



Division of Waste Management and Radiation Control



USED OIL TRANSPORTER PERMIT

Permittee Name: Thomas West Fuels, Lubricants & Chemicals, LLC (dba Pilot Thomas Logistics)

Permittee Mailing Address: Pilot Thomas Logistics
Environmental Department
201 N. Rupert St.
Fort Worth, TX 76107

Permittee Phone Number: (817) 877-8680

Permittee Contact: Bryan Christian, Environmental Compliance Mgr.
(304) 550-1724
Email: bryan.christian@pilotthomas.com

Facility Address: 352 West 100 North
Price, UT 84501

Facility Contact: Bryan Christian, Environmental Compliance Mgr.
(304) 550-1724

Type of Permit: Used Oil Transporter Permit

Permit #: UOP-0144

Original Date of Issuance: March 30, 2015

EPA ID #: OKD987083482

Signature: _____ Date Modified: _____
Rusty Lundberg, Acting Director
Division of Waste Management and Radiation Control

I.A. Effect of Permit

- I.A.1 Thomas West Fuels, Lubricants & Chemicals, LLC (dba Pilot Thomas Logistics) (hereafter referred to as the “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 ten years in accordance with R315-15-15 of the Utah Administrative Code. This Permit shall be reviewed by the Director five years after the Permit’s issuance or when the Director determines the Permit requires review.
- I.A.3 Attachments incorporated by reference are enforceable conditions of this Permit, as are documents incorporated by reference into the attachments. Language in this Permit 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 any applicable statutes and rules shall 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 of 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 is approved. Implementing a modification prior to the Director’s written approval constitutes a violation of this Permit and may be grounds for enforcement action or permit revocation.
- I.C.2. The Director may modify this Permit as necessary to protect human health and the environment or because of statutory or regulatory changes.

I.D. Spill Prevention

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

I.E. Record Retention

- I.E.1. The Permittee shall maintain all applicable used oil records required by R315-15 of the Utah Administrative Code and this Permit at the Permittee's transportation facility located at 352 West 100 North, Price, UT, 84501.
- I.E.2. All records shall be readily accessible for inspection by representatives of the Division of Solid and Hazardous Waste. 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 document the volume of used oil collected at each location and transported by the Permittee.
- I.F.2. Used oil records shall document the transporter's name, address, EPA identification number, the name of the receiving entities, date and time of acceptance and signatures of both the transporter and authorized representative of the used oil entity.
 - I.F.2.a. For petroleum industry locations without a formal street address, the Permittee shall use the well owner's corporate address, facility or equipment number/designation, and GPS coordinates of the location from which the used oil was picked up.
 - I.F.2.b. For unmanned petroleum industry locations, the Permittee shall obtain confirmatory signatures from the generator after the fact.
- I.F.3. The halogen content shall be documented on the used oil record/bill of lading at each used oil collection location prior to loading for transportation.
- I.F.4. Oil which may contain PCBs shall have analytical results attached to the used oil collection records and verified prior to transportation.

I.G. Analysis Plan

- I.G.1 The Permittee shall follow all sampling and analytical procedures in Section II.C., Used Oil Collection and Analytical Procedures, when conducting used oil sampling and analytical testing to meet the requirements of R315-15 of the Utah Administrative Code and this Permit.

I.H. Prohibited Waste

- I.H.1. Used oil that has been mixed with hazardous waste as defined by R315-1 and R315-2 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.H.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 R315-2-7 of the Utah Administrative Code.

I.H.3 The Permittee shall not place, discard or otherwise dispose of used oil in any manner described in R315-15-1.3 of the Utah Administrative Code.

I.I. Waste Disposal

I.I.1. The Permittee shall document and maintain records showing proper characterization, handling and disposal for all used oil related waste, including oily wastewater.

II.I.2. The Permittee shall properly characterize the waste to determine if the waste is 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.J. Used Oil Storage

I.J.1 The Permittee shall not store used oil longer than 24 hours without first obtaining a transfer facility or processor permit.

I.K. Emergency Controls and Spill Plan

I.K.1. The Permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures as are necessary to protect human health and the environment.

I.K.2. In the event of a release of used oil, the Permittee shall immediately take appropriate actions to comply with the Emergency Controls required by R315-15-9 of the Utah Administrative Code, this Permit and the Permittee's Emergency Spill Plan in Attachment 1.

I.K.3. It shall not constitute a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the Permittee business activity in order to maintain compliance with the conditions of this Permit and Attachments.

I.K.4. The Permittee shall properly characterize wastes generated during the spill cleanup to determine if the waste is hazardous or non-hazardous in accordance with R315-15-8 of the Utah Administrative Code.

I.K.5. The Permittee shall maintain analytical and waste disposal records for a minimum of three years.

I.M. Liability and Financial Assurance Requirements

I.M.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.M.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.

I.M.3. 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.N. Used Oil Handler Certificate

I.N.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 submit a used oil handler fee, pursuant to Utah Code Annotated 63J-1-504 by December 31 of each calendar year to receive certification for the upcoming calendar year.

I.O. Inspection and Inspection Access

I.O.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.O.2. In addition, the authorized officers may collect soil, groundwater or surface water samples to evaluate the Permittee's compliance.

I.O.3. Failure to allow reasonable access to the property by an authorized employee constitutes "denial of access" and maybe grounds for enforcement action or permit revocation.

I.P. Annual Report

I.P.1 As required by R315-15-13.4 of the Utah Administrative Code, the Permittee shall prepare and submit an Annual Report to the Director by March 1 of the following year. Form UO 004 (Annual Report for Used Oil Transporter Facilities) shall be used to describe the Permittee's used oil activities in Utah. The Annual Report shall also include all financial assurance documentation required by Form UO 004.

I.Q. Other Laws

I.Q.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.R. Transfer of Permit

I.R.1 Written approval by the Director is required to transfer this Permit to another owner or operator.

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I.S. Enforceability

I.S.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.T. Effective Date

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

Public Review Draft

II. Transportation Operations

- II.1. The Permittee may transport and deliver used oil to another permitted transporter, transfer facility, processor or off-specification burner in accordance with R315-15-4.4 of the Utah Administrative Code.
- II.2. The Permittee shall not store used oil longer than 24 hours from time of collection in transportation vehicles.
- II.3. 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.
- II.4. The Permittee shall not transport used oil with PCB concentrations greater than two ppm (mg/kg).

II.A. Transport Vehicle Requirements

- II.A.1. The Permittee shall only transport used oil in the types of vehicles 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 used oil transport vehicles are required to 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 two inches tall. These designations shall be in place at all times the transport vehicle is transporting used oil.
- II.A.3. A copy of the Permittee’s Used Oil Emergency Spill Plan shall be maintained in used oil transport vehicles 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 Section II.E of this Permit.

II.B. Used Oil Loading and Unloading Requirements

- II.B.1. Prior to loading, the used oil must be tested for halogen content in accordance with Section II.C of this Permit.
- II.B.2. The Permittee’s used oil transport drivers shall secure the vehicle by positioning wheels chocks and applying the emergency brakes before loading or unloading used oil.
- II.B.3. The Permittee shall inspect all used oil collection equipment (e.g., vehicles and associated pumping equipment) for any damage prior to use.

- II.B.4. The Permittee shall place buckets or other containers under piping connections to collect drips of used oil during loading and unloading operations.
- II.B.5. 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.
- II.B.6. The Permittee shall cleanup any spills and drippings from the used oil transfer and properly manage the cleanup materials.
- II.B.7. Shipping documents shall be maintained at the Permittee's facility and a copy left with each business where the Permittee collects or delivers used oil.
- II.B.8. Prior to unloading the transportation vehicle, the Permittee shall perform halogen quality control testing in accordance with SW846 Method 9077 and Section II.C of this Permit.
- II.B.9. During loading and unloading operations, the trained operator shall remain at the transfer location and maintain control of the operations throughout the entire used oil transfer.
- II.B.10. The Permittee shall not load or unload used oil from a railroad tanker without the written approval from the Director.

II.C. Used Oil Sampling and Analytical Procedures

- II.C.1. Prior to loading the used oil for transport, the Permittee shall collect a representative sample and screen the used oil for halogens using either SW846 Method 9077 specified in Condition II.C.4.d or a Utah-certified laboratory.
- II.C.2. Used oil determined to be on-specification by a Utah-registered marketer can be collected and transported without further testing. Bills of lading or used oil transportation records shall include copies of the analytical results for reference.
- II.C.3. **Bulk and Drum Sample Collection Requirements**
 - II.C.3.a. The Permittee shall collect a representative sample from tanks, totes, drums or other containers. Sampling personnel shall be trained on appropriate sampling methods for each type of container and matrix.
 - II.C.3.b. Samples collected from bulk oil containers greater than 55 gallons shall be individual samples, not composite samples.
 - II.C.3.c. A composite sample may be collected from individual drums or containers from the same source. A composite sample shall consist of not more than four drums or 200 gallons, whichever is less, per composite sample. The individual samples shall be taken and consolidated into one composite sample and tested.
 - II.C.3.d. Drums or containers from different sources shall be sampled individually.

II.C.3.e. Drums and other containers of used oil shall only be transferred to the permitted vehicle/tanker identified in Condition II.A.1 of this Permit.

II.C.4. **Halogen Field Screening Methods**

II.C.4.a. For halogen field tests, the Permittee shall use CLOR-D-TECT® kits (SW846 Method 9077) to screen used oil when the water content of the used oil is less than or equal to 20%.

II.C.4.b. Halogen field tests of used oil containing water and/or antifreeze greater than 20% shall be screened using a HydorClor Q kit.

II.C.4.c. Results of all halogen field screening results shall be recorded on the shipping document such as a bill of lading and results initialed by the sampler.

II.C.4.d. For halogen field tests, the quality control duplicate samples shall be collected and analyzed in accordance with SW846 Method 9077 prior to off-loading.

II.C.5. **Halogen Laboratory Analytical Methods**

I.C.5.a When relying on laboratory testing, the Permittee shall submit a representative used oil sample from each container to a Utah-certified laboratory to analyze for total halogen concentrations using SW846 Method 9076 or other equivalent method approved by the Director.

II.C.6. **PCB Contaminated Used Oil**

II.C.6.a. When accepting used oil which may contain PCBs for transportation, the Permittee shall comply with the requirements of R315-15 of the Utah Administrative Code and 40 CFR Part 761. Table II.C of this Permit lists the PCB sample preparation and analytical methods that the laboratory shall use to analyze used oil samples.

Table II.C: PCB Sample Preparation and Analytical Methods

Sample Preparation	Analytical Procedure	Analytes	
		<i>PCB CAS RN</i>	<i>PCB</i>
3500C, 3580A	8082A	12674-11-2	1016
		147601-87-4	1210
	• PCB Analytical Method	151820-27-8	1216
		11104-28-2	1221
		37234-40-5	1231
	• Analyses of the Aroclors bolded in the last column are mandatory.	11141-I6-5	1232
		71328-89-7	1240
		53469-21-9	1242
		12672-29-6	1248
	• Choose an additional two Aroclors from the last column for analysis which could be contained in the oil, which will make total of seven Aroclors.	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.C.6.b. Prior to accepting used transformer oil or oil potentially contaminated with PCBs, the generator shall provide analytical documentation of the PCB concentration.

II.C.6.c. The Permittee shall manage transformer oil or PCB-contaminated oil with concentrations of ≥ 2 mg/kg (ppm) in accordance with R315-15-18 of the Utah Administrative Code.

II.C.6.d. Records of any laboratory test results used to demonstrate PCB concentrations shall be attached to the transportation record. Used oil may not be diluted to avoid any provision of any federal or state environmental rule.

II.D. Rebuttable Presumption

II.D.1. Used oil with a total halogen concentrations greater than 1,000 parts per million (ppm) is presumed to have been mixed with a hazardous waste and shall be managed as a hazardous waste unless the Permittee can successfully rebut the presumption.

II.D.2. 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 used oil does not contain significant concentrations of any of the halogenated hazardous

constituents listed in Appendix VIII of EPA CFR 40, Part 261 which includes volatiles, semi-volatiles, PCBs, pesticides, herbicides and dioxin/furans.

- II.D.3. If the additional testing shows that used oil has been mixed with a hazardous waste listed in R315-50-10 of the Utah Administrative Code, which incorporates by reference 40 CFR 261 Appendix VIII., the mixture shall be subject to regulation as a hazardous waste regardless of the level of halogenated constituents.
- II.D.4. 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 presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner or disposed.
- II.D.5. The rebuttable presumption does not apply to used oil contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFCs are destined for reclamation. The rebuttable presumption does apply to used oil contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.
- II.E. Used Oil Training**
- II.E.1. The Permittee shall train used oil handlers and personnel who keep records of used oil activities in accordance with R315-15-4 of the Utah Administrative Code and the requirements of this Permit. The Permittee shall train new employees in the handling of used oil and used oil potentially contaminated with PCBs within 14 days of employment. New employees shall not manage or process used oil without a trained employee or until used oil training is completed.
- II.E.2. The Permittee shall develop and implement a written training program, including a syllabus and training materials. Employee training shall include 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.E.3. Employees shall demonstrate competence to collect a representative used oil sample and test for halogens using a Clor-D-Tect[®] kit prior to fieldwork if Utah certified laboratory data is not available.
- II.E.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.E.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. The written training syllabus outlining the topics covered during training shall be attached to each employee's training records.

II.F. Emergency Spill Response and Remediation

- II.F.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 smaller spills if it poses a threat to human health or the environment.
- II.F.2. The responsible person shall take action to prevent spill from spreading by utilizing absorbent, dirt, booms, pads, rags, etc.
- II.F.3. Once the material is containerized, a waste determination shall be made to determine the material's disposition.
- II.F.4. The Director may require additional cleanup action to protect human health or the environment.
- II.F.5. All costs associated with the cleanup shall be at the expense of the Permittee.
- II.F.6. Vehicle spill kits shall contain, at a minimum, the equipment listed in Table II.E of this Permit and shall be checked daily prior to collection activities.

Table II.E: Spill Kit Requirements

Equipment Description	Quantity
Shovel	1
Buckets	2
Spill pad	10
Granulated absorbent	1 ft ³
Spill Plan with Emergency Contact Numbers	1

II.G. Used Oil Release Notification and Reporting

- II.G.1 The Permittee shall notify the Utah 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 in accordance with R315-15-15-9.1(b) of the Utah Administrative Code. All relevant information, including but not limited to, date, time and location, personnel involved and emergency response actions taken by the Permittee or other emergency responders shall be included in the notification.
- II.G.2. In accordance with R315-15-9.1(b) 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.
- II.G.3. 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 shall be included. The report shall also include actions taken by the Permittee to prevent future spills.
- II.G.4. 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 or 202-426-2675. 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.

ATTACHMENT 1

EMERGENCY CONTROLS—SPILL PLAN



General Procedures:

A copy of the spill plan is available to all employees on our company intranet. A copy of the spill plan will be kept in the trucks.

All of our drivers have an emergency kit which is placed in all trucks. This kit includes the following: camera, yellow safety vest, pen, pencil, Non-DOT Forms, Post Accident Drug Testing Procedure (Non-DOT – Forensic), DOT Forms, Post Accident Drug Testing Procedure (DOT – Federal), Incident Notification Guidelines, and Insurance Card.

All of our trucks are equipped with cleanup materials in the event of a spill. They have spill pads, a shovel, and absorbent which are located in the cab of the truck.

All employees are required to follow “Thomas Incident Notification Guidelines.”

Immediate Action Steps in the Event of Used Oil Spill: *This spill response plan is in the emergency kit.

- 1) Take immediate action to stop and contain the leak or spill (**only if safe to do so**) and if emergency dial 911.
 - For example, hit the emergency shut off button or shut off circuit breaker (if possible), use sorbent material to contain liquids to prevent the product from entering any adjacent storm drains or waterways (including oil / water separator), etc. Pour the sorbent material around the edge of the spill then work towards the center. This keeps it from traveling.

- Small spills may be cleaned using the absorbent materials, etc. Appropriate health and safety precautions must be taken.
 - Do not pour water on any fuel or used oil products to try and dilute it or wash it away. The product could enter the storm sewer system or a waterway.
 - Ensure you are wearing proper PPE (personal protective equipment).
- 2) Identify the spilled material(s). An example of a spilled material is used oil, gasoline, diesel, chemicals, or lubricants.
 - 3) Report the spill using your Incident Notification Guidelines.
 - 4) If the spill requires an environmental vendor for cleanup, notify Corporate Environmental Compliance for assistance.

*If necessary, a vendor will be dispatched to the spill location.
 - 5) If used oil spill meets the reporting criteria (exceeding 25 gallons or smaller release that could pose a threat to human health or the environment), Corporate Environmental Compliance will report the spill to the appropriate federal and state agencies. The following information will be provided when reported:
 - Name, phone number, and address of person responsible for the release
 - Name, title, and phone number of person reporting
 - Time and date of release
 - Location of the release (specific as possible)
 - Description contained on the manifest and the amount of material released
 - Cause of release
 - Possible hazards to human health or the environment and emergency action taken to minimize the threat (including the extent of injuries, if any)
 - 6) Complete Spill Report and Incident Report and email to Corporate Environmental Compliance.
 - 7) Corporate Environmental Compliance will be responsible for following up with state agency.

8) Response Clean Up

The person responsible for the material at the time of the release shall clean up all the released material and any residue or contaminated soil, water or other material resulting from the release or take action as may be required by the Director so that the released material, residue, or contaminated soil, water, or other material no longer presents a hazard to human health or the environment. The cleanup or other required actions shall be at the expense of the person responsible for the release.

9) Reporting

Within 15 days after any release of used oil that is reported under R315-15-9.1(b), the person responsible for the material at the time of the release shall submit to the Director a written report which contains the following information:

The person's name, address, and telephone number;

Date, time, location, and nature of the incident;

Name and quantity of material(s) involved;

The extent of injuries, if any;

An assessment of actual or potential hazards to human health or the environment, where this is applicable; and

The estimated quantity and disposition of recovered material that resulted from the incident.