



State of Ohio Environmental Protection Agency

Southeast District Office

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

July 9, 2007

**JEFFERSON COUNTY
GENERAL FILE
(Bulk Express Inc.)
DHWM/SEDO
NON-NOTIFIER**

Mr. Al Gregorash
Bulk Express Inc.
P.O. Box 2148
Wintersville, OH 43953

Dear Mr. Gregorash:

On, June 25, 2007, I investigated a complaint at Bulk Express Inc.'s (BXI) facility in Wintersville, Ohio. In conjunction with the complaint investigation, I also inspected the facility to determine compliance with Ohio's hazardous waste and used oil laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). The purpose of this letter is to document the outcome of the complaint investigation and the compliance inspection.

The complaint received by Ohio EPA alleged that a black sludge, possibly from a BXI tank truck, had been dumped on the edge of the facility's parking area. During my visit to BXI's facility, I did observe a hardened black material on the grass of the steep bank, where it borders the parking lot, which was consistent with the complaint. I estimate that the area affected was in the order 6 x 4 feet and the material was 1-3 inches thick. This material appeared to be the same type of pitch material I saw on the hose connection points of some of the tankers in the parking lot. You agreed that the material was from a BXI tanker. No one in the facility was aware of there having been a spill or release of material. Because the spill area was on the side of a steep slope, it was not readily visible.

While I was still at the facility, you had workers shovel up all of the pitch material on the bank. Because the pitch products harden within minutes of being exposed to the air, the material only lay on top of the ground and had not soaked into the ground. You stated that the pitch would be returned to the generating facility, where it would be put back into the process. BXI's normal practice is to use buckets under the hose connection points to containerize any drips when the hoses are disconnected. When I walked the facility property and its perimeter, I saw no other spill areas that would indicate a pattern of disposing of pitch materials on the ground. BXI's cleanup of the spill area has sufficiently addressed the situation.

During my inspection, it was determined that BXI is a used oil generator but does not generate hazardous waste. The following violation of Ohio's used oil laws was found:

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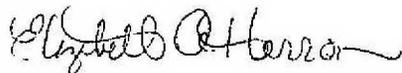
- (1) **OAC Rule 3745-279-22(C), Used Oil Storage Requirements for Generators:**
Containers and above ground tanks used to store used oil must be labeled with the words "Used Oil." At the time of the inspection, BXI's used oil tank was not labeled. During the inspection, the tank was labeled "Used Oil", returning BXI to compliance with this rule.

Comments

- (a) You reported that used oil generated at the Wintersville BXI facility is taken to another BXI facility where it is burned for energy recovery in a used oil space heater. Ohio's used oil laws allow generators to transport their used oil to an aggregation point that is owned by the generator, provided that no more than 55 gallons is taken at a time and that the vehicle used to transport the oil is owned by the company or a company employee. If the company wishes to transport more than 55 gallons of used oil at a time, they must register with Ohio EPA as a used oil transporter and follow the used oil transporter requirements. For more information on the regulations that apply to used oil generators and transporters see the enclosed fact sheets, *The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil* and *The Regulation of Used Oil: Transporters and Transfer Facilities*.

Enclosed you will find a copy of the compliance checklist completed during the inspection. Should you have any questions, please feel free to call me at (740) 380-5248. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/opp>.

Sincerely,



Elizabeth A. Herron
Environmental Specialist
Division of Hazardous Waste Management

EAH/mlm

Enclosures

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.

Ohio Environmental Protection Agency
**RCRA SUBTITLE C SITE
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to
tammy.mcconnell@epa.state.oh.us or mail it to Tammy
McCConnell, Central Office

2. Site EPA ID No.	EPA ID Number: non-notifier		
3. Site Name	Name: Bulk Express Inc.	Website: www.bulkexpressinc.com (Optional)	
4. Site Location Information	Street Address: 100 Kragel Road		
	City, Town, or Village: Wintersville	State: OH	
	County Name: Jefferson	Zip Code: 43953	
5. Site Land Type (check only one)	<input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other		
6. NAICS code(s) www.census.gov/epcd/www/naics.html			
7. Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Al	MI:	
	Last Name: Gregorash		
	Phone Number: 740 765-9403	Phone Number Extension:	
	E-Mail Address:		
	Fax Number: 740 765-9603	Fax Number Extension:	
	Street or P.O. Box: P.O. Box 2148		
	City, Town or Village: Wintersville		
State: OH	Country: USA	Zip Code: 43953	
8. Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner:		
	Date Became Owner (mm/dd/yyyy):		
	Owner Type:	<input type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other	
	Street or P.O. Box:		
	City, Town or Village:	Owner Phone #:	
	State:	Country:	Zip Code:
	Name of Site's Operator:		
	Date Became Operator (mm/dd/yyyy):		
	Owner Type:	<input type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other	
	Street or P.O. Box:		
City, Town or Village:	Operator Phone #:		
State:	Country:	Zip Code:	
9. Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
10A. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)			
<input type="checkbox"/> Not Regulated	<input type="checkbox"/> Conditionally Exempt Small Quantity Generator		
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> United States Importer of Hazardous Waste		
<input type="checkbox"/> Large Quantity Generator (LQG)	<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator		
<input type="checkbox"/> Small Quantity Generator (SQG)			
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace		
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Small Quantity On-Site Burner Exemption		
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption		
<input type="checkbox"/> Underground Injection Control Facility			

10B. Universal Waste Activities (Indicate types of universal waste managed (check all boxes that apply))			
<input type="checkbox"/> Small Quantity Handler of Universal Waste		<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	
<input type="checkbox"/> Destination Facility for Universal Waste			
Check all boxes below that apply for each of the three types of facilities above		10C. Used Oil Activities (Indicate Type(s) of Activity(ies))	
	Managed	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
Lamps	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner	
11. Waste Codes for Federally Regulated Hazardous Wastes: Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRA Info source record, you do not need to list them all. Instead just indicate the date of the most recent source record.			
12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.			
Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Other Comments:
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
13. Name of Inspector(s)		Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Elizabeth Herron			6/25/2007 1:50 PM
14. OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.			
Signature of Owner, Operator, or an Authorized Representative		Name and Title (Print)	Date (mm/dd/yyyy)

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Bulk Express Inc. Facility Type: LQG SQG CESQG UOG Date of Inspection: 06/25/07 EPA ID#: none

Waste Generated		On- or Off-Site Management			P2 Activities		
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities	
1	truck maintenance	used oil	200 gallons every two months, 200 gallon tank located inside maintenance building		used oil is taken to another BXI facility where is burned in a used oil burning furnace	burning for energy recovery	
2	parts washing	diesel fuel	minimal		combined with used oil, see above	burning for energy recovery	
3							
4							
5							
6							
7							

REMARKS-GENERAL INFORMATION

General Process Information:

BXI is a liquid bulk carrier specializing in coal tar products, asphalt products and oils. This facility is a transportation terminal. Minor maintenance service is done the trucks based at this terminal. Tank trucks at the facility are empty. Drivers pickup their truck at the terminal, drive to pickup and drop off their loads, returning to the facility with empty tanks. Maintenance of the tanks on the trucks is done off-site by Tremar USA 436 12th Street NE, Strasburg, OH 44680.

Facility is used oil generator but is not a generator of hazardous waste.

Regulatory/Enforcement History (if applicable):

This facility has not been previously inspected by Ohio EPA Division of Hazardous Waste Management.

Additional P2 remarks and information:

Not applicable.

Would this facility be interested in a P2 assessment? Yes* No *If yes, refer promptly to your district P2 coordinator.

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or p2mail@epa.state.oh.us or www.epa.state.oh.us/ocapp/ocapp.html

Other:

USED OIL GENERATOR REQUIREMENTS

NOTE: (Short Version) - This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.

PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes No NA
- Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)] Yes No NA
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes No NA
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes No NA

USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes No NA
5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] Yes No NA
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)] Yes No NA
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes No NA
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes No NA
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes No NA
- b. Contained the release? Yes No NA
- c. Cleaned up and properly managed the used oil and other materials? Yes No NA
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes No NA

10. Does the generator burn use [redacted] in used oil fired space heaters? [3745-223] If so: Yes No NA
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes No NA
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes No NA
- c. Are the combustion gases from heater vented to the ambient air? Yes No NA
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes No NA

USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

12. Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30] Yes No NA
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes No NA
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] Yes No NA

WASTE EVALUATION

15. Have all wastes generated at the facility been evaluated? [3745-52-11] Yes No NA

REMARKS

Used oil storage tank was not labeled with the words "Used Oil" at the start of the inspection. During the inspection BXI returned to compliance with this rule by labeling the tank.

Used oil generated by BXI is self transported by BXI to another BXI facility, where it is burned in a used oil burning space heater.