



State of Ohio Environmental Protection Agency

Northwest District Office

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www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: Complaint # 2523 and #2573
Travel Centers of America
Auglaize County
Hazardous Waste
2nd Notice of Violation

April 13, 2007

Mr. Tom Panos, Owner
Travel Centers of America
1775 Bellefontaine Street
Wapakoneta, Ohio 45895

Dear Mr. Panos:

On October 23, 2006, the Ohio Environmental Protection Agency (Ohio EPA) investigated two complaints at Travel Centers of America (TCA) at 1775 Bellefontaine Street in Wapakoneta, Ohio. On November 8, 2006, you were sent a Notice of Violation (NOV) letter which outlined the violations we found and what you needed to do to correct these violations. I spoke with your consultant, Mr. Lam Ho, on December 18, 2006 and answered some questions he had regarding used oil. I received a call from you on January 18, 2007, and in your message stated that your consultant had more questions. I returned your telephone call the same day as your message but you were not available. I stated in my voice mail message to you that TCA needed to address the violations which are listed very straightforward in the NOV. To date, TCA has failed to respond to the initial NOV letter and the violations cited remain outstanding.

The following is a summary of the violations cited in the NOV which was sent to you on November 8, 2006:

1. OAC Rule 3745-52-11: Waste Evaluation:

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

a. TCA failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility. Mr. Ilic stated that Mr. Doug Parmer did all the maintenance work for your facility. I contacted Mr. Parmer to find out what he was doing with the fluorescent bulbs he removes from your facility. He stated that he stores them in his shed and when he has a full barrel he takes them to Sims Brothers, Inc. Mr. Parmer was not sure what Sims Brothers, Inc. was doing with the spent bulbs.

TCA must immediately cease giving the fluorescent bulbs to Mr. Parmer until a proper waste evaluation has been completed. Fluorescent bulbs typically contain mercury and other heavy metals. Hazardous bulbs are considered "spent materials" and remain hazardous waste even when recycled. Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as universal waste.

Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent lamps. Enclosed is a Fact Sheet outlining the universal waste rules for handlers of lamps and a list of fluorescent bulb recyclers. Please review this information and contact me if you have any questions. A copy of this information was also mailed to Mr. Parmer.

TCA must submit to Ohio EPA documentation to demonstrate how you plan to properly manage your fluorescent bulbs. If TCA decides to conduct waste evaluation, please notify me at least 7 days prior to the sampling event date, so that a representative from Ohio EPA can be present to observe the sampling and to split samples if necessary. If TCA plans to manage the spent fluorescent bulbs as universal waste, please submit photographic documentation showing the storage container properly labeled and dated. In addition, TCA must submit the name of the facility where you plan to recycle the bulbs.

b. TCA failed to have waste evaluation documentation for the wash water generated from power washing the oil change pit. TCA has historically disposed of this waste stream by pumping it directly on to the ground outside the service bay door.

TCA must immediately cease disposing of the wash water until a proper waste evaluation has been completed. TCA must begin collecting the wash water in a container. TCA must obtain a representative sample of the waste and have it analyzed for Toxicity Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010) and volatile organics (SW-846 Method 1311/8260).

To abate this violation, TCA must submit a copy of the analytical results as well as whether the waste is hazardous or non-hazardous and the appropriate waste code(s) to Ohio EPA. Once analytical results have been reviewed, Ohio EPA will advise TCA on proper disposal options for this waste stream.

2. **OAC Rule 3745-279-22(C)(1) and 3745-279-45(G): Labeling:**
Containers, aboveground tanks, and fill pipes used for underground storage tanks shall be labeled or marked clearly with the words "used oil."

TCA's 525 gallon blue poly storage tank located outside next to the bay door was not properly labeled.

TCA properly labeled the storage tank with the words "used oil" at the time of our investigation.

Therefore, this violation is considered abated.

3. **OAC Rule 3745-279-22(D)(3): Storage:** Upon detection of a release of used oil, a generator shall clean up and manage properly the released used oil and other materials.

The area surrounding the 525 gallon blue poly used oil storage tank had evidence of spilled oil. The gravel and dirt was visibly stained from the oil. In addition, the area located outside the bay door was visibly stained from TCA pumping the wash water from the oil change pit directly on to the ground.

TCA must clean up the used oil and all visibly contaminated soil/gravel from the area around the 525 gallon blue poly storage tank and the area located outside the bay door. TCA must evaluate the contaminated soil to determine if it is a characteristic hazardous waste. TCA must obtain a representative sample of the waste and have it analyzed for Toxicity Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010).

To abate this violation, TCA must submit a copy of the analytical results as well as whether the waste is hazardous or non-hazardous and the appropriate waste code(s) to Ohio EPA. Once analytical results have been reviewed, Ohio EPA will advise TCA on proper disposal options for this waste stream. TCA must also submit photographic documentation to demonstrate that the used oil and stained soil in this area has been cleaned up.

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>. In addition, you can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

The investigation performed by Ohio EPA was conducted as the result of a complaint received by this Agency. A comprehensive Compliance Evaluation Inspection was not conducted, therefore, failure to list specific deficiencies in this communication does not relieve you from the responsibility of complying with all applicable regulations.

As a result of this complaint investigation, the Ohio EPA did find evidence to support the complainant's allegations, therefore the Ohio EPA considers the complaint investigation an open case.

Please submit documentation demonstrating abatement of the above outstanding violations to this office within **15 days** of receipt of this letter.

Mr. Tom Panos
April 13, 2007
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Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers
Division of Hazardous Waste Management

/csl

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
DHWM, NWDO-Auglaize County General File ;

ec: Melissa Boyers, DHWM, NWDO

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.