

## 40 CFR 279.11 Used oil specifications.

Used oil burned for energy recovery, and any fuel produced from used oil by processing, blending, or other treatment, is subject to regulation under this part unless it is shown not to exceed any of the allowable levels of the constituents and properties shown in Table 1. Once used oil that is to be burned for energy recovery has been shown not to exceed any allowable level and the person making that showing complies with §§279.72, 279.73, and 279.74(b), the used oil is no longer subject to this part.

**Table 1— USED OIL NOT EXCEEDING ANY ALLOWABLE LEVEL SHOWN BELOW IS NOT SUBJECT TO THIS PART WHEN BURNED FOR ENERGY RECOVERY<sup>1</sup>**

| Constituent/property  | Allowable level                 |
|---|---------------------------------|
| Arsenic   | 5 ppm maximum.                  |
| Cadmium   | 2 ppm maximum.                  |
| Chromium  | 10 ppm maximum.                 |
| Lead  | 100 ppm maximum.                |
| Flash point   | 100 °F minimum.                 |
| Total halogens  | 4,000 ppm maximum. <sup>2</sup> |
| Note: Applicable standards for the burning of used oil containing PCBs are imposed by 40 CFR 761.20(e). |                                 |

<sup>1</sup>The allowable levels do not apply to mixtures of used oil and hazardous waste that continue to be regulated as hazardous waste (see §279.10(b)).

<sup>2</sup>Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under §279.10(b)(1). Such used oil is subject to subpart H of part 266 of this chapter rather than this part when burned for energy recovery unless the presumption of mixing can be successfully rebutted.