

THE RAILROAD TIE PROBLEM
SALVAGE YARD SCREENING
WASTE TIRES

March 30, 1984

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March 30, 1984

To Sandra S. Gardebring, Executive Director, MPCA, and
members of the Energy/Environment/Resources Subcabinet

It is my pleasure to submit to you and the Governor of
the State of Minnesota, the Honorable Rudy G. Perpich, the
following report concerning the issues of Waste Tires,
Salvage Yards, and Scrap Ties.

This report was prepared by the Environmental Beautification
Team. Included are copies of the three bills that have been
submitted for the 1984 legislative session.

Respectfully submitted,



Frank V. Ongaro
Executive Director
Governor's Quality Environment Program

GOVERNOR'S POLICY ISSUES - 84/85

EXECUTIVE SUMMARY:

Issue Title - The Railroad Tie Problem
Team Leader - Frank V. Ongaro (Prepared by Nicholas H. Riley)
Subcabinet - Energy/Environment/Resources

Legislation was introduced in the 1984 session by Senator Solon (Senate File 1971) and Representative Minne. The Bill will not get a hearing this session. The proposed legislation would provide the funds necessary to pay for the clean up of all discarded waste railroad ties which currently lie along railroad trackage rights-of-way throughout the State. The money to pay for this clean up would be collected through taxes levied on railroad companies operating within the State. The amount of tax paid would be based on the amount of trackage which is owned and operated by each railroad company.

It is difficult to place a time table as to when all of the railroads will have complied with the PCA agreements, but our estimates are by the end of the 1984 calendar year. If these estimates prove to be correct, there will be no need for regulatory legislation for the 1985 legislative session.

BACKGROUND:

Railroad track maintenance and repair generate substantial amounts of waste railroad ties every year (approximately 250,000 to 700,000 in Minnesota per year) as a result of open-burning restrictions. Current disposal methods in use in the State of Minnesota have created a considerable accumulation of waste ties along railroad trackage right-of-way. Estimates are as low as 1,000,000 and as high as 5,000,000 ties. In order to clean up this accumulation of waste ties, the Pollution Control Agency staff has drafted a stipulation agreement which would ultimately require implementation of environmentally sound disposal practices. Copies of draft agreements were sent to all railroad companies on January 30, 1984, along with a request that the companies review the document and schedule negotiations prior to March 7, 1984. The Division of Air Quality has received one signed agreement from the Minnesota, Dakota and Western Railway Company, which is being presented for approval.

Many of the smaller railroads are in compliance or can be in a short period of time. Agreements with the larger companies will be more involved, but are headed in the right direction at the present time. The PCA will not have to increase its budget for the next fiscal year to deal with this issue. The DNR is cooperating with them to deal with the short-term solution of limited open burning.

GOVERNOR'S POLICY ISSUES - 84/85

EXECUTIVE SUMMARY:

Issue Title - Salvage Yard Screening
Team Leader - Frank V. Ongaro (Prepared by Nicholas H. Riley)
Subcabinet - Energy/Environment/Resources

Currently, Minnesota ranks 23 in the nation for the percent of junkyards screened, removed/relocated under the Highway Beautification Act. There are presently over 400 illegal and non-conforming salvage yards along Minnesota trunk highways. With the great emphasis on attracting tourists to our state, and the visual blight that these salvage yards represent, it was the recommendation by the Governor's Special Commission on Salvage Yards to pass legislation dealing with the salvage yard problem.

Legislation to deal with this problem was introduced by Senator Merriam (Senate File 1603) and Representative Minne (House File 1976). The bill is currently in Agriculture and Natural Resources Committee in the Senate and in the Tax Committee in the House. This bill will raise money via a one dollar (\$1.00) fee on automobiles for the purpose of screening, relocating or removing illegal and non-conforming salvage yards. This program will be administered by the Department of Transportation.

BACKGROUND:

The State passed a junkyard law in 1965 requiring owners to pay the cost of screening. In order to comply with the 1965 Federal Beautification Act, the State's statutes were amended in 1971 to provide for payment by the State for the costs of screening and removal. A negative declaration was concurred in by the Federal Highway Administration on May 31, 1973. A PDR-LSDR was approved by the Federal Highway Administration on May 27, 1977. Junkyard procedures were first written up and incorporated into the State Right-of-Way Manual in October, 1975. They were rewritten in November, 1977, and established in the Right-of-Way Manual in November, 1978. Screening standards were developed by the State and approved by the FHWA in August, 1978. An inventory of junkyards was completed in the State Districts in 1975; updatings and refinements have since been made. The program was terminated by Minnesota legislative action in 1979.

GOVERNOR'S POLICY ISSUES - 84/85

EXECUTIVE SUMMARY:

Issue Title - Waste Tires
Team Leader - Frank V. Ongaro (Prepared by Nicholas H. Riley)
Subcabinet - Energy/Environment/Resources

The problem of the collection, processing, and recycling of waste tires in the State of Minnesota is being addressed by legislation introduced in the 1984 session by Senator Dahl (Senate File 697) and Representative Larsen (House File 688). The bill has passed through the Agriculture and Natural Resources Committee in the Senate and is in the Environment and Natural Resources Sub-committee in the House.

The budget implications for this bill lie with the Governor's Quality Environment Program. The program was transferred under the Department of Energy and Economic Development, but the budget is tied to the Tire Bill. An alternate funding source will have to be found for the program if the bill fails to pass. Time is the biggest factor in this situation; it is very doubtful that an alternative budget could be implemented with the short legislative session. A decision should be made to either move the office to the American Center Building and have DEED fund the costs under their current budget, or keep the office at its present location under the Planning Department.

BACKGROUND:

For the past decade, Minnesota has had an ever-increasing problem of waste tire disposal. Figures on the generation of scrap tires have varied widely, but a reasonable figure appears to be in the range of 2.5 to 3.0 million tires annually. Currently, less than 20 percent of these tires end up at authorized landfills; the balance are either discarded along the countryside or end up at unauthorized tire collection sites. The most current estimates put the number of tires that are stockpiled in Minnesota at more than 16 million.

When stockpile owners started taking in waste tires, there were no existing ordinances that prohibited or regulated stockpiling tires. These stockpiles could be made relatively safe from rats and other disease carriers, from fire hazards, and more aesthetically pleasing by shredding the tires into smaller pieces.

The ultimate goal to be achieved when dealing with the waste tire disposal problem should be the reuse of all waste tires. Rubber from scrap tires should be used as an energy source only if higher and better uses cannot be found and developed. If the goal of reusing all waste tires was achieved, there would be no tire disposal problems at landfills, the stockpiling problem would be reduced from a permanent status problem to a temporary storage-status problem, and the indiscriminate dumping in wooded areas would be eradicated, thereby eliminating a potential health hazard. This problem has been addressed by a Special Commission on Waste Tires that was appointed by Governor Perpich in November, 1983.