

Landfilling of Used Oil Filters & Absorbents

2009 Wisconsin Act 86 – Effective January 1, 2011

The 2009 Wisconsin Act 86 which prohibits disposal of used oil filters and oil absorbent materials in solid waste disposal facilities (landfills) was signed into law on December 1, 2009 and took effect January 1, 2011.

What is the intent of Act 86?

The overall intent is to ban from landfill disposal all used *automotive engine oil filters* and all but the smallest quantity of *oil absorbent materials* used to clean up waste oil and petroleum-derived and synthetic oil. The intent is to allow do-it-yourselfers to change their oil at home and allow small quantities of absorbent material used to clean up a non-routine oil spill to be disposed of at a landfill. The ban on oil filters is for automotive engine oil filters only, while the ban on oil absorbent material is broader and includes oil cleaned up from machines and equipment used in manufacturing and industrial applications, vehicle servicing operations, etc.

What does the landfill ban cover?

The ban prohibits the landfilling of all used automotive engine oil filters and all used oil absorbent materials in Wisconsin, except absorbent materials of less than one gallon resulting from a non-routine spill. Oil filters from non-automotive use machine filters are not covered by the landfill ban, however, we encourage owners and operators of such equipment that filter materials (i.e. hydraulic fluids, transmission fluids etc), to recycle in a similar fashion. Most hydraulic fluids/transmission fluids etc. can be commingled with engine oil for recycling. **Absorbent material includes kitty litter type material, oil-dry cloth rags, wipes, paper toweling and absorbent pillows, pads, etc.** All types of materials used to absorb waste oil are subject to the ban.

Who does the ban apply to?

The ban applies to an individual as well as to a small or large business, commercial or industrial facilities, non-profits, churches and local governments.

How does the exemption from the ban apply?

The exemption applies to the disposal of less than one gallon of oil absorbent materials that contain waste oil from a non-routine spill (287.07(4m) (c), Wis. Stats.).

What is a non-routine spill?

A non-routine spill is one that happens irregularly and is not part of the normal operation of the business or activity. This precludes, for example, spills that happen on a regular basis in the normal course of operations, even if the spills are from many different machines. If spills are part of the normal course of operation there is no exemption, regardless of the amount.

Violators will face fines ranging from \$50 to \$2,000. The state Department of Natural Resources estimates Wisconsin residents throw away an estimated 187,000 gallons of oil in used filters and 1.6 million gallons of oil in absorbents.

The DNR has posted information on this ban at <http://dnr.wi.gov/org/aw/wm/recycle/newpages/oilabsorb.htm>

CITY OF HARTFORD residents can take their used oil filters and oil absorbent materials to the Hartford Recycling Center for disposal – Thursday evening (5:00 pm – 7:00 am) or Saturday morning (9:00 am – noon). Located at the intersection of West Sumner Street and North Wacker Drive behind the Public Works Garage.