

APPENDIX B: WASTE DISPOSAL DISCUSSION

WASTE STORAGE AND DISPOSAL

Short line railroads use, store, and dispose of a variety of regulated substances during the course of normal operations. Of all major environmental regulations, those governing storage and disposal of wastes, especially hazardous wastes, potentially affect the greatest number of short lines. Leaking or improperly disposed waste drums can contaminate the environment, requiring expensive cleanups and resulting in potentially large fines for non-compliance with environmental laws.

Many railroads employ contractors to handle waste storage and disposal questions. Under environmental law, however, the ultimate responsibility for proper waste disposal lies with the waste generator, regardless of the presence of a contractor. Short lines have been held liable for the cleanup of wastes dumped illegally by their waste disposal contractor, even when the waste was improperly dumped without their knowledge.

Waste storage and disposal compliance requirements are dependent on the types and amounts of wastes at your facility. The Resource Conservation and Recovery Act (RCRA) is central to compliance with the material storage and disposal requirements discussed below. *Review of the Chapter III: Statutory Overview discussion of RCRA is recommended for a better understanding of the waste storage and disposal compliance requirements at your facility. For a full understanding, review of the applicable regulations is required.*

MAJOR ISSUES: WASTE STORAGE AND DISPOSAL

Your waste storage and disposal compliance requirements will hinge on the types and amounts of waste generated at your facility. The discussion below presents general waste disposal issues and categories, discusses specific compliance requirements for each type of waste, and overviews various railroad wastes.

In general, there are a variety of issues to consider when disposing of a particular waste at your facility:

- All wastes must be identified as to type and category (e.g., hazardous, non-hazardous, or special).
- Most landfills are restricted by state laws as to what they can accept.
- It is illegal to put hazardous waste, petroleum waste or other regulated waste in a dumpster or other receptacle to be disposed of with routine non-hazardous trash.
- Fines and imprisonment may result from failure to comply with hazardous waste laws.
- If hazardous wastes result from your activities, your facility has special requirements it must

follow.

Many states have different hazardous waste definitions and compliance responsibilities, so only the probable categorization of wastes could be discussed below. It is important to note that according to federal RCRA law, it is your responsibility to determine whether or not a particular waste is hazardous.

Hazardous Waste

Hazardous waste triggers a host of compliance requirements for the facility that generates it. Since short lines may produce hazardous waste in their daily operations, proper hazardous waste storage and disposal practices are an essential component of environmental compliance. It is usually preferable, from both environmental and economic standpoints, to avoid generating the waste through practices such as waste minimizing or recycling.

Once you have determined that your facility is a hazardous waste generator, the quantity of hazardous waste produced at that facility will determine your compliance requirements. There are three categories of hazardous waste producing facilities under RCRA. Conditionally Exempt Small Quantity Generators, Small Quantity Generators, or Large Quantity Generators. Refer to Chapter III to determine your facility's status.

Generally speaking, hazardous wastes should be stored in non-leaking containers with the appropriate hazardous waste label. The amount of time hazardous waste containers can be stored at your facility will depend on the amount of waste you generate. If you currently have approximately four signal batteries, or 220 pounds of hazardous waste at your facility, the maximum time you may legally store waste at your facility may be as little as 180 days from day of generation. State law may designate less time for on-site storage. Hazardous waste must be shipped off-site to a permitted treatment, storage and disposal facility before the time period expires.

Potential Hazardous Wastes and Basic Disposal Requirements	
<i>Material</i>	<i>Basic Requirements</i>
Absorbent materials contaminated with hazardous substances	Absorbent materials take on the waste characterization of the spills they absorb. If any spills or drips of hazardous substances are remediated with absorbent materials, the absorbent materials may need to be handled as hazardous wastes. Minimize your use of hazardous materials by switching to non-hazardous alternatives.
Aerosol cans, still pressurized, but do not contain hazardous materials	Pressurized aerosol cans may potentially be hazardous wastes under RCRA. Once depressurized, however, the cans may be disposed of as non-hazardous. We recommend recycling steel cans whenever possible. Cans that will be recycled can be depressurized by inverting them and releasing all of the propellant, or puncturing them with an approved aerosol can depressurization device.
Used oil and oil-contaminated wastes	All oils and oil containing wastes should be containerized and labeled appropriately to prevent release to the environment. Used oil is not currently listed as a hazardous waste under RCRA law, and most used oil generated at your facility (e.g., spilled diesel fuel) will probably not be hazardous waste. Cutting oils, hydraulic oils, and oils containing solids may require hazardous waste management depending on your particular state's environmental regulations.
Paint removal wastes: Grit blast wastes	The hazardous or non-hazardous status of grit blast wastes will depend on the types and amounts of paint that are removed. Grit itself is a non-hazardous substance. Grit blast wastes from removal of lead-based paints, however, may be hazardous. Grit-blasted latex paints are non-hazardous wastes if there is no lead beneath the latex layer. The presence of other contaminants in the grit blast waste, such as grease or oil, will also determine its disposal requirements. Reuse grit whenever possible.
Paint removal wastes: Paint thinners	Ignitable or toxic paint thinner wastes such as rags and paint sludges are hazardous wastes. When possible, purchase paint thinners in recyclable/returnable containers to reduce waste.

Potential Hazardous Wastes and Basic Disposal Requirements	
<i>Material</i>	<i>Basic Requirements</i>
Lead-based or ignitable paint and related wastes	Ignitable, solvent-based, or lead containing paints are hazardous wastes under RCRA. Painting operation wastes should be carefully managed, stored separately, and disposed of properly. Switch painting operations to latex or water-based paints so that the wastes are non-hazardous. When possible, purchase paint in recyclable/returnable containers to reduce waste.
Nickel cadmium, nickel iron, and carbonaire batteries	These batteries are hazardous wastes under RCRA. Battery disposal and storage is an important consideration for short line railroads. If used batteries are stored for too long at your facility, RCRA violations and fines will result. If possible, recycle batteries to a supplier or with a Class I railroad.
Oil filters constructed with “terne” metal (a lead-tin alloy)	Oil filters with terne metal alloy have been classified as hazardous under RCRA. Most oil filters, however, have been found to be non-hazardous, special wastes, since these wastes have special disposal requirements but do not trigger other RCRA environmental requirements (e.g., manifests).
Solvents and solvent sludge	Solvents and solvent sludges from parts cleaning or other operations fit the RCRA definition of hazardous wastes due to their toxicity and ignitability. Switch to aqueous-based solvents to reduce the generation of this waste.

Special and Non-Hazardous Wastes

Non-hazardous wastes must be disposed of in a way consistent with state laws. Municipal disposal facilities and landfills will have their own particular disposal requirements. Special wastes are not defined as hazardous under RCRA, but may have specific disposal requirements in your state. As a result, it is important to determine if a particular landfill will accept your waste. For example, some non-hazardous wastes such as used oils are not accepted by disposal authorities in some states. In these areas the waste must be handled as hazardous waste. See Chapter III: RCRA discussion for full coverage of non-hazardous waste disposal.

Potentially Non-Hazardous Wastes and Basic Disposal Requirements	
<i>Material</i>	<i>Basic Requirements</i>
Scrap metal	Scrap metal, is non-hazardous waste when recycled. Scrap metal should be recycled for maximum financial gain and minimum environmental impact. Segregating your scrap metal by type is one way to potentially improve the attractiveness of your scrap to a recycling facility.
Fully drained aerosol cans	Aerosol cans may be disposed of “in the dumpster” as non-hazardous solid-waste if they are completely empty, or the contained product was not hazardous. (40 CFR 261.7)
Empty latex paint containers	Latex paint containers meeting the definition of “empty” under RCRA can be disposed of as non-hazardous wastes (See Painting and Metal Finishing for more information).
Coolant from multi-punch presses	In addition to the metal filings which accumulate from the use of a multi-punch press, the water-based coolant must be disposed of properly.
Oil filters	Most oil filters can be disposed of as non-hazardous wastes. Oil filters should be punctured, drained fully, and stored separately for disposal. Check with local and municipal landfill regulations to determine oil filter disposal requirements.
Single-use batteries (lantern batteries)	Most single use, alkaline batteries, are non-hazardous wastes under RCRA and may be disposed of as normal waste.
Locomotive coolant	Some water-based locomotive coolants may be non-hazardous substances.

