follows:

\[
\text{Thermal energy recovery efficiency} = \frac{\text{H(out)}}{\text{H(in)}} \times 100
\]

\[
\text{H(in)} = \text{weight of fuel mixture (including hazardous waste fuel) fired/hr x higher heating value of fuel mixture (Btu/h)}
\]

\[
\text{H(out)} = \text{lb/h of steam or heated fluid x (enthalpy of steam or fluid in Btu/lb - enthalpy of feed water or fluid in Btu/lb)}
\]

  5. the unit exports and utilize at least 75 percent of the recovered energy, calculated on an annual basis. In this calculation, a credit may not be given for recovered heat used internally in the same unit. Examples of internal use are the preheating of fuel or combustion air, and the driving of induced or forced draft fans or feedwater pumps

  6. ability to burn the hazardous waste fuel with no adverse effects upon human health or the environment as demonstrated by written approval of the Department's Bureau of Air Quality Control or a current valid Chapter 127 (relating to construction, modification, reactivation and operation of sources) plan approval permit, at a facility outside of Allegheny and Philadelphia Counties, and written approval by the Department's Bureau of Air Quality Control for a facility, within Allegheny or Philadelphia Counties along with required approvals by the Allegheny County Health Department's Bureau of Air Pollution Control and Philadelphia's Department of Public Health and Management Services (25 PA Code 260.2).

- **Container** - a portable device in which a material is stored, transported, treated, disposed of, or otherwise handled (25 PA Code 260.2).
- **Hazardous Waste Oil** - waste oil which contains, in aggregate, greater than 1000 ppm of total halogens is a hazardous waste oil and waste code PA01. Waste oil that exhibits a hazardous characteristic under Chapter 261, Subchapter C (relating to characteristics of hazardous waste) or is listed hazardous waste under Chapter 261, Subchapter D (relating to lists of hazardous waste), is a hazardous waste oil. Waste oil that would be hazardous only because it meets a characteristic under Chapter 261, Subchapter C which is destined to be recycled or reused in some other manner than burning is not hazardous waste oil, but is regulated under the residual regulations at Article IX (relating to residual waste management) (25 PA Code 260.2).

- **Identification Number** - the number assigned by the USEPA or the number provided to the Department by the USEPA for assignment to each generator, transporter, and treatment, storage, or disposal facility handling hazardous waste (25 PA Code 260.2).

- **Industrial Furnace** -
  1. one or more of the following enclosed devices that is an integral component of a manufacturing process and that uses a controlled flame device to accomplish recovery of materials or energy:
     a. cement kilns
     b. lime kilns
     c. aggregate kilns
     d. phosphate kilns
     e. coke oven battery as defined in Section 121.1 or as approved by the Department's Bureau of Air Quality Control
     f. blast furnaces
     g. smelting, melting and refining furnaces, including pyrometallurgical devices such as cupolas, reverberatory furnaces, electric arc furnaces and roasters
     h. titanium dioxide chloride process oxidation reactors
     i. methane reforming furnaces
     j. pulping liquor recovery furnaces
     k. combustion devices used in the recovery of sulfur values from spent sulfuric acid
     l. halogen acid furnaces for the production of acid from halogenated hazardous waste generated by chemical production facilities where the furnace is located on the site of a chemical production facility, the acid product has a halogen acid content of at least 3 percent the acid product is used in a manufacturing process, and, except for hazardous waste burned as fuel, hazardous waste fed to the furnace has a minimum halogen content of 20 percent as generated
     m. other devices as the Department may, after public notice and opportunity for comment, add to this list on the basis of one or more of the following factors:
        i. ability of the device to comply with air quality emission standards and Chapter 127 permit requirements
        ii. the design and use of the device primarily to accomplish recovery of material products
        iii. the use of the device to burn or reduce raw materials to make a material product
        iv. the use of the device to burn or reduce secondary materials as effective substitutes for raw materials, in processes using raw materials as principal feedstocks
        v. the use of the device to burn or reduce secondary materials as ingredients in an industrial process to make a material product
        vi. the use of the device in common industrial practice to produce a material product
        other factors as appropriate
  2. to qualify as an industrial furnace the device is a process as defined in Section 121.1, with a flue as defined in Section 121.1 (25 PA Code 260.2).

- **Person** - an individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, Federal Government or agency, state institution and agency -- including, but not limited to, the Department of General Services and the State Public School Building Authority -- or any other legal entity which is recognized by law as the subject of rights and duties. In a provision of the act prescribing a fine, imprisonment or penalty, or any combination of the foregoing, the term "person" shall include the officers and directors of a corporation or other legal entity having officers and directors (25 PA Code 260.2).
• **Storage** - the containment of waste on a temporary basis in such a manner as not to constitute disposal of such waste. It is presumed that the containment of waste in excess of 1 yr constitutes disposal. This presumption can be overcome by clear and convincing evidence to the contrary (25 PA Code 260.2).

• **Transporter** - a person or municipality engaged in the offsite transportation of hazardous waste by air, rail, highway, or water (25 PA Code 260.2).

• **Waste Oil** - oil refined from crude oil or synthetically produced, used, and as a result of the use, contaminated by physical or chemical impurities. Waste oil which exhibits a hazardous characteristic under Chapter 261, Subchapter C or is a listed hazardous waste under Chapter 261, Subchapter D is hazardous waste oil. Waste oil which contains greater than 1000 ppm of total halogens is a hazardous waste with waste code PA01 (25 PA Code 260.2).
<table>
<thead>
<tr>
<th>Missing Checklist Items</th>
<th>PO.2.1.PA.</th>
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<tbody>
<tr>
<td>Used Oil</td>
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<tr>
<td>(NOTE: Pennsylvania defines waste oil with greater than 1000 ppm halogens as a hazardous waste (25 PA 266.40(b).))</td>
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<tr>
<td>(NOTE: Off-specification waste oil must comply with residual waste regulations; see section SO.170 in the Solid Waste Management chapter.)</td>
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<tr>
<td>Used Oil Burners</td>
<td>PO.80.1.PA. and PO.80.2.PA.</td>
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<tr>
<td>Used Oil Marketing</td>
<td>PO.85.1.PA. and PO.85.2.PA.</td>
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<td>REGULATORY REQUIREMENTS:</td>
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<td><strong>PO.2. MISSING CHECKLIST ITEMS</strong></td>
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**PO.2.1.PA.** Federal facilities are required to comply with all applicable state regulatory requirements not contained in this checklist (a finding under this checklist item will have the citation of the applied regulation as a basis of finding).

<table>
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<th>REVIEWER CHECKS:</th>
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Determine whether any new regulations have been issued since the finalization of the manual.

Determine whether the Federal facility has activities or facilities that are regulated but not addressed in the checklists.

Verify that the Federal facility is in compliance with all applicable and newly issued regulations.
<table>
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<th>REGULATORY REQUIREMENTS</th>
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<td><strong>PO.80. USED OIL BURNERS</strong></td>
<td>May 2000</td>
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**PO.80.1.PA.** Burners of off-specification waste fuel oil are to notify USEPA and the Department of waste oil management activities (25 PA Code 266.44(2)) [Revised May 1997].

Verify that burners of off-specification waste oil fuel, and burners of waste oil fuel who are the first to claim that the oil meets specification, except burners who burn specification oil that they generate, notify the USEPA and the Department, stating the location and general description of waste oil management activities.

(NOTE: Burners of waste oil fuel that meets specifications who receive the oil from a marketer that previously notified the USEPA and the Department are not required to notify. Even if a burner has previously notified the USEPA and the Department of HWM activities under section 3010 of RCRA (42 U.S.C.A. Section 6930) and obtained an identification number, the burner renotifies to identify his waste oil management activities.)

**PO.80.2.PA.** [Deleted May 1997].

(NOTE: This checklist item was deleted because it duplicated the Federal.)
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<th>REGULATORY REQUIREMENTS</th>
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<td><strong>PO.85.</strong> USED OIL MARKETING</td>
<td>May 2000</td>
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**PO.85.1.PA.** Waste oil fuel marketers must notify USEPA and the Department of waste oil management activities (25 PA Code 266.43(b)(3)) [Revised May 1997]. Verify that waste oil fuel marketers provided notification to the USEPA and the Department stating the location and general description of waste oil management activities. (NOTE: Even if a marketer has previously notified the USEPA or the Department of HWM activities under section 3010 of RCRA (42 U.S.C.A. Section 6930) and obtained a USEPA identification number, the marketer renotifies to identify his waste oil management activities.)

**PO.85.2.PA.** Waste oil fuel marketers that initiate a shipment of off-specification waste oil must prepare and send the receiving facility an invoice containing specific information (25 PA Code 266.43(b)(4)) [Revised May 1997]. Verify that when a marketer initiates a shipment of off-specification waste oil, the marketer sends the receiving facility an invoice containing the following information:

- an invoice number
- the marketer’s own USEPA identification number and the USEPA identification number of the receiving facility
- the names and addresses of the shipping and receiving facilities
- the quantity of off-specification waste oil to be delivered
- the dates of shipment or delivery
- the following statement: “This waste oil is subject to Pennsylvania Department of Environmental Resources regulation under 25 PA Code 266 and/or USEPA regulation under 40 CFR Part 266.

Verify that, before a marketer initiates the first shipment of off-specification waste oil to a burner or other marketer, the marketer obtains a one-time written and signed notice from the burner or marketer certifying that:

- the burner or marketer has notified the USEPA and the Department stating the location and general description of the waste oil management activities
- if the recipient is a burner, the burner will burn the off-specification waste oil only in an industrial furnace or boiler.

Verify that before a marketer accepts the first shipment of off-specification waste oil from another marketer, the marketer provides the marketer with a one-time written and signed notice certifying that the marketer has notified the USEPA and the Department of his waste oil management activities.