

Used Oil Inspection Checklist

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION OF WASTE MANAGEMENT

HAZARDOUS WASTE PROGRAM

Rev. 07/2024

Facility Name:	Facility Address:
EPA ID Number:	Telephone Number:
Facility Contact:	Title:
Pre-inspection Interview:	
Time In:	Time Out:
Date of Inspection:	
Business type:	
Owner/Subsidiary of:	
Other Comments:	
Participants:	Position:
This checklist includes Used Oil requirements found in Article 33.1-24 NDAC. It is <u>not</u> an inclusive checklist of <u>all</u> requirements for used oil. The applicable chapter and subsection are referenced after each item.	

Used Oil Transporter

Applicability: This section applies to used oil transporters. Used oil transporters are persons who transport used oil in quantities greater than 55 gallons, persons who collect used oil from more than one generator and transport the collected oil.

Yes	No	
		Does the transporter have a current ND solid waste transporter permit (33.1-20-02.1-01) and received an EPA Site Identification number? (33.1-24-05-642(1))
		Has the transporter imported used oil from abroad or exported used oil outside the US? (33.1-24-05-640(2))

		If yes, are records for each shipment of used oil exported to a foreign country being kept for at least 3 years? (33.1-24-05-645(3-4))
		Have the transporters trucks been used to carry hazardous waste? (33.1-24-05-640(3)) If yes, the used oil is considered to be mixed hazardous waste and must be managed as such, unless they have been emptied as described in 33.1-24-02-07.
		Does the transporter also generate used oil? (33.1-24-05-640(4)(a)) If yes, the transporter must comply with all used oil generator requirements of sections 33.1-24-05-620 through 629.
		Does the transporter also process (blend or remove impurities) used oil? (33.1-24-05-640(4)(b)) If yes, the transporter must comply with all used oil processor requirements of sections 33.1-24-05-650 through 659.
		Does the transporter burn off-spec used oil for energy recovery? (33.1-24-05-640(4)(c)) If yes, the transporter must comply with all off-spec used oil burner requirements of sections 33.1-24-05-660 through 669.
		Does the transporter direct shipments of off-spec used oil from their facility to a used oil burner or first claim that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 33.1-24-05-611? (33.1-24-05-640(4)(d)) If yes, the transporter must comply with all used oil marketer requirements of sections 33.1-24-05-670 through 679.
		Does the transporter dispose of used oil? (33.1-24-05-640(4)(e)) If yes, the transporter must comply with all off-spec used oil burner requirements of sections 33.1-24-05-680 through 681.
		Does the transporter take any used oil from electrical utilities or recycling facilities? If yes, has the used oil been tested for PCB's?
		Does the transporter take any used oil from electrical utilities or recycling facilities? If yes, has the used oil been tested for PCB's?
		Has the transporter delivered all used oil received to either another used oil transporter, processing facility, or used oil burner facility (on or off-spec)?
		Have any used oil discharges been reported and cleaned up? (33.1-24-05-643(3))
		Has the transporter determined the halogen content of all used oil transported either through analytical testing or applying generator process knowledge? (33.1-24-05-644(2)) (Note to inspectors: Halogen content above 1,000 ppm is presumed to have been mixed with hazardous waste (off-specification). (33.1-24-05-644(3))
		Have records of halogen analyses conducted or generator process knowledge used been maintained by the transporter for at least 3 years? (33.1-24-05-644(4))
Used Oil Tracking		
Yes	No	
		Are records of each used oil shipment accepted for transport being kept? (33.1-24-05-646(1)) Must include name of generator, transporter or processor who provided the used oil for transport and their EPA ID number (if applicable), quantity accepted, date of acceptance, and the signature of the generator, transporter or processor who provided the used oil for transport.
		Are records of each used oil shipment delivered to another transporter, used oil burner, processor, or disposal facility being kept? (33.1-24-05-646(2)) Must include name and address of the receiving facility or transporter and their EPA ID number, quantity delivered, date of delivery, and the signature of a representative of the receiving facility.

		Are records of each used oil shipment accepted for transport and each shipment delivered to another transporter, used oil burner, processor, or disposal facility being kept for at least 3 years? (33.1-24-05-645(4))
Comments:		

Used Oil Transfer Facility		
<i>Applicability:</i> This section applies to used oil transfer facilities. Used oil transfer facilities are transportation-related facilities including loading docks, parking areas, storage areas, and other areas where shipments of used oil are held for more than twenty-four hours during the normal course of transportation and not longer than thirty-five days. Transfer facilities that store used oil for more than thirty-five days are subject to the used oil processor rules under sections 33.1-24-05-650 through 33.1-24-05-659.		
Yes	No	
		Is used oil being stored anywhere at the facility other than in tanks and containers? (33.1-24-05-645(2))
		Is the facility storing used oil? <u>Tank:</u> Aboveground Size: _____ Gallons Underground Size: _____ Gallons <u>Container:</u> Number: _____ Size: _____ Gallons
		Are the aboveground tanks and containers used to store used oil in good condition and not leaking? (33.1-24-05-645(3))
		Do the aboveground tanks and containers used to store used oil have adequate secondary containment (hold 10% contents of largest container)? (33.1-24-05-645(4-6))
		Are the containers labeled or clearly marked as Used Oil? (33.1-24-05-645(7)(a)) If it is an underground tank, are the fill pipes labeled? (33.1-24-05-645(7)(b))
		Have any spills or releases been cleaned up? (33.1-24-05-645(8))
Additional Comments:		

Used Oil Generator		
<i>Applicability:</i> This section applies to used oil generators. A used oil generator is any person, by site, whose act or process produces used oil or whose act first causes used oil to become subject to regulation.		
Yes	No	
		Is the facility storing used oil? <u>Tank:</u> Aboveground Size: _____ Gallons Underground Size: _____ Gallons <u>Container:</u> Number: _____ Size: _____ Gallons
		Are the containers in good condition and not leaking? (33.1-24-05-622(2))
		Is total above-ground bulk (> 55 gal) used oil storage over 1,320 gallons? If yes, federal SPCC regulations may apply to facility. (40 CFR part 112)

		Are the containers labeled or clearly marked as Used Oil? (33.1-24-05-622(3)(a)) If it is an underground tank, are the fill pipes labeled? (33.1-24-05-622(3)(b))
		Have any spills or releases been cleaned up? (33.1-24-05-622(4))
		Does the facility have any space heaters? (33.1-24-05-623) If yes, are they under 500,000 BTU's? (if not, air permit required)
		Have all shipments of used oil initiated by the processing facility been shipped by a licensed used oil transporter that has obtained an EPA identification number? (33.1-24-05-624) Used Oil Jobber:
Comments:		

Used Oil Processor		
<i>Applicability:</i> This section applies to used oil processors. Processing means chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived products. Processing includes: blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation, and re-refining.		
Yes	No	
		Does the processor also generate used oil? (33.1-24-05-650(2)(a)) If yes, the processor must comply with all used oil generator requirements of sections 33.1-24-05-620 through 629.
		Does the processor also transport used oil? (33.1-24-05-650(2)(b)) If yes, the processor must comply with all used oil transporter requirements of sections 33.1-24-05-640 through 649.
		Does the processor burn off-spec used oil for energy recovery? (33.1-24-05-650(2)(c)) If yes, the processor must comply with all off-spec used oil burner requirements of sections 33.1-24-05-660 through 669.
		Does the processor direct shipments of off-spec used oil from their facility to a used oil burner or first claim that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 33.1-24-05-611? (33.1-24-05-650(2)(d)) If yes, the processor must comply with all used oil marketer requirements of sections 33.1-24-05-670 through 679.
		Does the processor dispose of used oil? (33.1-24-05-650(2)(e)) If yes, the processor must comply with all off-spec used oil burner requirements of sections 33.1-24-05-680 through 681.
		Has the processor obtained an EPA Site Identification number? (33.1-24-05-651(1))
		Is the facility equipped with an internal communications or alarm system capable of providing immediate emergency instruction to facility personnel? (33.1-24-05-652(1)(b)(1))
		Is the facility equipped with a telephone or two-way radio immediately available at scene of operation that is capable of summoning emergency assistance from local and state government? (33.1-24-05-652(1)(b)(2))
		Is the facility equipped with fire extinguishers, fire control, spill control, decontamination, and other special equipment? (33.1-24-05-652(1)(b)(3))
		Is the facility equipped with water at adequate volume and pressure to supply hoses, sprinklers, foam-producing equipment? (33.1-24-05-652(1)(b)(4))
		Does the facility test and maintain the equipment listed above? (33.1-24-05-652(1)(c))

		Is the facility storing used oil? <u>Tank:</u> Aboveground Size: _____ Gallons Underground Size: _____ Gallons <u>Container:</u> Number: _____ Size: _____ Gallons
		Is there sufficient aisle space to allow inspection and emergency access to all areas of the facility? (33.1-24-05-652(1)(e))
Contingency Plan		
Yes	No	
		Is a contingency plan maintained onsite? (33.1-24-05-652(2)(a)) Current Version dated:
		Does the contingency plan include a response plan for fires, explosions or any unplanned sudden or non-sudden release of hazardous waste or hazardous constituents to air, soil, or surface water? (33.1-24-05-652(2)(b)(1))
		Does the contingency plan include arrangements with the local fire departments, police departments, hospitals, contractors and state and local emergency response teams? (33.1-24-05-652(1)(f) and (2)(b)(3))
		Does the contingency plan include an up-to-date list of names, addresses and phone numbers (office and home) of all persons qualified to act as emergency coordinator? (33.1-24-05-652(2)(b)(4))
		Does the contingency plan include an up-to-date list of all emergency equipment, their capabilities and location of each? (33.1-24-05-652(2)(b)(5))
		Does the contingency plan include an evacuation plan for facility personnel with signals and rally points? (33.1-24-05-652(2)(b)(6))
		Have any physical changes occurred at the facility or personnel changes occurred that would impact the contingency plan and cause a need for the plan to be revised? (33.1-24-05-652(2)(d))
		Are the emergency coordinators listed in the order in which they assume responsibility? (33.1-24-05-652(2)(e))
Used Oil Management		
Yes	No	
		Is used oil being stored anywhere at the facility other than in tanks and containers? (33.1-24-05-654(1))
		Are the aboveground tanks and containers used to store used oil in good condition and not leaking? (33.1-24-05-654(2))
		Do the aboveground tanks and containers used to store used oil have adequate secondary containment (hold 10% contents of largest container)? (33.1-24-05-654(3-5))
		Are the containers labeled or clearly marked as Used Oil? (33.1-24-05-654(6)(a)) If it is an underground tank, are the fill pipes labeled? (33.1-24-05-654(6)(b))
		Have any used oil discharges been reported and cleaned up? (33.1-24-05-652(2)(f)(9))
		Are all residues generated from the storage and processing of used oil managed properly according to the used oil standards listed in 33.1-24-05-610? (33.1-24-05-659)
Analysis Plan		
Yes	No	
		Is a used oil analysis plan maintained onsite? (33.1-24-05-655)
		Has the processor determined the halogen content of all used oil received at the facility either through analytical testing or applying generator process knowledge? (33.1-24-05-653(2)) (Note to inspectors: Halogen content above 1,000 ppm is presumed to have been mixed with hazardous waste (off-specification). (33.1-24-05-653(3))
		Does the plan include the information listed above? (33.1-24-05-655(1)(a))

		If sample analyses are being used to make the used oil (on/off) specification determination, are approved sampling methods listed in 33.1-24-02 appendix I or their equivalent listed in 33.1-24-01-06 and 07 being used, along with the frequency of sampling, location of analysis (on or off-site)? (33.1-24-05-655(1)(b))
		If generator process knowledge is used instead of analysis, does the plan include that information? (33.1-24-05-655(1)(c))
Used Oil Tracking		
Yes	No	
		Are records of each used oil shipment accepted for processing being kept? (33.1-24-05-656(1)) Must include name of generator, transporter or processor who provided the used oil for transport and their EPA ID number (if applicable), quantity accepted, date of acceptance, and the signature of the generator, transporter or processor who provided the used oil for transport.
		Are records of each shipment used oil shipped to another a used oil burner, processor, or disposal facility being kept? (33.1-24-05-656(2)) Must include name and address of the receiving facility or transporter and their EPA ID number, quantity delivered, date of delivery, and the signature of a representative of the receiving facility.
		Are records of each used oil shipment accepted for transport and each shipment delivered to another transporter, used oil burner, processor, or disposal facility being kept for at least 3 years? (33.1-24-05-656(3))
		Have all shipments of used oil initiated by the processing facility been shipped by a licensed used oil transporter that has obtained a EPA identification number? (33.1-24-05-658)
Operating Record		
Yes	No	
		Is a written operating record being maintained onsite? (33.1-24-05-657)
		Does the record include results of all used oil analysis described in the analysis plan? (33.1-24-05-657(1)(b)(1))
		Does the record include all used oil discharges that have been reported and cleaned up? (33.1-24-05-657(1)(b)(2))
		Has the processor reported to the department, on a biennial basis (March 1 st of each even-numbered year) a written report containing the facility EPA site identification number, name, address, calendar year covered by the report, quantities of used oil accepted for processing, and a description of the specific processes employed? (33.1-24-05-657(2))
Additional Comments:		

Used Oil Marketer		
<i>Applicability:</i> This section applies to used oil marketers. Used oil marketers are persons who either direct shipments of off-specification used oil from their facility to a used oil burner, or first claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in section 33.1-24-05-611.		
Yes	No	

		Does the marketer also generate used oil? (33.1-24-05-670(3)(a)) If yes, the marketer must comply with all used oil generator requirements of sections 33.1-24-05-620 through 629.
		Does the marketer also transport used oil? (33.1-24-05-670(3)(b)) If yes, the marketer must comply with all used oil transporter requirements of sections 33.1-24-05-640 through 649.
		Does the marketer also process (blend or remove impurities) used oil? (33.1-24-05-670(3)(c)) If yes, the marketer must comply with all used oil processor requirements of sections 33.1-24-05-650 through 659.
		Does the marketer burn off-spec used oil for energy recovery? (33.1-24-05-670(3)(d)) If yes, the marketer must comply with all off-spec used oil burner requirements of sections 33.1-24-05-660 through 669.
		Have all shipments of off-specification used oil to a used oil burner directed by the marketer been delivered to a used oil burner who has an EPA site identification number and burns the used oil in an industrial furnace or boiler certified for hazardous waste? (33.1-24-05-671(1-2))
		If sample analyses are being used to make the used oil (on/off) specification determination, are testing results available for those shipments? (33.1-24-05-672(1))
		Have records of analyses conducted above been maintained by the marketer for at least 3 years? (33.1-24-05-672(2))
		Has the marketer obtained an EPA Site Identification number? (33.1-24-05-673(1))
Used Oil Tracking		
Yes	No	
		Are records of each off-specification used oil shipment directed to a used oil burner being kept? (33.1-24-05-674(1)) Must include the name and address of transporter who delivered the used oil and of the used oil burner who received the used oil and their EPA ID numbers, quantity of used oil shipped, and the date of acceptance.
		Are records of each on-specification used oil shipment directed to a used oil burner being kept? (33.1-24-05-674(2)) Must include the name and address of the receiving facility, quantity delivered, date of delivery, and a copy of the analysis used to make the (on/off specification) determination.
		Are records of each (on/off specification) used oil shipment directed by the marketer being kept for at least 3 years? (33.1-24-05-674(3))
		Has a one-time written and facility signed notice been obtained from each off-specification used oil burner who the marketer directed a shipment of off-specification used oil to? (33.1-24-05-675(1)) The notification must state that the off-specification used oil burner has notified the NDDEQ stating the location and general description of it's used oil management activities and that they will burn off-specification used oil only in an industrial furnace or boiler certified for hazardous waste.
		Have copies of all certifications described above been kept by the marketer for at least 3 years? (33.1-24-05-675(2))

Used Oil Burner (off-specification)

Applicability: This section applies to used oil burners who burn off-specification used oil for energy recovery. (33.1-24-05-660 through 669)

(Note to inspectors: In North Dakota, this constitutes hazardous waste incineration and is not allowed in-state)

Additional Comments:

Post-inspection review:

Conduct exit interview with facility contact. The interview should include observations made during the inspections, and recommendations on these observations. List questions raised during the inspection. Discuss all obvious violations of the rules.

State overall compliance status will be determined after reviewing inspection results with supervisors and the issuance of an inspection report.

Issue a Notice of Inspection form.

Do not discuss potential civil or criminal actions.