

567—119.2(455D,455B) Definitions. The following definitions apply to the provisions of this chapter:

“Contaminated” means used oil mixed with hazardous waste as defined by the resource conservation and recovery Act or with incompatible wastes including, but not limited to: antifreeze, solvents, paints, pesticides, or household hazardous materials. Minimal amounts of vehicle fuel shall not be considered an incompatible waste.

“Customer” means any individual who purchases oil or oil filters or generates used oil or used oil filters for personal or family purposes, including a farmer or a farm household.

“Department” means the department of natural resources.

“Retailer” means a person offering for sale or selling a petroleum-based or synthetic oil or oil filter to the ultimate consumer or user of the product, as an over-the-counter product or whereby the consumer is charged separately for the oil or oil filter when coupled with a service.

“Tank” means a closable stationary or mobile device designed to contain an accumulation of used oil and constructed of nonearthen materials (e.g., concrete, steel, plastic) that provide structural support.

“Used oil” means any petroleum-based or synthetic oil which through its use, storage, or handling has become unsuitable for its original purpose due to the presence of chemical or physical impurities. Used oil includes, but is not limited to, the following:

1. Spent lubricating fluids which have been removed from an engine crankcase, transmission, gearbox, or differential of an automobile, bus, truck, vessel, plane, heavy equipment, or machinery powered by an internal combustion engine.

2. Spent industrial oils, including compressor, turbine, bearing, hydraulic, metalworking, electrical, and refrigerator oils.

Used oil does not include oil which has been contaminated or contains PCBs of 5ppm or greater.

“Used oil collection site” means any commercial, municipal, or nonprofit establishment or operation which has a used oil collection tank on the premises, and accepts used oil for temporary storage prior to the recycling of that which is collected.

“Used oil collector” means any sanitary landfill operator, sanitary disposal project operator, oil retailer, or other individual who operates a used oil collection site.

“Used oil filter” means a filter that removes impurities from the oil used to lubricate an internal combustion engine and has been used for its intended purpose.

“Used oil filter recycling” means the preparation of used oil filters for steel recovery.

“Used oil recycling” means the preparation of used oil for reuse as a petroleum product by rerefining, reprocessing, reclaiming, or other means or to use used oil as a substitute for a petroleum product made from new oil, provided that the preparation or use is operationally safe, environmentally sound, and complies with all federal and state laws.