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## **State General Assembly Bill Proposes Limited Regulatory Relief For Some Used Oil Generators**

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Earlier this year, California Assembly member Phillip Chen introduced AB 2928. AB 2928 proposes to revise the state's used oil management requirements, which generally requires used oil to be managed as hazardous waste, by easing the compliance burden on a narrow group of used oil generators. If the bill becomes law, generators of "highly controlled used oil" seeking to send their non-hazardous used oil off-site for recycling would be subject to less stringent testing and recordkeeping requirements than other used oil generators in the state. A generator of "highly controlled used oil" is defined in the bill as a person or entity who: generates used oil from similar types of equipment used under similar circumstances; services, repairs and maintains equipment that is only owned and operated by the generator; derives no revenue from the activities associated with the generator's equipment; does not use or store halogenated solvents in the same area where used oil is generated or stored on-site, and certifies that management practices are employed to prevent the commingling of used oil and halogenated solvents.

Generators that fall within the above-listed criteria seeking to claim that their used oil is exempt from regulation as hazardous waste would only be required to test their used oil once a year to verify that it is not hazardous and meets the "purity" standards set by the Department of Toxic Substances Control. All other generators of used oil desiring to send their used oil off-site for recycling as non-hazardous waste would still be required to test all used oil before it is transported off-site.

The proposed amendments to California's used oil requirements are a step in the right direction, as they would ease the burden of recycling used oil for many businesses in the state. However, further regulatory relief should be considered by the California Legislature. If AB 2928 becomes law, California's used oil management requirements would remain the most stringent in the nation.

A hearing on AB 2928 is scheduled in the General Assembly's Environmental Safety and Toxic Materials Committee on April 10, 2018. If you would like more information about how AB 2928 may affect you or your business, please contact us at [contact@HartmanKingLaw.com](mailto:contact@HartmanKingLaw.com).

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