**Section 739.143 Used Oil Transportation**

a) Deliveries. A used oil transporter must deliver all used oil received to one of the following:

1) Another used oil transporter, provided that the transporter has obtained a USEPA identification number and an Illinois special waste identification number;

2) A used oil processing facility that has obtained a USEPA identification number and an Illinois special waste identification number;

3) An off-specification used oil burner facility that has obtained a USEPA identification number and an Illinois special waste identification number; or

4) An on-specification used oil burner facility.

b) USDOT requirements. A used oil transporter must comply with all applicable USDOT requirements in 49 CFR 171 through 180. A person transporting used oil that meets the definition of a hazardous material in 49 CFR 171.8 (Definitions and Abbreviations), incorporated by reference in 35 Ill. Adm. Code 720.111(b), must comply with all applicable USDOT Hazardous Materials Regulations in 49 CFR 171 (General Information, Regulations, and Definitions), 172 (Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements), 173 (Shippers − General Requirements for Shipments and Packages), 174 (Carriage by Rail), 175 (Carriage by Aircraft), 176 (Carriage by Vessel), 177 (Carriage by Public Highway), 178 (Specifications for Packagings), 179 (Specifications for Tank Cars), and 180 (Continuing Qualification and Maintenance of Packagings), incorporated by reference in 35 Ill. Adm. Code 720.111(b).

c) Used oil discharges.

1) In the event of a discharge of used oil during transportation, the transporter must take appropriate immediate action to protect human health and the environment (e.g., notify local authorities, dike the discharge area).

2) If a discharge of used oil occurs during transportation and an official (State or local government or a federal agency) acting within the scope of official responsibilities determines that immediate removal of the used oil is necessary to protect human health or the environment, that official may authorize the removal of the used oil by a transporter that does not have a USEPA identification number and an Illinois special waste identification number.

3) An air, rail, highway, or water transporter that has discharged used oil must do the following:

A) Give notice, if required by federal 49 CFR 171.15 (Immediate Notice of Certain Hazardous Materials Incidents), incorporated by reference in 35 Ill. Adm. Code 720.111(b), to the National Response Center (800-424-8802 or 202-426-2675); and

B) Report in writing as required by federal 49 CFR 171.16 (Detailed Hazardous Materials Incident Reports), incorporated by reference in 35 Ill. Adm. Code 720.111(b), to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590.

4) A water transporter that has discharged used oil must give notice as required by federal 33 CFR 153.203 (Procedure for the Notice of Discharge), incorporated by reference in 35 Ill. Adm. Code 720.111(b).

5) A transporter must clean up any used oil discharge that occurs during transportation or take such action as may be required or approved by federal, state, or local officials so that the used oil discharge no longer presents a hazard to human health or the environment.

(Source: Amended at 32 Ill. Reg. 13047, effective July 14, 2008)