

*This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.*

## Treated Wood Disposal Procedures

The Nebraska Department of Environment and Energy (NDEE) encourages the recycling of wood fence posts, railroad ties, telephone poles and other treated lumber damaged during storm events or needing to be replaced due to natural deterioration. Treated wood in general commonly contains pentachlorophenol, creosote, chromium or arsenic; therefore recycling and disposal methods may be different than that of non-treated wood. These materials should be reused whenever possible to eliminate the need for testing and any disposal expenses.

Open burning is **not** a permitted means of disposal for treated wood. For safety reasons, do not burn treated wood in a fireplace. Furthermore, burial on site is also not a permitted means of disposal for treated wood, nor is chipping for mulch. Burning creates new compounds that can be more dangerous than the original treatment chemicals, causes chemicals to escape into the atmosphere during the burn, and the ashes contain the remaining chemicals that are now highly mobile to contaminate surface and groundwater. Similarly, chipping greatly increases the surface area of the wood and exposes unweathered parts of the material which can more easily release chemicals to the environment.

Pentachlorophenol or creosote treated wood (e.g. railroad ties or telephone poles) that has been used for its intended purpose is generally not considered a hazardous waste or a special waste. The same is true for arsenic (CCA) treated wood. Debris from treated wood that is not intended to be recycled must be disposed of at a permitted Municipal Solid Waste (MSW) or Construction and Demolition (C&D) landfill. It is recommended that the treated wood be cut into lengths of eight feet or less if possible prior to landfill disposal. This can be done without prior approval from the department; however, it is suggested that you contact the landfill manager prior to transporting the treated wood to ensure acceptance and to receive any special instructions. If the MSW landfill wishes to chip the wood and mix it with an equal portion of soil to be used as alternative daily cover, the landfill owner must first contact the NDEE for approval.

The Department recommends the following recycling alternatives:

- Landscaping Timbers
- Fencing Materials
- Structural Supports
- Guard Rails
- Guard Rail Posts

The above recycling alternatives should not allow the treated wood to be placed in an area where it may come into contact with drinking water or animal and human food supplies. Also, consumers of recycled treated wood materials should be made aware of the type of preservatives used on the wood.

This may be accomplished by the owner of the treated wood providing the consumer with information on proper management and use of the preservative treated wood. An example of this information would be a copy of the Consumers Safety Sheet, found on the Environmental Protection Agency web site ([www.epa.gov](http://www.epa.gov)) \*

Treated wood or parts of wood to be recycled can be accumulated for future use. This wood may be stored at a permitted MSW landfill (preferably over the liner) or at a permitted C&D landfill. Also, the responsible party may store the recyclable material on their own property in a manner that does not pose a threat to human health and the environment.

If treated wood has not been sufficiently weathered to expend the preservative within them (i.e. new boards or poles), it may be considered a hazardous waste if disposed. Any type of treated wood that has been painted with lead based paint or contaminated with anything that may be hazardous, is subject to a hazardous waste determination according to Title 128 - Nebraska Hazardous Waste Regulations.

Treated wood that is generated as a result of land clearing or the demolition of buildings, roads, or other structures can be disposed of in a permitted construction and demolition waste disposal area, as long as it is not hazardous as described above.

For further information regarding the disposal or recycling of treated wood, please contact the Waste Management Section of the NDEE or the Environmental Assistance Coordinator at the numbers listed below.

## **RESOURCES:**

- NDEE Home Page <http://dee.ne.gov/>

## **Contacts:**

- NDEE Waste Management Section (402) 471-4210
- NDEE Toll Free Number (877) 253-2603
- NDEE Hazardous Waste Compliance Assistant (402) 471-8308
- Email questions to: [NDEE.moreinfo@nebraska.gov](mailto:NDEE.moreinfo@nebraska.gov)

## **NDEE Publications:**

- NDEE Guidance Document – Construction and Demolition Waste in Nebraska
- NDEE Guidance Document – Natural Disaster Debris Management  
*Guidance documents are available on the NDEE Home Page under “Publications & Forms”*
- [Title 128 – Nebraska Hazardous Waste Regulations](#)
- [Title 132 – Integrated Solid Waste Management Regulations](#)  
*Titles are available on the NDEE Home Page under “Laws/Regs & EQC”, “Rules & Regulations”*

**\* This document contains links to non-NDEE websites; these links will open in a new tab or window.**