

## DEALER ALERT

**TO:** Environmental Health and Safety (EHS) Coordinator  
**FROM:** Sam Celly, MS JD CSP REA  
**SUBJECT:** **New California EPA/OSHA Regulations (effective 1/12010)**  
**DATE:** December 18, 2009

**USED OIL RECYCLING CENTER:** The state has enacted changes to the Use oil Recycling Program effective January 1, 2010. The changes that the bill creates for Certified Collection Centers (CCC) comprises of two different elements. First the bill changes the fee collection and the recycling incentive payment schedule. Secondly, the bill places certain changes to the Health & Safety Code requiring testing of used oil that is shipped out of state. Key elements of the bill are as follows

- Increase in the amount of fee paid by manufactures from \$0.16/gallon to \$0.26/gallon. See your bill from your wholesaler go up! The manufacturer fee is \$0.12/gallon if the lubricating oil contains 70% re-refined base lubricant. The additional \$0.02 /gallon fee for independent life cycle analysis stays in place.
- Dealers get current incentive payment of \$0.16/gallon. However, the Do-It-Yourself collection centers now get \$0.40/gallon. Most of the oil at the auto dealers is from internal generation. However, any oil dropped at the facility will be eligible for the higher fee. The forms for claiming the incentive program shall all look different for claims filed for the 1<sup>st</sup> quarter 2010 period onwards..
- Recertification will now happen every four years instead of every two years (as is now).
- Clarifies that the CCC must accept oil during the period the entity is open for business..
- Each truckload of used oil being shipped out of state must be tested. This is the responsibility of the hauler. Also, authorizes the Cal EPA (DTSC) to inspect out of state facilities to ensure testing and reporting requirements.

*Authority Cited:* Senate Bill 546 Lowenthal effective January 1, 2010.

**LEAD WEIGHTS:** Gov. Schwarzenegger signed a bill earlier this year banning the sale, distribution and use of lead weights in the state as of January 1, 2010. The bill defines lead weights as containing more than 0.1% lead by weight. Suitable alternatives such as Zinc, other metal alloys and 3M composite are available for usage as wheel weights. Any lead metal left at the dealership as of 1/1/2010 must be recycled as scrap metal including the weights removed from autos after that date. CSI recommends that any left-over new lead wheel weights be exchanged with the vendor as the lead weights are still legal in other states!

*Authority Cited:* Senate Bill 757 Pavely effective January 1, 2010.

**EYE WASH STATIONS:** Some addendums to the eye wash station regulation discussed in our November Newsletter. The current ANSI standard (Z358.1) requires that the outlet water temperatures be tempered. The 2004 revisions clarified the tempered water requirements to range from 60F to below

100F through the entire 15-minute eye rinsing cycle. It is a given that water below 60F or above 100F can cause damage to the eye!

*Sam has been helping automobile dealers comply with EPA & OSHA regulations since 1987. Sam currently is the Chair of the Law Committee of the American Industrial Hygiene Association (AIHA) and was the past-Chair of the Environmental Issues Committee of the AIHA. Sam has a BS & MS in Chemical Engineering followed by a JD from Southwestern University School of Law. Send your comments to. [sam@cellyservices.com](mailto:sam@cellyservices.com).*

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