

## RCRA/SUPERFUND HOTLINE MONTHLY REPORT

March 1999

### 1. Used Oil Spills on Containment Pads

Spills of used oil into the environment from aboveground tanks and containers require a used oil generator to comply with the following response steps: (1) stop the release; (2) contain the released used oil; (3) clean up and manage properly the released used oil and other materials; and (4) repair or replace any leaking used oil storage containers or tanks prior to returning them to service if necessary to prevent future releases (40 CFR Section 279.22(d)). If a used oil generator storing used oil in aboveground tanks has a spill onto a containment pad, would this spill be subject to the response requirements of Section 279.22(d)?

A spill onto a containment pad would not be considered a release to the environment that is subject to the response steps in Section 279.22(d). The September 10, 1992, Federal Register (57 FR 41566, 41586) states that releases to the environment would not include releases within contained areas, such as concrete floors or impervious containment areas, unless the releases go beyond the contained areas. Used oil handlers, however, have an obligation to clean up used oil spills or leaks onto a containment areas before the used oil reaches the environment. Such cleanup operations prevent the potential contamination of unprotected soils near storage and work areas. If a release of used oil goes beyond a container pad and into the environment, then the response to releases requirements in Section 279.22(d) apply. Releases of used oil from underground storage tanks may be subject to the corrective action requirements of Part 280, Subpart F, as applicable.