

## Management of Sorbent Materials

April 27, 1998

Used Oil is regulated under Chapter 62-710 of the Florida Administrative Code (F.A.C.), Used Oil Management.

Any oil sorbent material is defined, under the definitions in Rule 62-701.200 (76), F.A.C., as an oily waste which may be tested and discarded in a manner which is in compliance with other state and local requirements. Rule 62-701.300(8) and (11), F.A.C., allows for the landfill disposal of oily wastes unless prohibited in other department rules. In short, oily wastes can be sent to landfills for disposal unless they contain free liquids, are hazardous wastes, or are prohibited by local government regulations.

The Department recommends that as little of this material be generated as possible. *As a point of reference only, as it is not found in any used oil regulations, the concept of de minimus may be helpful.* A de minimus quantity of hazardous waste is defined in Chapter 40, Part 261.3(a)(IV)(D) of the Code of Federal Regulations (CFR) as " losses ... from normal material handling operations (e.g. spills from the unloading or transfer of materials from bins or other containers, leaks from pipes, valves or other devices used to transfer materials); minor leaks of process equipment, storage tanks or containers; leaks from well-maintained pump packages and seals ..."

Using this reference, quantities of used oil contaminated sorbent generated in lieu of normal maintenance (e.g. using sorbent to control used oil from a leaking valve, rather than fixing the valve) would generate a large quantity of contaminated sorbent material which would not be considered to be de minimus.

Accumulating large quantities of oily waste may require additional TCLP testing which is expensive and not considered a Best Management Practice. If the oily waste does test hazardous, the material must be managed as a hazardous waste.

If a waste is determined to be hazardous, and is destined for burning for energy recovery, it is regulated under 40 CFR Subpart H, Hazardous Waste Burned in Boilers and Industrial Furnaces.

Waste-to-Energy Facilities are prohibited from burning any hazardous waste. A Waste-to-Energy facility must manage its process within the limits of its Air Permit. To accomplish this, the facility has the right to refuse acceptance of a particular waste, regardless of the hazardous determination. This includes any type of sorbent material.