

567—119.4(455D,455B) Operational requirements.

119.4(1) Collection. Sanitary landfill operators, sanitary disposal project operators, commercial waste oil collectors, oil retailers, or other individuals who choose to collect waste oil from customers shall comply with the following requirements:

a. Waste oil shall be accepted which is contained in a closed, unbreakable, preferably reusable, container.

b. Waste oil collectors shall provide supervision of the collection process to minimize the risk of spills and to prevent customers from depositing contaminated waste oil into the collection tank. However, this does not preclude designating unsupervised drop-off sites for waste oil as long as the following conditions are met:

- (1) Only sealed containers of five gallons or less shall be accepted.
- (2) The designated drop-off site must be wholly or partially sheltered from the elements.
- (3) Customers shall drop off their containers only at the designated site and are not permitted to deposit their waste oil into a collection tank.
- (4) The designated site must be located on an impermeable surface engineered to contain potential spills.

c. During noncollection hours, the tank must be secured to prevent the contamination of the collected waste oil.

d. A sign shall be placed on or near the waste oil collection tank which includes the information that this tank is for waste oil collection only and the depositing of other materials is prohibited.

e. Collectors of waste oil shall ensure that the ultimate disposition of waste oil collected is for recycling and reuse.

f. There is no obligation to accept contaminated oil from the customer.

g. Waste oil collectors shall comply with Iowa Code section 455B.386 when actual or imminent oil spills pose a threat to the public health or the environment.

119.4(2) Retailers. In addition to the above requirements relating to waste oil collection, retailers also shall comply with the following:

a. A sign shall be placed near the point of sale which informs the customer that it is unlawful to dispose of waste oil at a sanitary landfill, and that customers should return their waste oil to waste oil collection sites for recycling and reuse.

b. Retailers who choose to collect waste oil shall accept waste oil generated by residential households or farmers, but are not required to collect waste oil generated by commercial or municipal establishments.

c. Waste oil shall be accepted during normal business hours.

d. Retailers who choose not to collect waste oil shall post a durable, legible sign at least 8½" by 11" in size and containing the following information:

- (1) The language "RECYCLE USED OIL" in bold lettering;
- (2) A list of the benefits from recycling waste oil including, but not limited to, "conserves energy, reuses limited resources, and protects Iowa's drinking water";
- (3) At least 2 inches in length, the federal Environmental Protection Agency's oil recycling symbol as shown below;



- (4) The language "used oil is a household hazardous material" and, at least 2 inches in length, the household hazardous materials program symbol as shown below;



(5) The groundwater protection hotline telephone number referenced as a source for more information on used oil recycling;

(6) The warning that the disposal of waste oil in a landfill or its deposit or discharge into any state waterway is unlawful;

(7) The name, address and location of at least one used oil collection site located within the county in which the retailer is located. If there is more than one used oil collection site located in the applicable county, then the nearest collection site shall be listed on the posted sign.

Retailers shall ensure that the mandated signs are located according to the provisions listed above. Retailers may obtain the required signs upon request from the department. Retailers choosing to print and post their own signs must obtain a variance from the departmental rules. Signs must be at least 8½" by 11" in size and contain the information stipulated above. To request a variance, retailers should forward to the division for review the sign they wish to substitute for the departmental sign.

Those retailers who do not sell any other household hazardous materials except for motor oil products may comply with the household hazardous materials informational sign posting requirement of 567—Chapter 144 through compliance with this chapter.