§ 23-2301. Definitions.

For the purposes of this title:

1. The term "used oil" means all petroleum-based lubricating oils which have through use been contaminated by physical or chemical impurities which have not been removed by subsequent rerefining;

2. The term "rerefined oil" means used oil which has been refined to remove the physical and chemical contaminants so that it shall be suitable for lube stock or fuel oil acquired through use, which by itself or when blended with new oil or additives is substantially equivalent or superior to new oil intended for the same purposes, as specified in the American Petroleum Institute's engine service classifications;

3. The term "new oil" means all oil which has been refined from virgin oil and may or may not contain additives, but has never been used, and does not include used oil or rerefined oil;

4. The term "lubricating oil" means all petroleum-based oil which:

a. is suitable for use as a lubricant, or

b. is sold for use as a lubricant, and

c. is not consumed in normal use;

5. The term "fuel oil" means all oil which has been refined, rerefined, or otherwise processed for the purpose of being burned to produce heat;

6. The term "on-premises oil changing operation" means any establishment that drains or collects used oil and replaces the used oil with new or rerefined lubricating oil;

7. The term "service establishment" means every automobile service

station including gas only outlets and any other retail outlet and boat marina selling at least five hundred gallons of lubricating oil annually and having an on-premises oil changing operation;

8. The term "used oil collector" means any waste transporter as defined in title three of article twenty-seven of this chapter who controls a system which functions to retrieve or collect used oil for sale or transfer to oil rerefining facilities, or for other methods of disposal, but shall not include service establishments;

9. The term "rerefiner" means any person who rerefines used oil to remove its physical and chemical contaminants; and

10. The term "disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any used oil into or on any land or water so that such used oil or any related constituent thereof may enter the environment or be emitted into the air or discharged into any waters of the state including groundwaters thereof. Disposal shall include the incineration of used oil and the burning of used oil for the purpose of recovering usable energy.

11. The term "retail establishment" means every vendor that sells lubricating oil at retail in quantities in excess of one thousand gallons per year.