

7045.0990 USED OIL FILTERS.

Subpart 1. **Definitions.** The definitions in this subpart apply to this part.

A. "Used oil filter broker" means any person or business who accepts used oil filters from used oil filter transporters for purposes of sending used oil filters to a used oil filter recycling intermediary or recycler.

B. "Used oil filter transporter" means any person or business who transports used oil filters directly from used oil filter generators for the purposes of sending the used oil filters to a used oil filter recycling intermediary or recycler. Scrap metal collectors who incidentally receive small amounts of used oil filters with other scrap metal they collect are not considered used oil filter collectors.

C. "Used oil filter processor" means a person or business who accepts used oil filters from used oil filter generators, brokers, or transporters for purposes of making the filters more amenable for recycling.

D. "Used oil filter recycler" means any person or business that accepts used oil filters and through some process transforms them into a recycled product.

E. "Used oil filter recycling intermediary" means a used oil filter broker or processor.

Subp. 2. **General requirements.** No person shall dispose of used oil filters or portions of used oil filters in solid waste or in or on the land. Used oil filter brokers, transporters, processors, recyclers, and generators are subject to regulation under this part and must ensure that used oil filters and portions of used oil filters are managed as specified in this subpart.

Unless disposed of as hazardous waste, used oil filters and portions of used oil filters must be recycled either by scrap metal recycling or burning for energy recovery. Used oil filters and portions of used oil filters may be recycled under the scrap metal exemption of part 7045.0125, subpart 4, item C, if they meet the definition of scrap metal. Used oil filters and portions of used oil filters that meet the definition of scrap metal may be burned for energy recovery under part 7045.0805, item A, provided that the scrap metal portion of the used oil filters is recovered and recycled. Used oil filters and portions of used oil filters which do not meet the definition of scrap metal may be burned for energy recovery under part 7045.0805, item A.

Subp. 3. **Requirements for generators.**

A. Used oil filter generators must store used oil filters in closed, leakproof containers labeled with the words "Used Oil Filters."

B. Used oil filter generators burning used oil filters or portions of used oil filters on-site must comply with part 7045.0855, subpart 3.

C. Off-site shipments:

(1) Used oil filter generators must ensure that used oil filters are not in a condition to readily release any free-flowing oil when they leave the generator site.

(2) Used oil filter generators may transport used oil filters that they generate to another site owned by the generator or to a used oil filter processor, recycler, transporter, or broker, in their own vehicles without meeting the requirements of subpart 4. Used oil filter generators transporting their own used oil filters must ensure that used oil and used oil filters do not escape from the containers used during transport. Used oil filter generators must keep records of all shipments of used oil filters from their sites, including the date of the shipment, the quantity of used oil filters shipped, and the facility to which the used oil filters were delivered. These records must be kept at the site for at least three years after the date of shipment.

(3) Used oil filter generators must only allow used oil filters to be taken off-site by used oil filter transporters that are licensed by the commissioner to transport used oil filters under subpart 4, or by scrap metal collectors as specified in subpart 4. Used oil filter generators must keep records of all shipments of used oil filters from their sites, including the name, address, and license number of the transporter, the date of the shipment, and the quantity of used oil filters shipped. Used oil filter generators must keep these records at the site for at least three years after the date of shipment.

Subp. 4. **Requirements for used oil filter transporters.**

A. Storage and transportation:

(1) Used oil filter transporters must store and transport used oil filters in leakproof containers labeled with the words "Used Oil Filters." The containers must be closed or otherwise covered to prevent precipitation from entering the container and to prevent used oil filters and used oil from exiting the container during transport and storage.

(2) Used oil filter transporters may only send used oil filters to used oil filter recycling intermediaries or recyclers. Used oil filter transporters must send at least 75 percent of the used oil filters they take possession of each year for recycling.

B. Record keeping and receipts:

(1) Used oil filter transporters must keep records of each volume of used oil filters they accept, including the name and address of the company offering the used oil filters, the date of shipment, and the quantity of the shipment. Used oil filter transporters must give a receipt to used oil filter generators containing the above information, the used oil filter transporter's name and used oil filter transporter license number, and a signed certification that the used oil filter transporter will ensure that the used oil filters they are accepting will be recycled.

(2) Used oil filter transporters must keep records of each volume of used oil filters they deliver to a used oil filter broker, processor, or recycler. These records must include the name and address of the facility receiving the used oil filters, the date of receipt, and the volume of used oil filters delivered.

C. Used oil filter transporters that generate used oil from their operations must comply with parts 7045.0805 and 7045.0855, as applicable.

Subp. 5. Requirements for used oil filter brokers, processors, and recyclers.

A. Used oil filter brokers, processors, and recyclers must ensure that used oil filters they manage are stored, processed, and handled in a manner which prevents used oil from entering the environment. Used oil filter brokers, processors, and recyclers must store and transport used oil filters in leakproof containers labeled with the words "Used Oil Filters." The containers must be closed or otherwise covered to prevent precipitation from entering the container and to prevent used oil filters and used oil from exiting the containers during transport and storage. Used oil filters stored in units other than containers must not leak used oil into the environment and must be protected from precipitation.

B. Used oil filter transporters must send at least 75 percent of the used oil filters they take possession of each year for recycling.

C. Used oil filter brokers, processors, and recyclers that generate used oil or waste contaminated with used oil from their used oil filter management activities are subject to the requirements of parts 7045.0805 and 7045.0855, as applicable.

D. Used oil filter brokers and processors may only send used oil filters to used oil filter brokers, processors, or recyclers.

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