

**7045.0790 DEFINITIONS.**

Subpart 1. **Scope.** The following terms used in parts 7045.0790 to 7045.0990 have the meanings given them in this part. Terms defined in part 7045.0020 have the same meanings when used in parts 7045.0790 to 7045.0990. The terms "used oil" and "used oil filters" are defined in part 7045.0020.

Subp. 2. **Aboveground tank.** "Aboveground tank" means a tank used to store or process used oil that is not an underground storage tank as defined in Code of Federal Regulations, title 40, section 280.12, as amended.

Subp. 3. **Container.** "Container" means any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled.

Subp. 4. **Do-it-yourselfer used oil.** "Do-it-yourselfer used oil" means used oil that is derived from households, such as used oil generated by individuals who generate used oil through the maintenance of their personal vehicles, machinery, or equipment.

Subp. 5. **Do-it-yourselfer used oil collection center.** "Do-it-yourselfer used oil collection center" means any site or facility that accepts or aggregates, or both, and stores used oil collected only from do-it-yourselfer used oil generators.

Subp. 6. **Do-it-yourselfer used oil generator.** "Do-it-yourselfer used oil generator" means an individual who generates do-it-yourselfer used oil.

Subp. 7. **Existing tank.** "Existing tank" means a tank that is used for the storage or processing of used oil and that is in operation, or for which installation has commenced on or prior to October 2, 1995. Installation is considered to have commenced if the owner or operator has obtained all federal, state, and local approvals or permits necessary to begin installation of the tank and if either a continuous on-site installation program has begun, or the owner or operator has entered into binding contractual obligations for installation of the tank to be completed within a reasonable time.

Subp. 8. **New tank.** "New tank" means a tank that will be used to store or process used oil and for which installation has commenced after October 2, 1995.

Subp. 9. **Petroleum refining facility.** "Petroleum refining facility" means an establishment primarily engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, and lubricants through fractionation and straight distillation of crude oil, redistillation of unfinished petroleum derivatives, cracking, or other processes. Only facilities classified as Standard Industrial Code 2911 are petroleum refining facilities. Rerefineries are not considered petroleum refining facilities.

Subp. 10. **Processing.** "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, but is not limited

to: blending used oil with virgin petroleum products, blending used oils to meet the fuel specifications, filtration, simple distillation, chemical or physical separation, and rerefining.

Subp. 11. **Rerefining distillation bottoms.** "Rerefining distillation bottoms" means the heavy fraction produced by vacuum distillation of filtered and dehydrated used oil. The composition of used oil bottoms varies with column operation and feedstock.

Subp. 12. **Tank.** "Tank" means any stationary device, designed to contain used oil, which is constructed primarily of nonearthen materials and which provides structural support.

Subp. 13. **Used oil aggregation point.** "Used oil aggregation point" means any site or facility that accepts, aggregates, and/or stores used oil collected only from other used oil generation sites owned or operated by the owner or operator of the aggregation point in shipments of no more than 55 gallons. Used oil aggregation points may also accept do-it-yourselfer used oil.

Subp. 14. **Used oil burner.** "Used oil burner" means a facility where used oil not meeting the used oil fuel specifications of part 7045.0840 is burned for energy recovery in devices identified in part 7045.0885.

Subp. 15. **Used oil collection center.** "Used oil collection center" means any site or facility that accepts or aggregates, or both, and stores used oil collected from do-it-yourselfer used oil generators and/or used oil generators regulated under part 7045.0855 who bring used oil to the used oil collection center in shipments of no more than 55 gallons under the provisions of part 7045.0855.

Subp. 16. **Used oil fuel marketer.** "Used oil fuel marketer" means any person who directs a shipment of off-specification used oil to a used oil burner, or who first claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications in part 7045.0840.

Subp. 17. **Used oil generator.** "Used oil generator" means any person, by site, whose act or process produces used oil or other waste contaminated with used oil or whose act first causes used oil or other waste contaminated with used oil to become subject to regulation.

Subp. 18. **Used oil processor/rerefiner.** "Used oil processor/rerefiner" means a facility that processes used oil.

Subp. 19. **Used oil transfer facility.** "Used oil transfer facility" means any transportation-related facility, including loading docks, parking areas, storage areas, or other areas, where shipments of used oil are held for more than 24 hours, but not longer than 35 days during the normal course of transportation or prior to an activity performed pursuant to part 7045.0855, subpart 7, item B.

Subp. 20. **Used oil transporter.** "Used oil transporter" means any person who transports used oil, any person who collects used oil from more than one used oil generator and transports the collected oil, and owners and operators of used oil transfer facilities.

**Statutory Authority:** *MS s 116.07*

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