


(916) 324-1780

Mr. Darren Muzio
Auto Center at Lake of the Pines
12 Lahoma Ct.
Alamo, CA 94507

USED OIL: MOBILE MAINTENANCE BUSINESS

Dear Mr. Muzio:

This letter is in response to  your letter dated July 18, 1994 in which you inquire about transportation requirements for used oil collected from your mobile maintenance business, providing oil changes and tuneups. You state that you would like to dispose of the used oil in Sacramento where your customers are located rather than in Auburn where your automobile repair shop is located. You note that lessened transportation distance would minimize the risk of a used oil spill. Currently you manage the used oil by having a registered hazardous waste hauler (H & B Petroleum, P.O. Box 1741, West Sacramento, CA 95691) pick it up at your full service automechanic repair shop (Autocenter at Lake of the Pines) in Auburn. Your mobile maintenance business consists of one vehicle carrying one 55 gallon drum for the collection of used oil. You estimate it takes five or six working days to collect 55 gallons of used oil.

Essentially, you are requesting a variance from state law allowing you to self-transport your used oil wastes to a hazardous waste facility location which is not your place of business. Please note, however, that it appears that your present operation may not be in full compliance with the requirements of state law, although it does appear to meet the requirements of federal law. State law can be more stringent than federal law, and those regulated are required to meet state law in addition to federal law.

Your mobile maintenance business does not appear to qualify for exclusion from regulation as a hazardous waste under existing California recycling laws. There are only two possibly applicable recycling exclusions, Health and Safety Code (HSC) Section 25143.2(d)(3) and (d)(4), and neither one fits the nature of your business operation. Nor does your operation meet the requirements for reduced regulation under HSC Section 25250.12 or HSC Section 25163(c). This leaves two options:

1. You could apply to become a registered hazardous waste hauler. You are likely to be eligible for the used oil modified manifesting procedure under HSC Section 25250.8(b) which has been used by similar used oil "milk-run" operations. If you are interested in becoming a registered hauler, please contact Bob Gipson of the Transportation Unit at (916) 327-4499.

Dec 5, 1995 ?
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2. You could apply to the Department for a variance from regulation allowing you to self-transport your waste to an authorized hazardous waste facility. If you are interested in applying for a variance, please contact Val Siebal at our Region 1 Office [(916) 255-3545]. HSC 25205.7(g) allows the Dept. to charge small businesses significantly lower fees for variances, and in some cases to waive the fee altogether.

In any case, please contact Bob Gipson of the Transportation Unit (see phone number above) to discuss the status of your current operation.

If you have any further questions, please contact me at (916) 324-1780.

Sincerely,

Sue Tracy
Resource Recovery Unit

cc: Norman Riley, Chief
Resource Recovery Unit
Department of Toxic Substances Control
P.O. Box 806
Sacramento, CA 95812-0806

Richard H. Swenson, Director
Placer County Division of Environmental Health
11454 "B" Avenue
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Region 1
Attn: Val Siebal
Department of Toxic Substances Control
10151 Croydon way, Suite 3
Sacramento, CA 95827

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