



Dear Operator Member,

The attached document has been prepared by GeoTrans, Inc. for the American Bus Association and the United Motorcoach Association to aid motorcoach operators in identifying U.S. environmental regulations that may apply to their facilities and operations.

As you may know, the penalties for not complying with U.S. environmental regulations can be severe. Large monetary fines (up to hundreds of thousands of dollars), federal criminal convictions (felony and/or misdemeanor) and even jail time can result from violations.

ABA and UMA believe that education is the key to achieving environmental compliance. We strongly encourage you to read through this checklist to gain a better understanding of the breadth of environmental regulations that may apply to your operation.

If you require further assistance on environmental issues, we strongly encourage you to contact Scott Shaw of GeoTrans, Inc., at (703) 444-7000 who can assist you in setting up a complete environmental program. GeoTrans has agreed to provide discounted service rates to ABA and UMA member companies.

Sincerely yours,

A handwritten signature in black ink that reads "Peter J. Pantuso".

Peter J. Pantuso
President and CEO
American Bus Association

A handwritten signature in black ink that reads "Victor Parra".

Victor Parra
President and CEO
United Motorcoach Association

ENVIRONMENTAL REGULATORY CHECKLIST FOR MOTORCOACH OPERATORS

Prepared for:
Members of the American Bus Association and
United Motorcoach Association

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Environmental Regulatory Checklist for Motorcoach Operators

Table of Contents

I. INTRODUCTION.....	1
A. Using this Document.....	1
B. Achieving Environmental Compliance	2
II. SUMMARY OF MAJOR U.S. ENVIRONMENTAL REGULATIONS.....	4
A. Resource Conservation and Recovery Act (RCRA) – Waste Management.....	4
B. Clean Water Act.....	7
C. Clean Air Act	9
D. Underground Storage Tanks (USTs).....	12
E. Oil Pollution Prevention	13
F. Emergency Planning and Community Right-to-know Act (EPCRA)	14
III. CHECKLIST	15
Instructions for Motorcoach Facility Owners/Operators	15
A. Basic Facility Information	15
B. Checklist for Waste Management.....	17
C. Checklist for Clean Water Act (CWA) – Water Management	18
D. Checklist for Clean Air Act (CAA).....	18
E. Checklist for Underground Storage Tanks	19
F. Checklist for Oil Pollution Prevention.....	19
G. Checklist for Emergency Planning and Community Right-to-Know Act (EPCRA).....	19

Environmental Regulatory Checklist for Motorcoach Operators

I. INTRODUCTION

A. Using this Document

This document has been prepared as a starting point for motorcoach operators in identifying and evaluating the requirements of U.S. federal environmental regulations.¹ Section II is designed as a basic primer for understanding key environmental regulations applicable to the operator of a motorcoach facility. The numbering within Section II corresponds to the questions contained in the checklist. Section III of the document includes the self-administered checklist that addresses selected regulatory requirements as administered by the U.S. Environmental Protection Agency (EPA), as well as some best management practices (BMPs). The EPA's mission is to protect human health and to safeguard the natural environment — air, water, and land — upon which life depends. For 30 years, EPA has been working for a cleaner, healthier environment for the American people. The civil enforcement program of the EPA helps to protect the environment and human health by assuring compliance with federal environmental laws. It should be noted that the EPA works closely with state and other federal agencies to implement the enforcement programs.

This document has been prepared by GeoTrans, Inc. to aid motorcoach operators in identifying U.S. environmental regulations that may apply to their facilities. The discussion of potentially applicable regulations is abbreviated, based in part on certain judgments and assumptions that GeoTrans has made regarding the scope and nature of operations at typical facilities of motorcoach operators. As such, it should not be relied upon as the sole basis for an audit of environmental compliance at a facility and is not a substitute for advice from an attorney. **Finally, state and local regulations may be more stringent than the federal regulations cited in this checklist.**

¹ U.S. regulations apply to all facilities and drivers operating within the United States, including Canadian drivers conducting trips in the U.S.

Environmental Regulatory Checklist for Motorcoach Operators

B. Achieving Environmental Compliance

The penalties for not complying with U.S. environmental regulations can be severe. Large monetary fines (up to hundreds of thousands of dollars), federal criminal convictions (felony or misdemeanor) and even jail time can result from violations. The federal environmental laws can result in criminal penalties for those who knew only that a violation occurred, intentional or not. The Clean Water Act and Clean Air Act include provisions that state that mere negligence in violating these laws, *even without actual knowledge of the law*, is punishable as a crime. Both the violating company and top-ranking company officers can be charged with environmental crimes, even if they did not have knowledge of the actual violation.

Education is the key to achieving environmental compliance. Read through this checklist to gain a better grasp of the breadth of pertinent environmental regulations. Visit the web sites listed at the end of each section for more information. Once a basic understanding is reached, your motorcoach facility should establish a compliance program that includes regular facility audits and an employee environmental training program.

The facility audits should look for potential violations and ways to correct a potential problem. Conducting regular audits can help in the event that a violation is discovered. The EPA promotes environmental compliance among small businesses by providing them with special incentives. The EPA will eliminate or reduce penalties for small businesses that voluntarily discover, promptly disclose, and correct violations in a timely manner. (More information about the EPA's Office of Enforcement and Compliance Assurance (OECA) can be found at www.epa.gov/compliance.)

A training program for all employees should be instituted as soon as possible. The training program should include written descriptions of work practices, the consequences for not following the work practices, and a certificate that each employee signs stating that they have undergone training and understand your expectations. By conducting training sessions, your company is ensuring that its employees understand your

Environmental Regulatory Checklist for Motorcoach Operators

commitment to environmental compliance, and the penalties of not following established work practices.

A good web site for more information is the Small Business Environmental Home page, which sponsored by the EPA: www.smallbiz-enviroweb.org. This web site presents the many resources available to small businesses trying to achieve environmental compliance.

Environmental Regulatory Checklist for Motorcoach Operators

II. SUMMARY OF MAJOR U.S. ENVIRONMENTAL REGULATIONS

A. Resource Conservation and Recovery Act (RCRA) – Waste Management

Hazardous Wastes

1. There are two major types of hazardous wastes. The two types are described below.
 - a. The first type of hazardous wastes are solid wastes that contain any number of waste materials listed in the Code of Federal Regulations. Examples of listed hazardous wastes are chlorinated compounds, xylene, methanol, and methyl isobutyl ketone.
 - b. Wastes can also be classified as hazardous if they exhibit one of the following characteristics:
 - Ignitability (flashpoint < 140°F)
 - Toxicity
 - Corrosivity (pH less than 2 or greater than 12.5)
 - Reactivity (wastes that are normally unstable or that react violently with water)

Your facility should undergo a waste determination if you are unsure about the materials present in your facility.

2. Hazardous waste is considered to be generated once a material is used and awaiting disposal. For reference, 100 kg is 220 lbs, and is approximately ½ of a 55 gallon drum.

If your facility does generate more than 100 kg/month of hazardous waste, your facility is required to have a “Facility ID” number from either your state or EPA.

Used Oil

3. Used oil must be stored in containers that have no visible leaks, and all containers must have labels that read “Used Oil.”

Environmental Regulatory Checklist for Motorcoach Operators

4. Used oil should be kept separate from other waste liquids if possible. Mixing oil with other liquids may cause the oil to be classified as waste oil, which has more stringent disposal criteria than used oil.
5. Used oil should be recycled, either onsite or through a third-party.

Used Oil Filters

6. Prior to disposal, used oil filters must be drained using a hot draining method approved by the EPA. Filters must be drained in an oil pan or bucket.
7. Each state/local jurisdiction has rules regarding the disposal of used oil filters. Approved disposal methods include recycling, third-party disposal service, and trash disposal.

Used Antifreeze

8. Used antifreeze should be located in segregated, labeled containers. Containers should be closed, except when adding or removing liquid. Please note that antifreeze may be a hazardous waste if it is mixed with a hazardous waste, or contains metals. Hazardous antifreeze waste is to be counted toward facility generator status (see #1 and #2 above).
9. If used antifreeze is recycled on-site, it must be done using a closed-loop system that does not involve any storage containers. Other disposal methods include offsite recycling, landfilling, and mixing with other fluids.

Used Batteries

10. Batteries must be stored in a covered manner (i.e. inside, under a tarp, etc.) and must be stored in a pan so that a battery acid spill or leak cannot reach a drain.
11. Batteries can be returned to the new battery supplier, sent to a recycling facility, or sent to a hazardous waste landfill.

Environmental Regulatory Checklist for Motorcoach Operators

Used Rags

12. Rags/towels can be stored in a segregated container, in a non-segregated waste container, or on the floor in a pile.
13. Rags/towels can be sent for laundry service (typically along with uniforms), burned, or disposed as trash.

Used Tires

14. Tires may be resold, recycled through the original vendor or through the municipality, or sent to a landfill for shredding.

Absorbents

15. Absorbents are generally kitty litter type substances, known as "quick dry," "speedi dry," "oil dry," etc. Sawdust is sometimes used as an absorbent. Absorbents can be considered a hazardous waste once they are mixed with a hazardous substance such as gasoline or a solvent. Absorbents that are used for oil are considered a hazardous waste if it is thrown away in the trash.

Further information about the federal Resource Conservation and Recovery Act can be found from the following sources:

40 CODE OF FEDERAL REGULATIONS (CFR) Parts 260 to 279

RCRA hotline: www.epa.gov/rcraonline/ or (800) 424-9346

National Response Center (for reporting accidental chemical and oil spills and discharges): (800) 424-8802.

Environmental Regulatory Checklist for Motorcoach Operators

B. Clean Water Act

1. Fluids can be discharged to a variety of locations via a variety of methods.
Ultimate disposal methods include discharge to a municipal sanitary sewer, storm sewer, street, underground injection well, and contracted service. Discharge to the street is equivalent to discharge to a storm sewer. Storm sewers are designed only for the conveyance of precipitation (rain and snow, as well as the resulting runoff from these events). These storm sewers discharge to navigable waters, such as wetlands, streams, rivers, etc. No treatment of storm water occurs prior to discharge.
2. If your facility discharges fluids to a storm sewer, a National Pollutant Discharge Elimination System (NPDES) permit is required. This permit may need to be obtained through the state or local jurisdiction. Depending on your state, your facility may also need a storm water permit. If your facility discharges to a municipal sanitary sewer, the receiving municipal Wastewater Treatment Plant (WWTP) should be notified. The WWTP may have pretreatment requirements and regulations for discharged fluids, or may require a permit. If your facility discharges to an underground injection well, an Underground Injection Control (UIC) permit is required.
3. Floor drains should be kept covered to prevent the entrance of unwanted fluids (oil, antifreeze, solvents, etc.) in the event of an accidental spill.
4. If possible, dry clean-up methods should be used to minimize the amount of wastewater generated. Shop towels/rags can be used to clean up spills. (The used towels/rags should be sent to an industrial laundry for cleaning. Remember, they could be considered a hazardous waste). Spills may also be able to be mopped up and recovered on-site (used oil, used antifreeze, etc.).
5. The facility should store all materials, excluding motorcoaches, either inside or outside in a protected manner (i.e., sealed container, on a pallet under a roof, etc.). Materials should not be exposed to the elements.

Environmental Regulatory Checklist for Motorcoach Operators

Further information about the federal Clean Water Act can be found from the following sources:

40 CODE OF FEDERAL REGULATIONS (CFR) Parts 100-129 and 400-503

EPA Office of Water: www.epa.gov/OW/ or (202) 260-5700

National Response Center (for reporting accidental chemical and oil spills and discharges): (800) 424-8802.

Environmental Regulatory Checklist for Motorcoach Operators

C. Clean Air Act

Parts Cleaners

1. Many parts-cleaning sinks use halogenated solvents. Generally, a halogenated solvent is an organic chemical that contains a halogen (chlorine, bromine, fluorine). The most commonly found halogenated solvents in maintenance facilities are methylene chloride, trichloroethylene, and 1,1,1-trichloroethane. The label on the container and the Material Safety Data Sheets (MSDS) should list any halogenated solvents in the product. A notification report must be prepared for the EPA if your facility uses halogenated solvents at concentrations above 5% by weight. Also, your facility must follow the required practices know as the Halogenated Solvent Batch Cold Cleaning Machine Standards & Required Worker Practices.

Please note that Safety-Kleen does not use halogenated solvents for their parts cleaners. If your facility has an active contract with Safety-Kleen, than you can assume that the solvents are not halogenated.

2. Sinks should be kept closed and sealed when not in use.

Motor Vehicle Air Conditioning (MVAC) Technicians

3. Motor Vehicle Air Conditioning (MVAC) technicians that work with refrigerant must be trained and certified by an EPA-approved Section 609 program. Training certificates should be kept on file.
4. MVAC equipment must be approved by the EPA. Recovery-only equipment must meet SAE standard J-2209 and recover/recycle equipment must meet SAE standard J-1991.

Environmental Regulatory Checklist for Motorcoach Operators

Paints and Thinners

5. Paints and thinners should be stored in containers that are labeled with the proper contents, are closed shut when not in use, and in a manner that would prevent a spill or discharge from reaching a drain or leaving the facility.
6. Paints and thinners would be considered hazardous if hazardous materials are contained in the paint, or if the paints were “flammable”.
7. Paints and thinners may be reused, mixed with other fluids, recycled, or disposed at municipal or hazardous landfill.

Fuels

8. Fuel pumps should be labeled with a description of the product, product level, and octane level.
9. Your facility should maintain fuel delivery tickets (product transfer documents) and periodically review them to determine if your station is receiving the appropriate fuels for your area. These tickets are receipts the facility receives from the fuel deliverer that indicate what type of fuel, how much was received, when it was received, and whether the fuel delivered complies with appropriate fuel requirements.
10. Fuel pumps should deliver gasoline at a rate less than or equal to 10 gallons per minute.
11. If your facility dispenses gasoline and is located within an ozone non-attainment area, Stage I vapor recovery equipment must be used by the gasoline delivery truck driver while filling the facility's gasoline storage tanks. Stage I vapor recovery captures and controls gasoline vapors which would normally be emitted to the atmosphere during the storage of gasoline or during the loading of a gasoline delivery vessel and the subsequent delivery and unloading of a gasoline delivery vessel into a storage tank. If your facility is located in a serious-or-above ozone non-attainment area, Stage II vapor recovery equipment should be present

Environmental Regulatory Checklist for Motorcoach Operators

and working at each nozzle which dispenses gasoline at the facility. Stage II vapor recovery captures the vapors from the automobile tank and returns them to the storage tank. Stage II vapor recovery can be recognized by the "black boots" on the gasoline nozzles and black hoses extending to the upper fuel pump canopies at dispensing stations.

Further information about the federal Clean Air Act can be found from the following sources:

40 CODE OF FEDERAL REGULATIONS (CFR) Parts 50 to 99

EPA Office of Air Quality, Planning and Standards: www.epa.gov/air/oaqps/ or (919) 541-0800

Environmental Regulatory Checklist for Motorcoach Operators

D. Underground Storage Tanks (USTs)

1. Your facility must submit a NOTIFICATION FORM to the responsible state UST program office for all on-site UST systems. The Notification Form includes certification of compliance with federal requirements for installation, cathodic protection, release detection, and financial responsibility for UST systems installed after December 22, 1988.
2. Monthly monitoring of all USTs is required. The approved methods may vary from state to state, but can include: automatic tank gauging, groundwater monitoring, and vapor monitoring.
3. All UST systems must have spill, overfill, and corrosion protection.
4. Records must be readily available for the following items related to USTs: installation, leak detection, corrosion protection, spill/overfill protection, corrective action, financial responsibility and closure.

Further information about the federal environmental regulations governing underground storage tanks can be found from the following sources:

40 CODE OF FEDERAL REGULATIONS (CFR) Part 280

Federal UST Program: www.epa.gov/swerust/

Environmental Regulatory Checklist for Motorcoach Operators

E. Oil Pollution Prevention

1. The rules addressing a Spill Prevention Control and Countermeasures (SPCC) Plan were recently changed (August 2002). This requirement now only applies to facilities that have greater than 1320 gallons total of oil substances in aboveground storage tanks (ASTs). Storage containers must be 55 gallons or larger to be counted as part of the total. If your facility meets these criteria, then you must prepare a SPCC plan. All SPCC plans must be certified by a Professional Engineer (P.E.).
2. All oil discharges from your facility that are greater than 1,000 gallons, or two discharges of 42 gallons (one barrel) or more within one year, must be reported to the appropriate authorities.

Further information about the federal Oil Pollution Prevention Act can be found from the following sources:

40 CODE OF FEDERAL REGULATIONS (CFR) Part 112

www.epa.gov/oilspill/

National Response Center (for reporting accidental chemical and oil spills and discharges): (800) 424-8802.

Environmental Regulatory Checklist for Motorcoach Operators

F. Emergency Planning and Community Right-to-know Act (EPCRA)

1. The U.S. EPA publishes a list of extremely hazardous substances (EHSs). If your facility has any EHS above the specified threshold planning quantities (TPQs), you must notify your State Emergency Planning Commission (SEPC) or Local Emergency Planning Commission (LEPC).
2. Your facility must report accidental releases of certain hazardous substances if the release amount is above a specified reportable quantity (RQ). These substances include EHSs and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) hazardous substances.
3. Your facility must submit either copies of its Material Safety Data Sheets (MSDSs) or a list of MSDS chemicals to the SERC, LEPC, and/or local fire department if chemicals are held above certain quantities.

Further information about the federal Emergency Planning and Community Right-to-Know Act (EPCRA), including lists of EHSs and CERCLA hazardous substances, can be found from the following sources:

40 CODE OF FEDERAL REGULATIONS (CFR) Parts 350 to 372

www.epa.gov/swercepp

National Response Center (for reporting accidental chemical and oil spills and discharges): (800) 424-8802.

Environmental Regulatory Checklist for Motorcoach Operators

III. CHECKLIST

Instructions for Motorcoach Facility Owners/Operators

This checklist was designed to be a tool for motorcoach facility operators. The questions were intended to cover a broad range of facility operations, and to help operators understand and assess the types of activities that may occur at their facilities. The checklist is divided into sections and subsections based on the pertinent environmental regulation and materials. If a section or subsection does not apply to your facility, skip ahead to the next relevant section. Many questions have the answer options of “yes / no / don’t know”. A “don’t know” answer warrants further investigation into your facility’s operations. A “yes” or “no” answer marked with an asterisk (*) indicates that this answer may point to a regulatory requirement. Explanations of each question can be found in Section II.

Upon completion of this checklist, it may be prudent to further assess environmental regulatory requirements by contacting your state or local environmental office, or researching regulations by visiting the web sites listed in Section III. This checklist can be used to conduct periodic facility assessments to assess compliance.

A. Basic Facility Information

1. Facility Name: _____

2. Facility Address: _____

3. Facility Owner: _____

Owner’s Telephone Numbers

_____ (work)

_____ (emergency)

Environmental Regulatory Checklist for Motorcoach Operators

9. Major Wastes Generated by Motorcoach Operations and How Disposed
(Wastes include toilet discharge, bus wash water, used motor oil, and paint).

B. Checklist for Waste Management

Hazardous waste

- | | | | |
|--|-------------------|----|------------|
| 1. Does your facility generate hazardous waste? | Yes* ² | No | Don't Know |
| 2. Does your facility generate more than 100 kg/month? | Yes* | No | Don't Know |

Used Oil

- | | | | |
|---|-----|-----|------------|
| 3. Is used oil stored in containers that are leak free and labeled as "Used Oil"? | Yes | No* | Don't Know |
| 4. Is used oil segregated from other waste liquids? | Yes | No* | Don't Know |
| 5. How is used oil disposed? | | | <hr/> |

Used Oil Filters

- | | | | |
|--|-----|-----|------------|
| 6. Are used oil filters completely drained before being discarded? | Yes | No* | Don't Know |
| 7. Are used oil filters disposed according to state/local law? | Yes | No* | Don't Know |

Used Antifreeze

- | | | | |
|--|-----|-----|------------|
| 8. Is used antifreeze stored in a separate, appropriately labeled container? | Yes | No* | Don't Know |
| 9. Is used antifreeze recycled on-site? | Yes | No | Don't Know |

Used Batteries

- | | | | |
|--------------------------------------|--|--|-------|
| 10. How are used batteries stored? | | | <hr/> |
| 11. How are used batteries disposed? | | | <hr/> |

² Answers marked with an asterisk indicate that a regulatory requirement may apply to your facility.

Environmental Regulatory Checklist for Motorcoach Operators

Used Rags

12. How are used rags/towels stored? _____

13. How are used rags/towels disposed? _____

Used Tires

14. How are used tires disposed? _____

Absorbents

15. Are absorbents present at your facility? Yes No Don't Know

If yes, are absorbents disposed as hazardous waste? Yes No* Don't Know

C. Checklist for Clean Water Act (CWA) – Water Management

1. Where are waste fluids and water disposed? _____

2. Does your facility have the proper authorization for discharging fluids? Yes No* Don't Know

3. Does your facility have floor drains? Yes* No Don't Know

If so, are they kept covered when not in use? Yes* No Don't Know

4. How does your facility clean the floor? _____

5. Are facility parts, fluids, or other materials stored outside? Yes No* Don't Know

If so, are they protected from rain and snow? Yes No* Don't Know

D. Checklist for Clean Air Act (CAA)

Parts Cleaners

1. Does your facility use halogenated solvents? Yes* No Don't Know

If so, have you sent a notification report to the EPA? Yes No* Don't Know

Does your facility follow required work and operation practices? Yes No* Don't Know

2. Are sinks kept closed and sealed when not in use? Yes No* Don't Know

Motor Vehicle Air Conditioning (MVAC) Technicians

3. Are MVAC technicians trained by an accredited program? Yes No* Don't Know

If so, are copies of training certificates on file? Yes No* Don't Know

4. Is MVAC equipment approved by the EPA? Yes No* Don't Know

Paints and Thinners

5. Are paints and thinners properly stored and labeled? Yes No* Don't Know

Environmental Regulatory Checklist for Motorcoach Operators

- | | | | |
|--|------|----|------------|
| 6. Does your facility use paints and/or thinners that are classified as hazardous? | Yes* | No | Don't Know |
| 7. How are paints and thinners disposed? | | | |
-

Fuels

- | | | | |
|--|-----|-----|------------|
| 8. Are fuel pumps labeled with correct fuel type? | Yes | No* | Don't Know |
| 9. Does your facility retain fuel tickets? | Yes | No* | Don't Know |
| 10. Do your fuel pump nozzles have ≤ 10 gallon per minute fuel rate? | Yes | No* | Don't Know |
| 11. Does your facility have the appropriate fuel vapor recovery equipment? | Yes | No* | Don't Know |

E. Checklist for Underground Storage Tanks

- | | | | |
|---|-----|-----|------------|
| 1. Have you notified the appropriate state agency of all USTs at your facility? | Yes | No* | Don't Know |
| 2. Does your facility conduct leak detection for all USTs and piping? | Yes | No* | Don't Know |
| 3. Do all USTs at the facility meet the requirements for spill, overfill, and corrosion protection? | Yes | No* | Don't Know |
| 4. Are all necessary UST records and documents accessible at your facility? | Yes | No* | Don't Know |

F. Checklist for Oil Pollution Prevention

- | | | | |
|--|-----|-----|------------|
| 1. Does your facility have a gasoline, fuel oil, or lubricating oil storage capacity total greater than 1,320 gallons in aboveground storage tanks (ASTs)? | Yes | No* | Don't Know |
| If so, do you have an SPCC Plan signed by a Professional Engineer? | Yes | No* | Don't Know |
| 2. Are phone numbers of the national, state, and local emergency contacts available for immediate reporting of oil or chemical spills? | Yes | No* | Don't Know |

G. Checklist for Emergency Planning and Community Right-to-Know Act (EPCRA)

- | | | | |
|---|-----|-----|------------|
| 1. Does your facility have on-site an extremely hazardous substance? | Yes | No* | Don't Know |
| 2. Does your facility have on-site hazardous substances? | Yes | No* | Don't Know |
| 3. Is your facility required to submit MSDSs or annual chemical inventories to an SEPC or LEPC? | Yes | No* | Don't Know |