



Division of Waste Management and Radiation Control

USED OIL TRANSPORTER PERMIT



Permittee: **Simons Petroleum, LLC
dba Pilot Thomas Logistics**

Permittee Mailing Address: 621 North Morgan Road
Oklahoma City, OK 73127

Permittee Phone Number: (817) 877-8680

Permittee Contact: Bryan Christian, Environmental Compliance Mgr.
Pilot Thomas Logistics Environmental Dept.
621 North Morgan Rd
Oklahoma City, OK 73127

(304) 550-1725 office
Email: bryan.christian@pilotthomas.com

Facility Address: 619 North Morgan Road
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Facility Contact: Darren Anderson, Driver
(435) 823-7560 cell
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Type of Permit: **Used Oil Transporter Permit**

Permit #: **UOP-0076**

Original Date of Issuance: September 16, 1999

EPA ID #: OKR000017897

Signature: _____ Date: _____

Scott T. Anderson, Director
Division of Waste Management and Radiation Control

I.A. Effect of Permit

- I.A.1. Simons Petroleum, LLC dba Pilot Thomas Logistics (hereafter referred to as “Permittee”) is hereby authorized to operate as a used oil transporter in accordance with all applicable requirements of R315-15 of the Utah Administrative Code and of the Used Oil Management Act (the Act) 19-6-701 et. seq., Utah Code Annotated and this Permit.
- I.A.2. This Permit shall be effective for a term not to exceed ten years in accordance with the requirements of R315-15-15 of the Utah Administrative Code.
- I.A.3. Attachments incorporated by reference are enforceable conditions of this Permit, as are documents incorporated by reference into the attachments. Language in Conditions I and II supersedes any conflicting language in the attachments or documents incorporated into the attachments.

I.B. Permit Revocation

- I.B.1. Violation of any permit condition or failure to comply with any provision of the applicable statutes and rules may be grounds for enforcement actions, including revocation of this Permit. The Director shall notify the Permittee in writing of his intent to revoke this Permit.

I.C. Permit Modification

- I.C.1. The Permittee may request modifications to any item or activity covered by this Permit by submitting a written permit modification request to the Director. If the Director determines the modification request is substantive, a public hearing, a 15-day public comment period or both may be required before the modification request may be determined. Implementing a substantive modification prior to the Director’s written approval constitutes a violation of the Permit and may be grounds for enforcement action or permit revocation.
- I.C.2. The Permittee shall notify the Director in writing of any non-substantive changes, such as changes to the contact person, within 20 days of the change.
- I.C.3. The Director may modify this Permit as necessary to protect human health and the environment, because of statutory or regulatory changes or because of operational changes affecting this Permit.

I.D. Spill Prevention

- I.D.1. The Permittee shall maintain and operate all used oil transportation vehicles and associated equipment to minimize the possibility of fire, explosion or sudden or non-sudden release of used oil to the air, ground, soil, surface and groundwater and sewer systems.

I.E. Record Retention

- I.E.1. The Permittee shall maintain electronic copies of all applicable used oil records required by R315-15 of the Utah Administrative Code and this Permit at the Permittee's offices located at 621 North Morgan Road, Oklahoma City, OK 73127. Physical copies of the records shall be kept at the used oil transfer facility located at 1157 East 135 South, Vernal, UT 84078.
- I.E.2. All records shall be readily accessible for review by representatives of the Director. Records may be in a hard copy or electronic format. Records shall be maintained for a minimum of three years.

I.F. Tracking

- I.F.1. The Permittee shall keep written transportation records for both the collection and delivery of used oil. Collection and delivery records may be a log, invoice, manifest, bill of lading or other shipping document.
- I.F.2. For collections, the records shall include the Permittee's name, address, EPA identification number, the facility's vehicle designation number, driver name, date of collection, the volume of used oil collected and the type of collection (i.e., bulk oil in tankers or containerized, specifying container types and numbers). Additionally, the used oil records shall include the generator's, transporter's, transfer facility's, off-specification burner's or processor's name and signature (dated upon receipt), address and EPA identification number.
- I.F.3. The halogen content from screening tests, analytical laboratory testing or generator knowledge shall be documented on the used oil record/bill of lading at each used oil collection location prior to loading for transportation. The halogen content determination method (e.g. CLOR-D-TECT[®] halogen test kit) shall be documented on the shipping document with the halogen concentration.
- I.F.4. The Permittee shall record the PCB concentration based on analytical results of used transformer oil prior to collection/transport in accordance with Condition II.F.
- I.F.5. The delivery records shall include the Permittee's name, address, EPA identification number, vehicle designation number, driver name, date of delivery, the volume of used oil delivered and the type of delivery (i.e., bulk oil in tankers or containerized, specifying container types and numbers). Additionally, the used oil records shall include the receiving transfer facility's, off-specification burner's, processor's or other transporter's name and signature (dated upon receipt), address and EPA identification number.
- I.F.6. The Permittee shall create a new delivery record for internal transfers between the Permittee's transportation vehicles.

I.G. Transportation Operations

- I.G.1. The Permittee is authorized to transport used oil and deliver the used oil to another Utah permitted transporter, transfer facility, processor and re-refiner or used oil burner in accordance with R315-15-4.4 of the Utah Administrative Code.
- I.G.2. Used oil recovered from oily water shall be managed as used oil in accordance with R315-15 of the Utah Administrative Code and this Permit.
- I.G.3. The Permittee shall only accept used oil or oily water, subject to R315-15 of the Utah Administrative Code that has halogen concentrations less than 1,000 ppm unless rebutted in accordance with Condition II.F unless the oil is generated by a Very Small Quantity Generator (VSQG) of hazardous waste or Do-It-Yourselfer Collection Center (Type A or B).
- I.G.4. The Permittee shall comply with TSCA regulations when transporting used oil with PCB concentrations greater than or equal to 50 mg/kg.

I.H. Halogen Determination

- I.H.1. The Permittee shall follow all sampling and analytical procedures in Conditions II.C through II.D when conducting used oil sampling and analytical testing to meet the requirements of R315-15 of the Utah Administrative Code and this Permit.

I.I. Waste Management

- I.I.1. Used oil that has been mixed with hazardous waste as defined by R315-261 of the Utah Administrative Code or PCBs as defined by R315-301-2(53) of the Utah Administrative Code shall no longer be managed as used oil and shall be subject to applicable hazardous waste and PCB-contaminated waste rules.
- I.I.2. Used oil shall not be stored in tanks, containers or storage units that previously stored hazardous waste unless these tanks, containers and storage units have been cleaned in accordance with R315-261-7 of the Utah Administrative Code.
- I.I.3. The Permittee shall not place, manage, discard or otherwise dispose of used oil in any manner other than specified in R315-15-1.3 of the Utah Administrative Code.

I.J. Waste Disposal

- I.J.1. The Permittee shall document and maintain records showing proper characterization, handling and disposal for used oil related wastes, including oily wastewater.
- I.J.2. The Permittee shall properly characterize used oil related wastes to determine if the wastes are hazardous or non-hazardous in accordance with R315-15-8 of the Utah Administrative Code. All wastes generated during used oil operations shall be handled in accordance with this Permit and R315-15 of the Utah Administrative Code. The wastes shall be taken to an appropriate facility permitted to handle the type of waste generated.

I.K. Used Oil Storage

- I.K.1. The Permittee shall not store used oil in Utah longer than 24 hours without first obtaining a transfer facility or processor permit for that storage location. This includes storing used oil in vehicles at loading and unloading docks and parking areas.
- I.K.2. The Permittee shall notify the Director if the 24-hour storage is exceeded due to mechanical failure of the Permittee's transportation vehicle prior to exceeding the 24-hour storage requirement.

I.L. Liability and Financial Requirements

- I.L.1. The Permittee shall procure and maintain general liability and sudden used oil third-party environmental pollution liability coverage for the Permittee's operations as required by R315-15-10 of the Utah Administrative Code.
- I.L.2. The Permittee shall provide documentation of financial responsibility, environmental pollution legal liability and general liability coverage annually to the Director for review and approval by March 1 of each reporting year with the Annual Report Form UO 004.
- I.L.3. The Permittee shall provide documentation of financial responsibility, environmental pollution legal liability and general liability coverage to the Director upon request.
- I.L.4. The Permittee shall notify the Director immediately of any changes to the extent and type of liability coverage in accordance with R315-15-10 of the Utah Administrative Code.

I.M. Used Oil Handler Certificate

- I.M.1. In accordance with R315-15-4.1 of the Utah Administrative Code, the Permittee shall not operate as a used oil transporter without obtaining annually a Used Oil Handler Certificate from the Director. The Permittee shall pay a used oil handler fee, pursuant to Utah Code 63J-1-504, by December 31 of each calendar year to receive certification for the upcoming calendar year.

I.N. Inspection and Inspection Access

- I.N.1. Any duly authorized employee of the Director may, at any reasonable time and upon presentation of credentials, have access to and the right to copy any records relating to used oil and to inspect, audit or sample. The employee may also make record of the inspection by photographic, electronic, audio, video or any other reasonable means to determine compliance.
- I.N.2. In addition, the authorized employees may collect soil, groundwater or surface water samples to evaluate the facility's compliance.
- I.N.3. Failure to allow reasonable access to the property by an authorized employee may constitute "denial of access" and may be grounds for enforcement action or permit revocation.

I.O. Annual Report

- I.O.1. As required by R315-15-13.4 of the Utah Administrative Code, the Permittee shall prepare and submit an Annual Report of its used oil activities for the calendar year to the Director by March 1 of the year following the reported activity using Annual Report for Used Oil Transporter (Form UO 004).

I.P. Other Laws

- I.P.1. Nothing in this Permit shall be construed to relieve the Permittee of his obligation to comply with any Federal, State or local law.

I.Q. Enforceability

- I.Q.1. Violations documented through the enforcement process pursuant to Utah Code Annotated 19-6-112 may result in penalties in accordance with R315-102 of the Utah Administrative Code.

I.R. Effective Date

- I.R.1. The permit is effective on the date of signature by the Director.

II.A. Transport Vehicle Requirements

II.A.1. The Permittee shall only transport used oil in the types of vehicles listed in Table II.A.

Table II.A: Vehicle Description

Type of Vehicle	Used Oil Capacity (gallons)
Bobtail tankers	500 gallons per compartment (only one used oil compartment per vehicle)
Stake beds with tote tanks	330 gallons per tote (maximum of two totes per vehicle)

II.A.2. All bulk used oil transport vehicles operated by the Permittee shall have the words “USED OIL” on both sides of the transport vehicle in a contrasting color that is distinguishable from the background color and at least three inches tall. These designations shall be in place at all times the transport vehicle is transporting or storing used oil. Individual containers of used oil shall be labeled “Used Oil.”

II.A.3. All Permittee’s vehicles which transport used oil shall have a copy of the Permittee’s Used Oil Emergency Spill Plan (Attachment 1) maintained in the vehicle at all times.

II.A.4. The Permittee shall maintain Emergency Spill Cleanup materials in all vehicles used to transport used oil as specified in Condition II.H of this Permit.

II.B. Used Oil Loading and Unloading Requirements

II.B.1. The Permittee shall secure the vehicle by positioning wheel chocks and applying the emergency brakes before loading or unloading used oil.

II.B.2. The Permittee shall inspect all used oil collection equipment, if applicable (e.g., vehicles and associated pumping equipment) for any damage prior to use.

II.B.3. The Permittee shall place buckets or other containers under piping connections to collect drips of used oil during loading and unloading operations.

II.B.4. The Permittee shall ensure the amount of used oil to be loaded into the transport vehicle will not exceed the carrying capacity. The Permittee shall utilize a calibrated gauging instrument to measure used oil volume in each collection vehicle/tanker.

II.B.5. The Permittee shall not perform used oil rail car transfers.

II.C. Used Oil Sample Collection

II.C.1. When performing sample collection, the Permittee shall ensure a representative sample is collected from tanks, totes, drums or other containers, if required. Sampling personnel shall be trained on appropriate sampling methods for each type of container and matrix.

II.C.2. Drums or containers of used oil from different sources or processes shall be sampled individually at each generator’s facility.

II.C.3. Composite sampling is only allowed for a maximum of 500 gallons from containers of used oil that are generated from the same source or process at each generator's facility.

II.D. Halogen Verification Methods

II.D.1. Halogen Field Screening Methods

II.D.1.a. When the Permittee screens the generator's used oil to verify halogen concentration, the Permittee shall use a halogen field screening method in accordance with the following requirements:

II.D.1.a.i. Used oil that contains less than 20% water shall be screened for halogens with a CLOR-D-TECT[®] halogen test kit (EPA Method 9077).

II.D.1.a.ii. Used oil that contains between 20% and 70% water shall be screened for halogens with a HYDROCLOR-Q[®] test kit. The resulting halogen concentration must be corrected using the following conversion formula to calculate true halogen concentration.

$$\text{True Halogen Concentration} = \text{Reading Syringe} + [(10 + \text{ml oil in sample})/10]$$

Example: sample contains 6 ml water and 4 ml oil (60% water) and the syringe reading is 2,000 ppm, then the true concentration is:

$$2,000 \text{ ppm } [(10 + 4)/10] = 2,800 \text{ ppm}$$

II.D.1.a.iii. Used oil that contains greater than 70% water shall be screened for halogens with a HYDROCLOR-Q[®] test kit. Correction of the halogen screening results is not required.

II.D.1.b. The requirement for a quality control sample (duplicate) may be satisfied by testing prior to off-loading from permitted vehicles in accordance with the CLOR-D-TECT[®] kits (EPA Method 9077) and is not required for each load collected at individual generators.

II.D.1.c. The Permittee shall document on acceptance records or bill of lading the screening results.

II.D.2. Halogen Laboratory Analytical Methods

II.D.2.a. When the Permittee submits a representative used oil sample to a Utah-certified laboratory to analyze for total halogen concentration, the Permittee shall use Method 9076 or other equivalent method approved by the Director.

II.D.2.b. The Permittee shall document the analytical results on the transportation document such as a bill of lading or manifest.

II.D.3 Halogen Generator Knowledge Method

- II.D.3.a. The Permittee shall have information on file, (e.g., analytical testing, industry process knowledge) from the generator which is sufficient, as determined by the Director, to support the use of generator knowledge.
 - II.D.3.b. The Permittee may not accept the use of a safety data sheet (SDS) as the sole source in making a halogen concentration determination.
 - II.D.3.c. The Permittee shall document on the acceptance record “Generator Knowledge” with an appropriate identifier, e.g., profile ID for used oil collected.
- II.D.4. Used oil determined to be on-specification by a Utah-registered marketer can be collected and transported without further testing. Bills of lading, manifests or other used oil transportation records shall include copies of the analytical results for reference.

II.E. PCB Contaminated Used Oil

- II.E.1. The Permittee shall not accept for transport used oil with PCB concentrations greater than or equal to 50 mg/kg. Used oils containing PCB concentrations greater than or equal to 50 mg/kg are subject to TSCA regulations 40 CFR 761. Used oils containing PCB concentrations greater than or equal to 2 mg/kg but less than 50 mg/kg are subject to both R315-15 of the Utah Administrative Code and 40 CFR 761.
- II.E.2. The Permittee shall obtain analytical results of dielectric oil used in transformers and other high voltage devices, verifying the PCB concentrations are less than 50 mg/kg prior to loading the used oil into the transportation vehicle.
- II.E.3. The Permittee shall determine the PCB concentration of other used oils not specified in Condition II.E.2 through written certification from the generator or laboratory testing.
- II.E.4. Used oil may not be diluted to avoid any provision of any federal or state environmental rules.
- II.E.5. If PCB concentrations greater than or equal to 2 mg/kg have been transported, the Permittee shall assume that all subsequent loads of used oil are contaminated with PCBs and has a quantifiable PCB concentrations of 2 mg/kg or greater unless the equipment has been decontaminated as described in 40 CFR761 Subpart S.
- II.E.6. Table II.F lists required laboratory PCB sample preparation and analytical methods.

Table II.E: PCB Sample Preparation and Analytical Methods

Sample Preparation Methods	Analytical Methods	Analytes	
		PCB CAS RN	PCB Aroclor
3500C, 3580A and 3665A (Cleanup)	<ul style="list-style-type: none"> 8082A PCB Analytical Method Analyses of the Aroclors bolded/* in the last column are mandatory. Choose an additional two Aroclors from the last column for analysis which could be contained in the oil, which will make a total of seven Aroclors. 		
		12674-11-2	1016*
		147601-87-4	1210
		151820-27-8	1216
		11104-28-2	1221*
		37234-40-5	1231
		11141-16-5	1232*
		71328-89-7	1240
		53469-21-9	1242*
		12672-29-6	1248*
		165245-51-2	1250
		89577-78-6	1252
		11097-69-1	1254*
		11096-82-5	1260*
37324-23-5	1262		
11100-14-4	1268		

II.F. Rebuttable Presumption

- II.F.1. Used oil with total halogen concentrations greater than 1,000 mg/kg (ppm) is presumed to have been mixed with a hazardous waste and shall be managed as a hazardous waste unless the Permittee successfully rebuts the presumption.
- II.F.2 Used oil with halogen concentrations between 1,000 ppm and 4,000 ppm may be accepted for transport, if the Permittee rebuts the hazardous waste presumption or has documentation (analytical data) from a prior used oil handler that the used oil is not a hazardous waste or if the used oil is solely from a Very Small Quantity Generators (VSQG) of hazardous waste, or a DIYer used oil collection center. The Permittee shall attach any analytical results used to rebut the hazardous waste presumption to the shipping documents.
- II.F.3 The Permittee may rebut the hazardous waste presumption in accordance with R315-15-4.5 of the Utah Administrative Code if the Permittee can demonstrate that the halogens in the used oil originated from sources other than halogenated hazardous constituents listed in Appendix VIII of 40 CFR 261.
- II.F.4 If the additional testing shows that used oil has been mixed with a listed hazardous waste described in R315-261of the Utah Administrative Code, the mixture is subject to

regulation as a hazardous waste if the concentration of any individual compound listed in R315-261 Appendix VIII is greater than or equal to 100 mg/kg (ppm).

II.F.5. The rebuttable presumption does not apply to metalworking oils/fluids containing chlorinated paraffins if they are processed through a tolling arrangement as described in R315-15-2.5(c) of the Utah Administrative Code to reclaim metalworking oils/fluids. The rebuttable presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner or disposed.

II.F.6. The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFCs are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.

II.G. Used Oil Training

II.G.1. The Permittee shall train handlers of used oil in accordance with R315-15-4 of the Utah Administrative Code and the requirements of this Permit. New employees may not manage or process used oil without a trained employee present until used oil training is completed.

II.G.2. Employee training shall include documentation that the following topics were covered: identification of used oil, recordkeeping requirements and facility used oil procedures for handling, transporting, sampling and analysis, emergency response, spill reporting and personal safety.

II.G.3. Employees collecting and performing field halogen testing shall be trained and demonstrate competence in collecting a representative used oil sample and testing for halogens using a CLOR-D-TECT[®] kit prior to fieldwork.

II.G.4. The Permittee shall provide, at a minimum, an annual used oil training refresher course for employees handling used oil. Additional training is required if the Permittee changes used oil handling procedures or this Permit is modified.

II.G.5. The Permittee shall keep training records for each employee for a minimum of three years. Employees and supervisors shall sign and date training attendance sheets to document class attendance.

II.H. Spill Response, Remediation, and Reporting

II.H.1. In accordance with R315-15-9.1(a) of the Utah Administrative Code, the person responsible for the spill shall immediately take appropriate action to minimize the threat to human health and the environment and notify the DEQ Hotline at (801) 536-4123 if the spill is greater than 25 gallons or for smaller spills that pose threat to human health or the environment.

II.H.2. Responders shall take action to prevent spill from spreading by utilizing absorbent, booms, pads, rags, etc.

- II.H.3. Once the material is containerized, a waste determination shall be made to determine the material's disposition.
- II.H.4. The Director may require additional cleanup action to protect human health or the environment.
- II.H.5. All costs associated with the cleanup shall be at the expense of the Permittee.
- II.H.6. Vehicle spill kits shall contain, at a minimum, the equipment listed in Table II.H of this Permit and shall be checked daily prior to collection activities.
- II.H.7. The Permittee shall report all relevant information, including the amount of waste generated from cleanup efforts, the characterization of the waste (i.e. hazardous or non-hazardous), final waste determination and disposal records. The report shall also include actions taken by the Permittee to prevent future spills.
- II.H.8. An air, rail, highway or water transporter who has discharged used oil shall give notice, if required by 49 CFR 171.15, to the National Response Center at <http://nrc.uscg.mil/nrchp.html>, (800) 424-8802. In addition to the notification above, a written report, as required in 49 CFR 171.16, shall be presented to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau located in Washington, D.C., 20590.
- II.H.9. In accordance with R315-15-9.4 of the Utah Administrative Code, the Permittee shall submit to the Director a written report within 15 days of any reportable release of used oil.

Table II.H: Spill Kit Equipment Requirements

Equipment Description	Quantity
Shovel	1
Broom	1
Buckets	2
4-foot absorbent booms	3
Spill Pads	10
Granulated Absorbent	50 lbs
Spill Plan with Emergency Contact Numbers	1

ATTACHMENT 1

EMERGENCY CONTROLS—SPILL PLAN

Spill Response

Spill response kits are to be readily available. A spill kit will be kept on each truck. The spill kits will include three 4' booms, package of absorbent pads, a broom, a shovel and 50 lbs. granulated absorbent, such as Oil Dry.

Response to Releases

Upon detection of a release of used oil the following cleanup steps will occur:

1. Stop the release;
2. Contain the released used oil;
3. Refer to the site's Emergency Action plan for further instructions;
4. Properly clean up and manage the released used oil and other materials; and
5. If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.
6. A PTL team member will notify the Utah State Department of Environmental Quality, 24-hour Answering Service, 801-536-4123 for used oil releases exceeding 25 gallons, or smaller releases that pose a potential threat to human health or the environment.

Emergency Contact Information

Contact Person	Title	Contact Information
Darren Anderson	Facility Coordinator	Mobile: 435-823-7560 Darren.Anderson@pilotthomas.com
Michael O’Harrow	Regional Operations Manager	Mobile: 307-252-0431 Mike.O’harrow@pilotthomas.com
Richard Heaton	VP of Operations	Mobile: 307-212-0590 Rick.Heaton@pilotthomas.com
Bryan Christian	Environmental Compliance Manager	Mobile: 304-550-1724 Office: 304-204-1794 Bryan.Christian@pilotthomas.com
Fire Response(In case of fire or injury)		911
Enviro Care Inc.	Response/Cleanup Contractor	Office: 800-820-9058

Agency Notification Numbers

Agency	Contact Phone Number
National Response Center	(800) 424-8802
Utah Department of Environmental Quality (within 24 hrs.)	(801) 536-4123
Utah State Highway Patrol	(801) 538-3400
EPA National Response Center (NRC)	(800) 424-8802

Emergency Action Plans

PTL has made available site specific Emergency Action Plans, to include spill response plans. Copies of those plans are kept in each truck.