

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

UNION PACIFIC RAILROAD

2350 E. Market Street
Des Moines, Iowa 50317
816-398-1595

EPA ID Number: IAR000527549

On

January 31, 2024

By

U.S. ENVIRONMENTAL PROTECTION AGENCY

Region 7

Enforcement and Compliance Assurance Division

1.0 INTRODUCTION

At the request of the Enforcement and Compliance Assurance Division (ECAD), I conducted a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at Union Pacific Railroad, located in Des Moines, Iowa, on January 31, 2024. The CEI was conducted under the authority of Section 3007(a) of RCRA, as amended. During the inspection, I collected the information and data necessary to determine compliance with the applicable regulatory and statutory requirements. This inspection report and attachments present the results of the CEI.

2.0 PARTICIPANTS

Union Pacific Railroad:

- Tyler Parker, Manager Environmental Field Operations (10 years with company)

EPA:

- Mark Holcomb, Civil Investigator/Inspector (SEE)
- Amy Thompson, Inspector/Case Officer

3.0 INSPECTION PROCEDURES

On January 31, 2024, we arrived unannounced at the facility's Yard Office main entrance at about 0900 hours. Initially, we conducted a visual reconnaissance of the facility searching for areas of concern observable from the adjacent public roadways and parking lots. I identified no environmental issues or concerns during this preliminary examination. This facility is six buildings and about a dozen railroad tracks. The main building (Yard Office) with this address is their break room, offices, and railroad control room. I entered the Yard Office through the front

entrance. In the control room area, I introduced myself and asked for the facility environmental health and safety (EHS) manager or hazardous waste contact. We were told that the only person that could possibly assist us was the facility manager, but he was out of the office and not expected to return until later that afternoon. I called the contact listed on the EPA Site Verification Form and reached a Mr. Tyler Parker. Mr. Parker stated that he was the Regional EHS Manager and covered all of Union Pacific facilities in Iowa, Kansas, and eastern Nebraska, and was home based in Wichita, Kansas. Mr. Parker mentioned that he just happened to be in Des Moines and would meet up with us in a few minutes.

I was introduced to Mr. Tyler Parker, the EHS Manager. Mr. Parker escorted us to the office/workroom area of the Yard Office. Mr. Parker told us the items of personal protective equipment required for our visual inspection at this facility were protective boots, safety vest, helmet, and eye protection in some areas. Mr. Parker stated that he was the primary contact for hazardous waste at this facility.

At the opening conference, I presented my EPA ID and credentials to Mr. Parker. I explained that my colleague, Ms. Amy Thompson, would be assisting me in a training capacity. I next explained the purpose and procedures of the inspection. I then presented Mr. Parker with a copy of RCRA Section 3007(a), which provides inspection authority. I explained my need to collect accurate information and presented him with a copy of Title 18 U.S. Code, Sections 1001 and 1002. He was made aware of his confidentiality rights, and I informed him that a Confidentiality Notice would be provided at the end of the inspection to make a confidentiality claim if he so desired. Mr. Parker acted as the official facility representative during the inspection.

The CEI consisted of a discussion of facility operations, waste generation, and waste management; a visual inspection of active waste generation and management areas; and a review of waste management records and documents.

I conducted a visual inspection of the following areas:

- Yard Office
- Mechanical Remain in Place (RIP) Building
- Locomotive One Spot
- Fuel Stands
- Water/Oil Separator Room

See Attachment #1 for the aerial/map views and facility diagram. Document photocopies and photographs were collected as inspection documentation (see Attachments #1-12 and Photos 1-10). The photo log is included as Attachment #2. Information collected during the inspection is documented on an Entry/Exit checklist, the hazardous waste compliance checklists, and in a notebook. I reviewed documents including the following: Safety Data Sheets (SDS), manifests, invoices, and emergency spill prevention plan. I followed the inspection procedures detailed in the RCRA CEI Standard Operating Procedure 2321.01E, unless noted otherwise.

At the conclusion of the inspection, I summarized my findings and recommendations with Mr. Parker. I provided Mr. Parker with a Receipt for Documents (see Attachment #3) and a Confidentiality Notice (see Attachment #4), which he signed as acknowledgement of receipt.

There were no preliminary findings determined at the time of the inspection and a claim of confidential business information was not made by Mr. Parker. I provided inspection and compliance assistance documents to Mr. Parker during the inspection as an electronic PDF via email post-inspection, that included the following:

- *RCRA Section 3007(a) (EPA Handout)*
- *Title 18 U.S. Code, Sections 1001 and 1002 (EPA Handout)*
- *Confidentiality Notice (Top page of the completed carbonless transfer set)*
- *Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA In Connection with Inspections (EPA Handout)*
- *Receipt for Documents and Samples (Top page of the completed carbonless transfer set)*
- *NOPF with Instructions for Responding on back of form (top page of the completed carbonless transfer set)*
- *Instructions for Responding to a NOPF (EPA Handout)*
- *U.S. EPA Small Business Resource Information Sheet (EPA Handout)*
- *Solvent-Contaminated Wipes Final Rule Chart (EPA Handout)*
- *Recycling Electronics (Iowa Department of Natural Resources - IDNR Handout)*
- *Lead-Based Paint Activities (IDNR Handout)*
- *Excluded Solvent-Contaminated Wipe Rule (IDNR Handout)*
- *Battery Recycling/Disposal (IDNR Handout)*
- *Management of Fluorescent Lamps for Businesses (IDNR Handout)*
- *Incompatible Chemicals (IDNR Handout)*
- *Universal Wastes Including Aerosol Cans (IDNR Handout)*
- *TCLP Waste Determination Testing (IDNR Handout)*
- *Industry Sector Notebooks (EPA Handout)*
- *Environmental Compliance Assistance Centers (EPA Handout)*
- *e-Manifest Fact Sheet (EPA Handout)*
- *RCRA Online A Quick Reference Guide (EPA Handout)*
- *Requirements for Used Oil Management Standards (EPA Handout)*
- *Emergency Response Program (EPA Handout)*
- *Commercial Motor Vehicle Transportation System Security & Safety*
- *Security Awareness (EPA Handout)*
- *Chemical Facility Anti-Terrorism Standards (Homeland Security Handout)*
- *Iowa Life/Changing Iowa Department of Economic Development – Iowa Environmental Guide for Business*
- *How to Register for RCRAInfo Industry Application for Iowa Facilities*
- *Episodic event processing*

4.0 FINDINGS AND OBSERVATIONS

4.1 Facility Information and Operations

Union Pacific Railroad is one of North America's largest railroad companies providing service in 23 states in the western two-thirds of the United States. The facility is owned by the Union Pacific Railroad, headquartered in Omaha, Nebraska. Mr. Parker stated that this facility is

referred to as the Union Pacific Des Moines Iowa Short Line Yard. The yard is about 2.5 million square feet, with six buildings. There are approximately 120 employees working 24/7 shifts. They process about ten trains, or about 500 cars, per day providing fuel, topping off oil, and radiator water as needed. The facility does not perform major maintenance such as pulling engines, changing oil and oil filters at this yard. Mr. Parker stated that they do not perform railcar cleanouts and do not have a parts washer. Mr. Parker stated that there had not been any significant spills or activations of their emergency plan in the last three years. The facility added a new 200,000-gallon aboveground diesel fuel tank in the last year or so. See Attachment #1 for the facility aerial map views.

4.2 RCRA Status

Union Pacific Railroad had not been previously inspected for RCRA compliance. According to RCRAInfo, Union Pacific Railroad had most recently notified as a Non-Generator on September 25, 2023. I verified the facility address and the site contact information with Mr. Parker and updated the EPA RCRA Notification Acknowledgement Verification Report (see Attachment #5) to indicate the change in generator status from non-generator to very small quantity generator (VSQG) and the addition of D001 waste code. Based on a review of the past three years' uniform hazardous waste manifests, I determined that Union Pacific Railroad routinely generates D001 hazardous waste at the VSQG level (one to three pounds of hazardous waste paint generated per month). However, on February 22, 2023, Union Pacific Railroad made a one-time shipment of two drums, or 570 pounds, of D001 hazardous waste. This was for expired fuzees (red railroad flares). The three-year eManifest report listed this as their only hazardous waste shipment in the last three years. Mr. Parker stated that since this shipment was over 100 kg, or 220 pounds, Union Pacific asked their contractor, GHD – Guttridge, Hackens, and Davey (St. Louis, Missouri), to submit an episodic generation request to the EPA. Mr. Parker provided me with a copy of an EPA 8700-12 form dated December 1, 2022 (see Attachment #7 for the 8700-12). I inspected the facility as a VSQG with less than 100 kg, or 220 pounds, of non-acute hazardous waste generated per month and a generator of used oil.

4.3 Facility Waste Streams and Management

Mr. Parker stated that the following waste streams are managed by Union Pacific Railroad:

Waste Paint and Related Materials - Union Pacific Railroad generates waste paint and lubricants in their Mechanical RIP Building during minor locomotive maintenance. This waste had been determined to be D001 hazardous waste based on process and product knowledge. Mr. Parker stated that they do not perform oil changes or major maintenance at this facility and the only hazardous waste collected is in the form of contents of aerosol cans that cannot be fully emptied. They have one 55-gallon drum with an aerosol can crusher top to collect the paint and lubricant residue. Mr. Parker stated that typical aerosol cans used included spray paint and WD-40 (see Attachments #11 and #12 for SDS). Mr. Parker stated that the current partially filled drum had been in use accumulating paint waste for at least five years. He estimates that they generate between one to three pounds per month. There were no shipments of this waste on the three-year eManifest report and no manifests to review. Mr. Parker stated that they would use

Veolia Technical Solutions for hazardous waste transport of this waste stream, but they have not needed to ship this waste stream in at least five years.

During the visual inspection, I observed a 55-gallon steel drum of waste paint in the Mechanical RIP Building (see Photos 1-4). The aerosol can crusher and drum lid were securely closed. The drum was about 1/3 full (after five years). The drum appeared to be free of any significant damage or leaks, but the bottom two inches appeared to be significantly rusted (see Photo 4). The drum had both “Hazardous Waste” and “Flammable Liquid” labels.

Flammable Solids (Waste Fusees) - Union Pacific Railroad generated a one-time shipment of 570 pounds of expired, unused, fusees (red railroad flares) in 2023. This waste had been determined to be D001 hazardous waste based on process and product knowledge. Veolia Technical Services (Sauget, Illinois) disposed of the waste fusees. See Attachment #6 for the manifest for the shipment on February 22, 2023. Mr. Parker stated that expired fusees are not routinely generated.

Used Oil - Union Pacific Railroad generates about 4,000 to 6,000 gallons per year of used oil from the servicing of locomotives at Locomotive One Spot (see Photos 6-10). Mr. Parker stated that the locomotive diesel engines have catch pans under the engine blocks to contain excess engine oil, that is then transferred to onboard retention tanks. The used oil retention tanks are emptied at the facility as part of their servicing process. The used oil is drained into open drains at the Locomotive One Spot and is often mixed with rainwater. It is then routed to the water/oil separator inside of the Water/Oil Separator Building shown in Photo 9 and then the used oil is transferred into the 6,000-gallon above ground Used Oil Tank in Photo 10. The used oil has been determined to be non-hazardous based on product and process knowledge. Annually, the used oil is pumped out of the tank and transported by Red Giant Oil to their facility in Council Bluffs, Iowa for recycling. See Attachment #8 for a November 15, 2023, invoice.

Wastewater - Union Pacific Railroad generates up to 10,000 gallons of wastewater per day from rainwater runoff into the used oil drains. The amount is variable based on rain events. The rainwater is drained into a water/oil separator inside of the Water/Oil Separator Building, mentioned above under the used oil section and shown in Photo 9. The wastewater is monitored for numerous daily effluent limitations such as pH, volatile petroleum hydrocarbons, and biochemical oxygen demand as outlined in their wastewater discharge permit with the Publicly Owned Treatment Works (POTW) for the City of Des Moines (see Attachment #9) prior to being discharged into the POTW drain.

Scrap Metal - Union Pacific Railroad generates about 10,000 pounds per month of scrap metal from minor maintenance operations such as replacing hoses and small parts. The scrap metal has been determined to be non-hazardous based product and process knowledge. Onsite, the scrap metal is stored in several four-cubic yard containers and then transferred to a larger 20-cubic yard roll-off (see Photos 2 and 5). Monthly the scrap metal is picked up for recycling by Erman Scrap Metal (Kansas City, Kansas).

Aerosol Cans - Union Pacific Railroad generates only a few aerosol cans per month from maintenance operations. The aerosol cans are RCRA empty or punctured and crushed in the

aerosol can crusher and emptied into the waste drum listed under the waste paint waste stream. Typical aerosol cans used included spray paint and WD-40 (see Attachments #11 and #12 for SDS) described above. During the visual inspection I did not observe any aerosol cans. The empty or crushed cans are transferred to the scrap metal bin for processing as noted under the scrap metal waste stream.

General Trash - Union Pacific Railroad generates about 7.6 tons per month of general trash from shop, maintenance, and business office operations. This waste stream has been determined to be non-hazardous based product and process knowledge. General trash is collected in eight-cubic yard dumpsters and transported weekly by Waste Connections to the Polk County landfill.

4.4 Other Areas Reviewed

Outside Facility Perimeter - I conducted a limited inspection of the outside perimeter of the facility and observed no hazardous waste storage tanks or containers except as noted above. This is a large multi-acre (2.5 million square feet) area of dirt roads, dozens of railroad tracks, and several buildings. See the aerial and map views in Attachment #1.

Preparedness and Prevention - The facility has numerous fire extinguishers, spill kits, and eye wash stations. The facility has a detailed Spill Prevention, Control, and Countermeasure Plan - SPCC (see Attachment #10 for a copy of SPCC index).

5.0 SUMMARY OF FINDINGS

No preliminary findings or compliance issues observed at the time of the inspection. However, further EPA review may include findings.

MARK
HOLCOMB
(Affiliate)



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Mark Holcomb
Civil Investigator, SEE

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Amber Whisnant
RCRA Section Chief, ECAD/Chemical Branch

Attachments:

- 1) Facility Aerial Map Views (4 pages)
- 2) Photo Log (15 photos and 17 pages)
- 3) Receipt for Documents (1 page)
- 4) Confidentiality Notice (1 page)
- 5) EPA RCRA Notification Acknowledgement/Verification Report (1 page)
- 6) Uniform Hazardous Waste Manifests (1 page)
- 7) EPA RCRA 8700-12 Form (14 pages)

- 8) Used Oil Invoice (1 page)
- 9) City Water Permit (9 pages)
- 10) SPCC Index (5 pages)
- 11) SDS – WD-40 (5 pages)
- 12) SDS – Aerosol Paint (8 pages)