

Burning used oil in a space heater

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If you burn used oil in a space heater, there are requirements and limitations you should know. This publication answers many common questions.

What requirements apply to burning used oil in a space heater?

Reduced regulations

Reduced regulations may apply to burning used oil in an on-site space heater. You are exempt from the more stringent used oil marketing and burning requirements, including the need to determine if your waste meets used oil specifications, if all of the following conditions are met:

1. The on-site space heater is designed to have a maximum capacity of not more than 500,000 BTUs per hour;
2. The combustion gases from the heater are vented outside.
3. Your heater burns only used oil that your business or institution:
 - generates on-site, or at other locations it owns or operates; or
 - receives directly from household do-it-yourselfers; or
 - receives from farmers who generate an average of less than 25 gallons of used oil per month.
4. The used oil is not hazardous waste.

If all of the four conditions above are met, you are burning used oil in an “exempt space heater.” However, used oil burned in a space heater is subject to the “rebuttable presumption” and may be regulated as hazardous waste based on “total halogen” content. This is explained more in the section below, “[Is your used oil hazardous waste?](#)”

Air emissions

To minimize air emissions the heater must be properly maintained and operated so that it burns the fuel completely and does not create smoke. If your unit exceeds the 500,000 BTU maximum capacity, you may need an air pollution control permit. Find Air Program staff contacts and information about air permitting requirements by searching “[air permits](#)” at [dnr.wi.gov](#).



Used oil collected from households and aggregated by a second party, such as a municipal collection center, is no longer considered “household generated used oil” once it is received by a third party.

What are used oil specifications?

If you do not meet the conditions listed in the previous section, you are not eligible for reduced regulations, and the used oil you burn must comply with the U.S. Environmental Protection Agency’s used oil specifications. Used oil that meets the specifications, shown in the chart below, is called “on-spec.” These specifications are intended to be protective of human health and the environment. On-spec used oil is considered comparable to product fuel oil in terms of regulation.

Constituent or property	Allowable level
Arsenic	5 ppm maximum
Cadmium.....	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash point.....	100 °F minimum
Total halogens.....	4,000 ppm maximum

The first person to claim that the oil destined to be burned for energy is “on-spec” is regulated as a used oil marketer. Regulations that apply to marketers are described below in the section, [“Can you accept used oil from another business?”](#)

Is your used oil hazardous waste?

Mixing used oil with hazardous waste may cause the entire mixture to be regulated as hazardous waste.

Rebuttable presumption

With limited exceptions, used oil that contains 1,000 ppm or more “total halogen” is presumed to be mixed with a “listed hazardous waste” unless it can be demonstrated otherwise. This is called the “rebuttable presumption.” Persons may rebut the presumption by showing (through testing or documentation of operations and processes) that the source of halogens is not a listed hazardous waste. For information on satisfying the rebuttable presumption for used oil, see WA 1677 [Used Oil Management – Satisfying the Rebuttable Presumption](#).

Information about “listed hazardous wastes” is in [ch. NR 661, Subchapter D, Wis. Adm. Code](#). Information on total halogen test methods, the rebuttable presumption, and regulations for used oil and hazardous waste mixtures can be found in ss. [NR 679.10\(2\)](#) and [679.21](#), Wis. Adm. Code, and the U.S. EPA’s [Guidance and Summary of Information Regarding the RCRA Used Oil Rebuttable Presumption](#).

Best management practices

Not using chlorinated solvents in your shop and segregating chlorine-containing air conditioning refrigerant recovery oil, may help to ensure that your used oil is not hazardous waste.

Very small quantity generators (VSQGs)

Mixtures of used oil and VSQG hazardous waste are regulated as used oil. To be considered a VSQG, you must produce less than 220 pounds of non-acute hazardous waste per month and accumulate less than 2,205 pounds of hazardous waste at any time. VSQGs mixing their used oil containing more than 1,000 ppm total halogens (such as chlorine-containing refrigerant recovery oil) with their other used oil may rebut the presumption that the oil is hazardous waste by documenting that the mixture contains only VSQG hazardous waste. A VSQG who does this should keep records to show that the mixtures are regulated as used oil.

Fuel characteristics

If you mix used oil with other waste for burning in a space heater, you should also: 1) ensure your fuel has enough fuel value (such as a minimum of 5,000 BTUs per pound) to be legitimately burned for energy recovery; and 2) ask your space heater manufacturer if your fuel mixture is compatible with the space heater design, construction, operation and warranty.



Storage of flammable and combustible liquids

Even if you don’t burn used oil, make sure you are aware of requirements for storing flammable and combustible liquids, building codes and other requirements that may apply. For more information, you can contact your local fire inspector, or visit the Department of Agriculture, Trade and Consumer Protection’s [Hazardous Liquids Storage Tanks Web page](#).

Can you accept used oil from another business?

Used oil accepted from another business can be burned in a space heater only if the oil is on-spec.

Marketers

The used oil marketer is the first person to claim that the oil destined to be burned for energy is on-spec. Used oil marketers are subject to Used Oil Marketing Standards in [ch. NR 679, Subchapter H, Wis. Adm. Code](#), and must do all of the following:

1. Analyze the used oil to prove it is on-spec
2. For 3 years, retain copies of the analysis or other information documenting that the oil is on-spec.
3. Keep a log of all used oil shipments, including quantity, date and cross reference to the information used to determine that oil is on-spec.

Used oil accepted from off-site that is not on-spec cannot be burned in a space heater, but must be sent to a used oil processor, re-refiner or certain boilers or industrial furnaces.

You cannot burn used oil collected from another business in a space heater unless the oil meets used oil fuel specifications.

A small business that burns used oil for supplemental fuel in a space heater may want to collect used oil from exempt generators such as households or exempt farmers, or purchase on-spec used oil from a commercial marketer. This may be simpler and more economical than making the specification determination and acting as your own marketer.

Is a transportation license needed?

Unless exempt, persons transporting used oil are required to obtain both of the following:

- A Wisconsin DNR solid waste transportation license (contact your Regional Waste and Materials Management Program)
- A U.S. EPA identification number (search “[EPA Form 8700-12](#)” at [www.epa.gov](#))



Self-transport exemption

A generator may self-transport small amounts of used oil to a collection center, or between sites

operated by the generator, without a solid waste transportation license and U.S. EPA identification number, provided both of the following conditions are met:

- the used oil is transported in a vehicle owned by the generator of the used oil, or a vehicle owned by an employee of the generator; and
- Not more than 55 gallons are transported at one time.

Other exempt transport

Persons transporting used oil from home do-it-yourselfers to a regulated used oil generator or to other regulated used oil facilities are not required to obtain a DNR solid waste transportation license or U.S. EPA identification number, and are not required to comply with used oil transporter and transfer facility requirements.

For more information

Waste & Materials Management Program, including other program publications

- Search “[waste](#)” at [dnr.wi.gov](#).

Hazardous Waste Administrative Rules and Statutes, including Chapter NR 679, Used Oil Management Standards

- Search “[waste code](#)” at [dnr.wi.gov](#).

Solid Waste Administrative Rules and Statutes, including Chapter NR 502, Solid Waste Transportation

- Search “[waste code](#)” at [dnr.wi.gov](#).

Wisconsin Recycling Markets Directory (search Category Index for Motor Oil Recycler)

- Search “[WRMD](#)” at [dnr.wi.gov](#).

Regional Waste and Materials Management Program contacts and contact information

- Search “[waste regional program](#)” at [dnr.wi.gov](#).

Bureau of Waste and Materials Management:

- Email DNRWasteMaterials@Wisconsin.gov

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Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

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Burning Used Oil in a Space Heater

PROGRAM/BUREAU

Waste and Materials Management

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December 26, 2019

DNR CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

A handwritten signature in black ink, appearing to read 'Joseph P. Van Rossum'.

December 26, 2019

Signature

Date