

CHAPTER 1157
USED OIL REGULATION
H.F. 2393

AN ACT relating to the authority of the department of water, air and waste management over used oil.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 455B.411, Code 1983, is amended by adding the following new subsections:

NEW SUBSECTION. 6. "Lubricating oil" means the fraction of crude oil or re-refined oil which is sold for purposes of reducing friction in an industrial or mechanical device.

NEW SUBSECTION. 7. "Recycled oil" means used oil which is reused, following its original use, for any purpose, including the purpose for which the oil was originally used. Recycled oil includes oil which is refined, reclaimed, burned, or reprocessed.

NEW SUBSECTION. 8. "Re-refined oil" means used oil from which the physical and chemical contaminants acquired through previous use have been removed through a refining process.

NEW SUBSECTION. 9. "Used oil" means oil which has been refined from crude oil, has then been used, and as a result of the use, is contaminated by physical or chemical impurities.

Sec. 2. Section 455B.412, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Notwithstanding section 455B.420, adopt rules regulating the use of recycled oil for the purpose of road oiling, dust control, or weed control necessary to protect public health and the environment. The rules adopted shall be limited to addressing the following:

a. Analysis of oils by those persons supplying the oils prior to their use for road oiling, dust control or weed control. This analysis shall be for polychlorinated biphenyl, flashpoints, and lead.

b. Notification by the person supplying the oils of the results of analysis required to the person to whom the oils are supplied or delivered and the department at the time of delivery or prior to application of oils for road oiling, dust control or weed control.

c. Establishing maximum levels of contaminants allowed in oils used for the purpose of road oiling, dust control or weed control and prohibiting the use of oils containing contaminants in excess of maximum allowable levels for such purposes.

d. Requirements for persons supplying oils for the mitigation and cleanup of contamination posing a threat to public health and the environment resulting from oils applied for road oiling, dust control or weed control.

Approved April 30, 1984