CHAPTER 62-710

USED OIL MANAGEMENT

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62-710.201 Definitions.

In addition to applicable definitions in Rule 62-701.200, F.A.C., and the definition of “U~~u~~sed oil,” “Department,” “Person,” “Public used oil collection center,” “Recycling,” and “Rerefining” in Section 403.75~~(7)~~, F.S., the following words, phrases, or terms as used in this rule, unless the context indicates otherwise, shall have the following meaning:

(1) No change.

(2) “Processing” means chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived products. Processing includes blending used oil with virgin petroleum products, blending used oils to meet the fuel specification found in 40 CFR ~~C.F.R.~~ Part 279.11 [as adopted in subsection 62-710.210(2), F.A.C.], filtration, simple distillation, chemical or physical separation and rerefining.

(3) No change.

~~(4) “Public used oil collection center” means:~~

~~(a) An automotive service facility or government-sponsored collection facility which accepts for disposal small quantities of used oil from households, or~~

~~(b) A facility which stores used oil and which accepts small quantities of used oil from households.~~

(5) through (9) renumbered (4) through (8) No change.

(9)~~(10)~~ “Used oil fuel marketer” means any person who conducts either of the following activities:

(a) Directs a shipment of off-specification used oil from their facility to a used oil burner, or

(b) First claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 40 CFR ~~C.F.R.~~ Part 279.11 [as adopted in subsection 62-710.210(2), F.A.C.].

(10)~~(11)~~ “Used oil transfer facility” means any transportation related facility including loading docks, parking areas, and other areas where shipments of used oil are held for more than 24 hours during the normal course of transportation over public highways. Transfer facilities that store used oil for more than 35 days are “processors” as defined in subsection 62-710.201(3), F.A.C., and are subject to regulation under subpart F of 40 CFR ~~C.F.R.~~ Part 279 [as adopted in subsection 62-710.210(2), F.A.C.]

*Rulemaking Authority 403.061, 403.704 FS. Law Implemented 403.703, 403.75, 403.760, 403.767, 403.769 FS. History–New 6-9-05, Amended 4-23-13,                      .*

62-710.210 Documents Incorporated by Reference.

(1) No change.

(2) The Department adopts by reference 40 CFR ~~C.F.R.~~ Part 279 revised as of July 1, 2017 ([http://www.flrules.org/Gateway/reference.asp?No=Ref-08950](https://www.flrules.org/Gateway/reference.asp?No=Ref-08950)), which contains the federal standards for the management of used oil. It is the intent of the Department to interpret these standards in a manner consistent with interpretations promulgated by the United States Environmental Protection Agency, except when such interpretations conflict with Florida law.

(3) “On-specification used oil fuel” means any used oil which meets the requirements of 40 CFR ~~C.F.R.~~ Part 279.11 [as adopted in subsection 62-710.210(2), F.A.C.]. Used oil fuel containing Polychlorinated Biphenyls (PCBs) at a concentration equal to or greater than 2 parts per million (ppm), but less than 50 ppm, is regulated under 40 CFR ~~C.F.R.~~ Part 761.20(e) and burned only in boilers or industrial furnaces as defined in 40 CFR ~~C.F.R.~~ Part 260.10 [as adopted in subsection 62-730.020(1), F.A.C.] and identified in 40 CFR ~~C.F.R.~~ Part 279.61 [as adopted in subsection 62-710.210(2), F.A.C.]. Used oil containing PCBs at a concentration equal to or greater than 50 ppm is fully subject to the requirements of the Toxic Substances Control Act found in 40 CFR ~~C.F.R.~~ Part 761. Blending used oil for the purpose of reducing the concentration of PCBs to below 50 ppm is prohibited in accordance with the provisions of 40 CFR ~~C.F.R.~~ 279.10(i) [as adopted in subsection 62-710.210(2), F.A.C.] and 761.20(e).

(4) References in 40 CFR ~~C.F.R.~~ Part 279 [as adopted in subsection 62-710.210(2), F.A.C.] to 40 CFR ~~C.F.R.~~ Part 262 [as adopted in subsection 62-730.160(1), F.A.C.] shall mean rules adopted by the Department regarding generators of hazardous wastes; reference to 40 CFR ~~C.F.R.~~ Part 263 [as adopted in subsection 62-730.170(1), F.A.C.] shall mean rules adopted by the Department regarding transporters of hazardous waste; reference to 40 CFR ~~C.F.R.~~ Parts 264 [as adopted in subsection 62-730.180(1), F.A.C.] and 265 [as adopted in subsection 62-730.180(2), F.A.C.] shall mean rules adopted by the Department regarding treaters, storers and disposers of hazardous wastes; references to 40 CFR ~~C.F.R.~~ Part 266 [as adopted in subsection 62-730.181(1), F.A.C.] shall mean rules adopted by the Department regarding standards for the management of specific hazardous waste; and references to Section 3010 of the Resource Conservation and Recovery Act (RCRA) shall mean notification requirements of Florida Law. The above-mentioned Department rules are found in Chapter 62-730, ~~“Hazardous Waste,”~~ F.A.C., Hazardous Waste.

(5) When the same word, phrase, or term is defined in Rule 62-710.201, F.A.C., and 40 CFR ~~C.F.R.~~ Part 279 [as adopted in subsection 62-710.210(2), F.A.C.] and the definitions are not identical, the definitions as given in Rule 62-710.201, F.A.C., shall apply.

(6) Unless specifically indicated otherwise, when used in any such provisions as adopted from 40 CFR ~~C.F.R.~~ Part 279 [as adopted in subsection 62-710.210(2), F.A.C.], United States shall mean the State of Florida, Environmental Protection Agency (EPA) shall mean the Department, and Administrator or Regional Administrator shall mean the Secretary of the Department or the Secretary’s designee, where appropriate.

(7) Any reference to 40 CFR ~~C.F.R.~~ Parts 124 or 270 as adopted by reference in 40 CFR ~~C.F.R.~~ Part 279 [as adopted in subsection 62-710.210(2), F.A.C.] shall mean the permitting provisions in Chapter 62-4 or 62-730, F.A.C., or Section 403.722, F.S.

(8) Any reference to ~~the Resource Conservation and Recovery Act of 1976 (~~RCRA~~)~~ as adopted by reference in 40 CFR ~~C.F.R.~~ Part 279 [as adopted in subsection 62-710.210(2), F.A.C.] shall be construed to refer to comparable provisions of the Florida Resource Recovery and Management Act as established in Part IV of Chapter 403, F.S.

*Rulemaking Authority 403.061, 403.704, 403.7545, 403.8055 FS. Law Implemented 403.704, 403.7545 FS. History–New 6-8-95, Amended 12-23-96, 3-25-97, 6-9-05, 1-4-09, 4-23-13, 6-18-18,                      .*

62-710.401 Prohibitions.

(1) No person shall ~~may~~ collect, transport, store, recycle, use, or dispose of used oil, used oil filters or oily wastes except as authorized in this chapter or in Chapter 403, F.S.

(2) No person shall ~~may~~ discharge used oil into soils, sewers, drainage systems, septic tanks, surface or ground waters, watercourses, or marine waters.

(3) Except as provided herein, no person shall ~~may~~ mix or commingle used oil with solid waste that is to be disposed of in landfills in Florida or directly dispose of used oil in landfills in Florida.

(a) No change.

(b) Any person wishing to dispose of solid waste mixed with used oil in a landfill in Florida which is otherwise prohibited by this subsection may apply to the Department for approval of alternate procedures in accordance with Rule 62-701.310, F.A.C. If the basis for the request is that it is impractical to separate the used oil from the solid waste, the request may be submitted without a fee.

(c) Any person who unknowingly disposes of used oil into a landfill in Florida ~~any used oil~~, including used oil filters which have not been properly segregated or separated from other solid wastes by the generator, is not guilty of a violation under this subsection. This provision is applicable to landfill operators who unknowingly accept such wastes for disposal.

(4) Except as provided in paragraphs (a) through (c) of 40 CFR 279.24 and Section 403.754(2), F.S., generators of used oil or used oil filters are prohibited from using transporters that do not have an EPA Identification number, are not certified with the State of Florida, or are not currently registered with the State of Florida to transport used oil or used oil filters in accordance with the requirements of this chapter. The status of a transporter’s certification can be verified on the Department’s website at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-recycling.

(5)~~(4)~~ Notwithstanding the provisions found in 40 CFR ~~C.F.R.~~ 279.10(b)(3), no person shall ~~may~~ mix or commingle used oil with hazardous substances that make it unsuitable for recycling or beneficial use.

(6)~~(5)~~ No change.

(7)~~(6)~~ Tank and Container management. General requirements for the storage of used oil.

(a) No person shall store used oil in tanks or containers unless the tanks or containers are:

1. Clearly labeled with the words “Used Oil”,

2. In good condition (no severe rusting, apparent structural defects or deterioration), and

3. Not leaking (there are no visible leaks).

(b) If tanks or containers are not stored inside a structure, the contents shall be closed, covered, or otherwise protected from the weather.

(c) If tanks or containers are not double-walled, they shall be stored on an oil-impermeable surface such as sealed concrete or sealed asphalt and must have secondary containment which has the capacity to hold 110 percent of the volume of the largest tank or container within the containment area. ~~No person may store used oil in tanks or containers unless they are clearly labeled with the words “used oil,” are in good condition (no severe rusting, apparent structural defects or deterioration), and not leaking (no visible leaks). If tanks or containers are not stored inside a structure, the contents shall be closed, covered or otherwise protected from the weather. If tanks or containers are not double-walled, they shall be stored on an oil-impermeable surface such as sealed concrete or asphalt, and must have secondary containment which has the capacity to hold 110% of the volume of the largest tank or container within the containment area.~~ For underground storage tanks with capacities greater than 110 gallons and aboveground ~~above ground~~ storage tanks with capacities greater than 550 gallons, the facility shall comply with Chapters 62-761 and 62-762, F.A.C.

*Rulemaking Authority 403.061, 403.704 FS. Law Implemented 403.751 FS. History–New 6-9-05, Amended 4-23-13,                      .*

62-710.500 Registration and Notification.

(1) The following persons shall annually register their used oil handling activities with the Department. Registration may be completed using Form 62-730.900(1)(b), “8700-12FL – Florida Notification of Regulated Waste Activity,” ~~effective date 12-2019~~, which is ~~hereby~~ adopted and incorporated by reference in paragraph 62-730.150(2)(a), F.A.C., (8700 Form Link [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-11236~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-11236)). This Form can be accessed ~~obtained~~ on the Department’s website ~~internet~~ at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms or by contacting the Permitting and Compliance Assistance Program, MS 4560 ~~4500~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The registration can also be completed electronically via the Department Business Portal (https://www.fldepportal.com/DepPortal/go/home).

(a) Used oil transporters, except for the operations listed in 40 CFR ~~C.F.R.~~ 279.40(a)(1)-(4), [as adopted in subsection 62-710.210(2), F.A.C.], and transfer facilities;

(b) Used oil processors, except as provided under Section 403.754(3), F.S., for certain on-site ~~onsite~~ burners where such burning is done in compliance with an air permit issued by the department;

(c) through (d) No change.

(2) No change.

(3) Upon receipt of the complete and accurate Form 62-730.900(1)(b) 8700-12FL – Florida Notification of Regulated Waste Activity, ~~as adopted by reference in subsection 62-710.500(1), F.A.C.~~ and registration fee, the Department shall issue to each registered person a validated registration form which shall be valid until June 30 of the following year. For used oil transporters, acknowledgment of registration shall be included in the certification process of Rule 62-710.600, F.A.C. If the registration is not renewed by June 30 of the following year because the Department has not received complete and accurate registration renewal documents and the registration fee, the facility will no longer be authorized to transport, or market used oil, or used oil filters, or burn off-specification used oil.

(4) No change.

(5) Each public used oil collection center shall notify the Department no later than 30 days after first accepting used oil from the public on DEP Form 62-710.901(5), “Public Used Oil Collection Center Notification and Annual Report,” effective date 4-23-13, which is hereby adopted and incorporated by reference ([http://www.flrules.org/Gateway/reference.asp?No=Ref-02071](https://www.flrules.org/Gateway/reference.asp?No=Ref-02071)). This form can be accessed ~~obtained~~ on the Department’s website ~~internet~~ at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms or by contacting the Permitting and Compliance Assistance Program, MS 4560 ~~4500~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The Department shall acknowledge filing of the notification within 30 days of receipt.

*Rulemaking Authority 403.061, 403.704 FS. Law Implemented 403.704, 403.754, 403.760 FS. History–New 2-25-85, Formerly 17-7.63, 17-7.630, Amended 1-17-90, Formerly 17-710.500, Amended 6-8-95, 12-23-96, 3-25-97, 6-9-05, 1-4-09, 4-23-13, 6-18-18, 11-13-19,                           .*

62-710.510 Record Keeping and Reporting.

(1) Each registered person shall maintain records on-site and make such records readily available for at least three (3) years using ~~on~~ Department ~~DEP~~ Form 62-710.901(2), “Used Oil and Used Oil Filter Record Keeping Form and Instructions,” effective date [Month Year] ~~4-23-13~~, ~~which is~~ hereby adopted and incorporated by reference (Form Link [http://www.flrules.org/Gateway/reference.asp?No=Ref-02069](https://www.flrules.org/Gateway/reference.asp?No=Ref-02069)), or on a substantially equivalent form ~~forms~~ which contains, at a minimum, the information required in paragraphs (a) through (e) of this subsection ~~contain at least the same information as the Department form~~. The ~~This~~ form can be accessed ~~obtained~~ on the Department’s website ~~internet~~ at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms or by contacting the Permitting and Compliance Assistance Program, MS 4560 ~~4500~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. These records shall include the following information:

~~(a) The name, business address, telephone number and EPA identification number of the transporter;~~

(a)~~(b)~~ The source of the used oil, including the name, telephone number, and street address of each source, and the EPA I~~i~~dentification number of the source, if the source is required to obtain an EPA Identification number ~~generator has one~~;

        (b)~~(c)~~ The type and total number of gallons of used oil received from each source, including any oily wastes which may be an integral part of the used oil shipment;

~~(d) The type of used oil received, using the type code designation found in the form instructions;~~

(c)~~(e)~~ No change.

(d)~~(f)~~ The destination or end use of used oil and oily wastes, including the name, telephone number, and street address of each destination or end user, the EPA I~~i~~dentification number if applicable~~, and the end use code designation found in the form instructions~~; and,

(e)~~(g)~~ Documentation of halogen screening or process knowledge in accordance with the requirements of 40 CFR ~~C.F.R.~~ Part 279 [as adopted in subsection 62-710.210(2), F.A.C.].

(2) No change.

(3) A generator of used oil must maintain records of used oil shipments on-site and have the records readily available for at least three (3) years, except as provided in subsection (5) of this rule.

(4) Except as provided in paragraphs (a) through (c) of 40 CFR 279.24 and Section 403.754(2), F.S., generators must maintain documentation (e.g., *a bill of lading or delivery receipt*) that their used oil is transported only by a certified transporter who has obtained an EPA Identification number and is currently registered to transport used oil, as required by subsection 62-710.401(4), F.A.C.

(5)~~(3)~~ A generator of used oil that transports only its own used oil, as provided in paragraphs (a) through (c) of 40 CFR 279.24 [adopted by reference in subsection 62-710.210(2), F.A.C.] or Section 403.754(2), F.S., ~~generated at its own non-contiguous operations to its own central collection facility for storage prior to having its used oil picked up by a certified used oil transporter~~ is not subject to the record keeping and reporting requirements of this section.

(6)~~(4)~~ The records required by this rule ~~section~~ shall be ~~retained for a period of three years. The records shall be~~ kept at the street address of the registered person and shall be available for inspection by the Department during normal business hours, unless another location and inspection schedule is specified in the registration package submitted to and approved by the Department.

(7)~~(5)~~ No later than March 1 of each year, each person required to register in accordance with Rule 62-710.500, F.A.C., shall submit an annual report for the preceding calendar year to the Department on ~~DEP~~ Form 62-710.901(3), “Annual Report by Used Oil and Used Oil Filter Handlers,” effective date 12-2019, which is hereby adopted and incorporated by reference ([http://www.flrules.org/Gateway/reference.asp?No=Ref-11230](https://www.flrules.org/Gateway/reference.asp?No=Ref-11230)). This form can be accessed ~~obtained~~ on the Department’s website ~~internet~~ at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms or by contacting the Permitting and Compliance Assistance Program, MS 4560 ~~4500~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The report shall summarize the records kept pursuant to this section.

(8)~~(6)~~ No change.

*Rulemaking Authority 403.061, 403.704 FS. Law Implemented 403.754, 403.760 FS. History–New 2-25-85, Formerly 17-7.64, 17-7.640, Amended 1-17-90, Formerly 17-710.510, Amended 6-8-95, 12-23-96, 3-25-97, 6-9-05, 4-23-13, 6-18-18, 11-13-19,                       .*

62-710.600 Certification Program for Used Oil Transporters.

(1) No change.

(2) To become certified and to maintain certification, used oil transporters shall:

(a) through (d) No change.

(e) No change.

1. The insurance required in this paragraph shall ~~may~~ be established by:

a. Evidence of liability insurance, either on a claim made or an occurrence basis, with or without a deductible (with the deductible, if any, to be on a per occurrence or per accident basis and not to exceed ten percent of the equity of the business), using Department ~~DEP~~ Form 62-730.900(5)(a), “State of Florida Certificate of Liability Insurance Hazardous Waste Transporter and Used Oil Handler,” ~~effective date 4-23-13~~, which is ~~hereby~~ adopted and incorporated by reference in subparagraph 62-730.170(2)(b)1., F.A.C., (CERT Link [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-02081~~](https://www.flrules.org/Gateway/reference.asp?No=Ref-02081)). This form can be accessed ~~obtained~~ on the Department’s website ~~internet~~ at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms or by contacting the Permitting and Compliance Assistance Program, MS 4560 ~~4500~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The insurance policy shall be issued by an agent or company authorized or licensed to transact business in the State of Florida. If the facility has an up-to-date Department ~~DEP~~ Form 62-730.900(5)(a) on file with the Department, an ACORD form will be accepted for renewal of the same policy with the same carrier if the information on the ACORD form matches the Department ~~DEP~~ Form 62-730.900(5)(a) the Department has on file for the facility, including the policy number, or the Department has received documentation from the insurance company certifying that the liability policy has not changed along with the ACORD form; or

b. No change.

2. No change.

(3) through (4) No change.

*Rulemaking Authority 403.061, 403.704, 403.767 FS. Law Implemented 403.767 FS. History–New 1-17-90, Formerly 17-710.600, Amended 6-8-95, 12-23-96, 3-25-97, 6-9-05, 4-23-13, 6-18-18,                  .*

62-710.800 Permits for Used Oil Processing Facilities.

(1) This rule shall apply to any owner or operator of a facility that is a processor of used oil. The owner or operator shall comply with the requirements of this chapter including the requirements of 40 CFR ~~C.F.R.~~ Part 279 Subpart F.

(a) through (b) No change.

(c) Permits shall not be required under this section for facilities that conduct processing operations incidental to burning the used oil fuel on-site ~~onsite~~, provided a valid air permit authorizing such burning is in effect for the facility and all of the used oil fuel is burned on-site ~~onsite~~.

(2) No change.

(3) Before operating, closing or making any substantial modification to a used oil processing facility, the owner or operator shall submit to the Department the Used Oil Processing Facility Permit Application, Department ~~DEP~~ Form 62-710.901(6), “Used Oil Processing Facility Permit Application,” effective date 12-2019, which is hereby adopted and incorporated by reference ([http://www.flrules.org/Gateway/reference.asp?No=Ref-11231](https://www.flrules.org/Gateway/reference.asp?No=Ref-11231)). This form can be accessed ~~obtained~~ on the Department’s website ~~internet~~ at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms or by contacting the Permitting and Compliance Assistance Program, MS 4560 ~~4500~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The engineering aspects of the application shall be certified by a Professional Engineer.

(a) Pursuant to subsections 62-4.050(6) and (7), F.A.C., a substantial modification means a modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review. For purposes of this subsection, an increase in storage capacity of the facility by 25 percent ~~%~~ or 25,000 gallons, whichever is less, is considered a substantial modification.

(b) through (c) No change.

(4) through (5) No change.

(6) Financial assurance.

(a) No change.

(b) For the purpose of determining the closing cost estimate, the owner or operator shall estimate the total cost of closing the facility using Form 62-710.901(7), “Used Oil Processing Facility Closing Cost Estimate Form,” effective date 12-2019, which is hereby adopted and incorporated by reference ([http://www.flrules.org/Gateway/reference.asp?No=Ref-11232](https://www.flrules.org/Gateway/reference.asp?No=Ref-11232)). This form can be accessed ~~obtained~~ on the Department’s website ~~internet~~ at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms or by contacting the Permitting and Compliance Assistance Program, MS 4560 ~~4500~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400~~]~~, and in accordance with the closure plan pursuant to subsection (5), of this rule, for the time period in the facility operation when the extent and manner of its operation make closing most expensive. The owner or operator shall submit the estimate, together with all necessary justification, to the Department along with the proof of financial assurance. The costs shall be estimated and certified by a professional engineer for a third party to perform the work, on a per unit basis, with the source of estimates indicated. The owner or operator shall keep the latest closing cost estimate at the facility. When this estimate has been adjusted in accordance with paragraph (c) of this subsection, the latest adjusted closing cost estimate shall also be kept at the facility.

(c) through (d) No change.

*Rulemaking Authority 403.061, 403.704 FS. Law Implemented 403.704, 403.707, 403.769 FS. History–New 1-17-90, Formerly 17-710.800, Amended 6-8-95, 12-23-96, 6-9-05, 4-23-13, 6-18-18, 11-13-19,                         .*

62-710.850 Management of Used Oil Filters.

(1) Prohibition. No person who removes or manages used oil filters shall dispose of such filters~~,~~ or commingle such filters with other solid waste for disposal, in a landfill in Florida. It is the responsibility of the generator to make reasonable efforts to assure that such filters are not disposed of in a landfill in Florida. This prohibition shall not apply to used oil filters generated by individual households.

(2) Generators. Each generator of used oil filters whose solid waste is typically disposed of in a landfill in Florida shall either register as a used oil filter processor or shall ensure that its filters are transported by a registered used oil filter transporter and processed by a registered used oil filter processor or end user. This does not include persons who recycle engine blocks on which used oil filters remain. Generators of used oil filters are exempt from the registration and reporting requirements of this rule provided that they transport their own used oil filters as provided in paragraphs (a) through (c) of 40 CFR 279.24 [adopted by reference in subsection 62-710.210(2), F.A.C.], or Section 403.754(2), F.S. ~~in sealed containers of 55 gallons or less which are secured to a vehicle owned by the generator.~~

(3) Except as provided in paragraphs (a) through (c) of 40 CFR 279.24 [adopted by reference in subsection 62-710.210(2), F.A.C.], and Section 403.754(2), F.S., generators must maintain documentation (e.g., a bill of lading or delivery receipt) that their used oil filters are transported only by a certified transporter who has obtained an EPA Identification number and is currently registered to transport used oil filters, as required by subsection 62-710.401(4), F.A.C.

       (4)~~(3)~~ No change.

(5)~~(4)~~ Used oil filter processors.

(a) Each registered used oil filter processor shall maintain records on Form 62-710.901(2) as adopted by reference in subsection 62-710.510(1), F.A.C., or on a substantially equivalent form ~~forms~~ which contains at a minimum, the information required in paragraphs 62-710.510(1)(a) through (e), F.A.C. ~~contain at least the same information as the Department form.~~ These records shall include the destination or end use of the processed used oil filters, including the name and street address of each destination or end user.

(b) No change.

(c) No later than March 1 of each year, each registered used oil filter processor shall submit an annual report for the preceding calendar year to the Department on Form 62-710.901(3) as adopted by reference in subsection 62-710.510(7) ~~62-710.510(5)~~, F.A.C. This report shall summarize the records kept pursuant to paragraph (a) of this subsection.

(6)~~(5)~~ Container management. General requirements for the storage of used oil filters.

(a) All persons storing used oil filters shall store used oil filters in above ground containers which are clearly labeled “Used Oil Filters,” and which are in good condition (no severe rusting, apparent structural defects or deterioration) with no visible oil leakage. ~~The containers shall be sealed or otherwise protected from weather and stored on an oil-impermeable surface.~~

(b) The containers shall be sealed or otherwise protected from weather and stored on an oil-impermeable surface.

(c)~~(b)~~ Upon detection of a release of oil from any used oil filter container the facility owner or operator shall:

1. through 2. No change.

3. Clean up and manage properly the released oil and any subsequent oily waste in accordance with the provisions of Chapter 62-780 ~~chapter 770~~, F.A.C., if applicable; and,

4. No change.

*Rulemaking Authority 403.061, 403.704 FS. Law Implemented 403.751, 403.754, 403.769 FS. History–New 6-8-95, Amended 12-23-96, 6-9-05, 1-4-09, 4-23-13,                         .*

62-710.901 Forms.

The form is listed by rule number, which is also the form number, and with the subject, title and effective date. The forms can be accessed ~~obtained~~ on the Department’s website ~~internet~~ at https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms or by contacting the Permitting and Compliance Assistance Program, MS 4560 ~~4500~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(1) No change.

(2) Used Oil and Used Oil Filter Record Keeping Form and Instructions, effective [Month Year] ~~4-23-13~~, which is adopted and incorporated by reference in subsection 62-710.510(1), F.A.C.

(3) Annual Report by Used Oil and Used Oil Filter Handlers, effective 12-2019, which is adopted and incorporated by reference in subsection 62-710.510(7) ~~62-710.510(5)~~, F.A.C.

(4) through (7) No change.

*Rulemaking Authority 120.53(1), 403.061 FS. Law Implemented 403.754, 403.769 FS. History–New 12-23-96, Amended 6-9-05, 1-4-09, 4-23-13, 6-18-18, 11-13-19,                  .*