

**Chapter 212-51 WAC**  
**STANDARDS FOR ABOVE-GROUND USED OIL TANKS**

Last Update: 3/4/87

**WAC**

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**WAC 212-51-001 Purpose.** The purpose of this chapter is to adopt recognized standards for the design, construction, and placement of above-ground tanks to collect used oil from private individuals for recycling purposes pursuant to RCW 19.114.040.

These standards are designed to fulfill the legislative intent as stated in RCW 19.114.010 which states "Improper disposal of used oil creates leaching problems within landfills, is a significant source of water pollution, has a detrimental impact on the fisheries industry, and contributes toward the overall shortage of energy resources. In light of these harmful consequences and the ease with which used oil can be recycled, the legislature declares that it is the policy of this state to collect and recycle used oil."

[Statutory Authority: RCW 19.114.040. WSR 87-06-044 (Order 87-05), § 212-51-001, filed 3/4/87.]

**WAC 212-51-005 Definitions.** The following definitions shall apply to this chapter:

(1) "Approved" means approved by the state director of fire protection as the result of investigation and tests conducted by him/her, or by reasons of principles, tests by national, technical, or scientific organizations accepted by the director as valid.

(2) "Director" means state director of fire protection.

(3) "Department" means the department of community development, fire protection services division.

(4) "Fire official" means the person or other designated authority, appointed by the city, town, or county, for administration and enforcement of the Uniform Fire Code adopted by reference in the State Building Code Act, chapter 19.27 RCW.

(5) "Person" means an individual, private or public corporation, partnership, cooperative, association, estate, municipality, political subdivision, or governmental agency or instrumentality. (RCW 19.114.020.)

(6) "Recycle" means to prepare used oil for re-use as a petroleum product by refining, rerefining, reclaiming, reprocessing, or other means or to use used oil as a substitute for a petroleum product made from new oil, provided that the preparation or use is operationally safe, environmentally sound, and complies with all laws and rules.

(7) "Used oil" means automotive oil which through use, storage, or handling has become unsuitable for its original purpose due to the presence of impurities or the loss of original properties.

[Statutory Authority: RCW 19.114.040. WSR 87-06-044 (Order 87-05), § 212-51-005, filed 3/4/87.]

**WAC 212-51-010 Applicability.** This chapter applies to all facilities placed for the collection of used oil from the public for the purpose of recycling.

[Statutory Authority: RCW 19.114.040. WSR 87-06-044 (Order 87-05), § 212-51-010, filed 3/4/87.]

**WAC 212-51-015 Application.** Prior to the placement of a collection facility, the installer shall make application to the local fire official. All equipment shall comply with the provision of this chapter. Permits will be issued or denied upon the basis of the applicant's compliance with the state fire protection services division, and the Uniform Fire Code as adopted by reference in the State Building Code Act, chapter 19.27 RCW. (See also UFC Sec. 4.101.) The installer shall provide, if required by the local fire official, a plot plan of the proposed location showing required set back from buildings or property lines.

[Statutory Authority: RCW 19.114.040. WSR 87-06-044 (Order 87-05), § 212-51-015, filed 3/4/87.]

**WAC 212-51-020 Alternate materials and methods.** The director of fire protection may modify any of the provisions of this code upon application in writing where there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be complied with, public safety secured. The particulars of such modification may be allowed and the decision of the director of fire protection shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

The director may require tests as proof of compliance with the intent of this code. Such tests shall be made by an approved agency at the expense of the person requesting approval of the alternate material or method of construction.

If technical expertise is unavailable within the department because of new technology, process, products, facilities, materials and uses attending the design of the proposed alternate, the director may require the person in possession or control to provide, without charge to the department, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire-safety speciality organization acceptable to the director and the owner, and shall analyze the fire-safety properties of the design, operation or use of the proposed alternate, and prescribe the necessary recommended changes.

[Statutory Authority: RCW 19.114.040. WSR 87-06-044 (Order 87-05), § 212-51-020, filed 3/4/87.]

**WAC 212-51-025 Minimum design standards.** Used oil collection facilities for the collection of used oil from the public shall comply with the Uniform Fire Code and the following:

(1) A funnel-shaped fill area to reduce spills.

(2) A suitable port for emptying storage tank by suction. No pressurization of the tank shall be permitted.

(3) A nearby suitable covered litter receptacle for disposal of contaminated oil containers.

(4) There shall be a suitable sticker affixed to the tank that states approval of the director of fire protection and department of ecology.

[Statutory Authority: RCW 19.114.040. WSR 87-06-044 (Order 87-05), § 212-51-025, filed 3/4/87.]

**WAC 212-51-030 Location.** Used oil collection facilities shall be located in accordance with the Uniform Fire Code, as adopted by chapter 19.27 RCW.

[Statutory Authority: RCW 19.114.040. WSR 87-06-044 (Order 87-05), § 212-51-030, filed 3/4/87.]

**WAC 212-51-035 Environmental impact of placement of above-ground used oil tanks.** As stated in RCW 90.48.320, "It shall be unlawful ... for oil to enter the waters of the state from ... any fixed or mobile facility or installation ... ." Above-ground used oil tanks should be placed to avoid discharge of spilled oil into the surface waters or groundwaters of the state pursuant to RCW 90.48.315 through 90.48.410.

[Statutory Authority: RCW 19.114.040. WSR 87-06-044 (Order 87-05), § 212-51-035, filed 3/4/87.]

**WAC 212-51-040 Portable fire extinguishers.** Fire extinguisher coverage shall be in accordance with the Uniform Fire Code.

[Statutory Authority: RCW 19.114.040. WSR 87-06-044 (Order 87-05), § 212-51-040, filed 3/4/87.]

**WAC 212-51-045 Signs.** (1) It shall be the responsibility of all owners of above-ground used oil tanks to post a prominent sign on or near the tank identifying the tank as a used oil recycling tank only, and stating that contaminants should not be mixed with used oil.

(2) Signs shall be commercially printed on the tank, or within two feet of it, and placed where spilled oil will not obscure message. "RECYCLE USED OIL HERE" letters will be a minimum of one inch high by three-eighths inch wide in capital letters (96 pt). Remaining letters will be five-eighths inch high by one-quarter inch wide (60 pt.) with the letters "FOR USED OIL ONLY" and "DO NOT" in capital letters.

RECYCLED USED OIL HERE  
\*Prevent water pollution  
\*Protect public health

\*Re-use limited resources

FOR USED OIL ONLY  
DO NOT MIX WITH GASOLINE  
antifreeze, engine degreasers, solvents,  
cooking oil or any other contaminants

(3) The facility shall contain wording in accordance with the Uniform Fire Code visible from all sides stating "No Smoking or Open Flame."

(4) The establishment where a used oil collection tank is located shall prominently post a separate sign in a conspicuous place stating "RECYCLED USED OIL ACCEPTED HERE." Letters to be a minimum of one and one-half inches high by one-half inches wide in capital letters (144 pt).

[Statutory Authority: RCW 19.114.040. WSR 87-06-044 (Order 87-05), § 212-51-045, filed 3/4/87.]

**WAC 212-51-050 Severability.** If any provision of this chapter or its application to any person is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

[Statutory Authority: RCW 19.114.040. WSR 87-06-044 (Order 87-05), § 212-51-050, filed 3/4/87.]