



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road  
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.state.oh.us

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

Re: PJAX (Vitran Express)  
Hazardous Waste  
Wood County  
Complaint # 2844  
Notice of Violation

March 19, 2009

Ms. Robinlyne Rodriguez, Service Center Manager  
Vitran Express  
30520 Tracy Road  
Walbridge, Ohio 43465

Dear Ms. Rodriguez:

On February 26, 2009, I investigated a complaint at Vitran Express (PJAX) located at 30520 Tracy Road, Walbridge, Ohio. The complaint was received by the Division of Hazardous Waste Management on January 22, 2009. The complainant stated the following: a 500 gallon container of chloride was punctured and was swept onto the parking lot and these types of wastes are generally managed like this (improperly). This letter will explain the validity of the complaint, the violations we found, what you need to do to correct these violations and two areas of concern and what you need to do to satisfy these areas of concern.

Upon arriving at your facility I discussed the complaint with you, and I proceeded to conduct a full compliance evaluation inspection (CEI) to determine PJAX's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC), and Ohio's hazardous waste regulations as adopted under Chapter 3745. of the Ohio Administrative Code (OAC).

PJAX is a trucking company which hauls freight. PJAX generally only moves freight such as clothes, dogfood, etc. PJAX does not move a lot of hazardous materials, they may occasionally haul such items as fireworks and then only within limits (no radioactive materials, etc.). PJAX does not haul hazardous waste.

PJAX has no tankers within their fleet. All products are skidded or in totes. If PJAX has a product spill, you call Chem-Trek and contain. Any materials that may have to go off off-site, you then call Heritage to properly dispose. You stated you cannot remember when PJAX has had any spills in which you needed to call Heritage. In addition, you stated you never sweep away material or manage in the way that the complainant described.

Ms. Robinlynn Rodriguez, Service Center Manager  
March 19, 2009  
Page 2

PJAX does change the oil/oil filters for their fleet and burn their own used oil in a used oil burner on-site. Thus, PJAX is a used oil generator. In addition, the facility has one parts washer in the maintenance garage which generates spent solvent which is currently being transported to your corporate office.

During the CEI, I gave you the following information: the fact sheets Fluorescent Lamps: What you Should Know; The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil; and Identifying your Hazardous Waste.

You stated that you would try to get some additional information to me by March 2, 2009, pertaining to the waste evaluation of some of your wastes on-site. To date, I have not received this information.

I found the following violations of Ohio's hazardous waste laws. In order to correct these violations you must do the following and send me the required information **within 30 days** of your receipt of this letter:

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

Any person who generates a waste must determine if that waste is a hazardous waste in accordance with the criteria for hazardous waste as set forth in Chapter 3745-51 of the Administrative Code.

A.) PJAX failed to have waste evaluation documentation for the spent oil dry generated at the facility from the clean-up of used oil spills.

PJAX is currently disposing of this material in the trash. PJAX must cease disposing of this waste as a non-hazardous waste in the local landfill until a proper waste evaluation has been completed.

To properly evaluate the above waste stream, PJAX must do one of three options: 1) PJAX must take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. PJAX must sample their spent oil dry used to clean-up used oil spills to determine the Toxicity Characteristic Leaching Procedure (TCLP) concentrations of all the Resource Conservation and Recovery Act (RCRA) metals [excluding mercury (D009)] and any other regulated characteristic that may be present based on the waste (in light of the materials or the processes used) as listed in OAC Rule 3745-51-24 following the methods as outlined in U.S. EPA's SW-846. PJAX may run total concentrations for these constituents as a screening tool. If the concentrations are detected for the constituents at or above the regulatory limit, a TCLP may be required to ensure this constituent is not present above the Ohio EPA regulatory level, or 2) PJAX must apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation, or 3) a combination of option one and two.

- ***To abate this violation, PJAX must submit the analytical information and/or the documentation for generator knowledge to me. Your results must document if the waste is hazardous or not and whether it is restricted from land disposal. If it is hazardous, you must explain what treatment, storage, or disposal facility you will send it to. If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.***

B.) PJAX failed to have waste evaluation documentation for the spent parts washer fluid generated at the facility indicating whether this material is hazardous or not.

At this time, approximately every six months PJAX is transporting approximately 30-gallons of this material to their home office in Pennsylvania. It is unknown how the home office is managing and disposing. PJAX must immediately stop transporting this waste off-site until a proper waste evaluation has been conducted.

To properly evaluate the above waste stream, PJAX must do one of three options: 1) PJAX must take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. PJAX must sample their spent parts washing fluid to determine **flashpoint**; the TCLP concentrations of any **regulated/characteristic volatile organic compounds (VOC's)**; and to determine the TCLP concentrations of all the **RCRA metals** [excluding mercury (D009)] and any other regulated characteristic that may be present based on the waste (in light of the materials or the processes used) as listed in OAC Rule 3745-51-24 following the methods as outlined in U.S. EPA's SW-846. PJAX may run total concentrations for these constituents as a screening tool. If the concentrations are detected for the constituents at or above the regulatory limit, a TCLP may be required to ensure this constituent is not present above the Ohio EPA regulatory level, or 2) PJAX must apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation (Material Safety Data Sheets, etc.), or 3) a combination of option one and two.

- ***To abate this violation, PJAX must submit the analytical information and/or the documentation for generator knowledge to me. Your results must document if the waste is hazardous or not and whether it is restricted from land disposal. If it is hazardous, you must explain what treatment, storage, or disposal facility you will send it to. If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.***
- ***Please note that you may incur additional violations if this material is determined to be a hazardous waste and thus you have been transporting a hazardous waste without an ID number to do so.***

*If sampling is performed, please notify me at least seven days prior to taking the samples so that I or an Ohio EPA representative may be present.*

**2. Used oil storage requirements - proper labels.  
OAC Rule 3745-279-22 (C) (1)**

Containers used to store used oil shall be labeled or marked clearly with the words "Used Oil."

PJAX failed to mark their 1000-gallon used oil tank and four other totes containing used oil with the words "Used Oil."

- ***To abate this violation, PJAX must submit photograph documentation indicating that all containers storing used oil have been properly labeled "Used Oil".***

**Areas of Concern:**

- A. You stated that about every four or five months you haul used oil/water that is too watery to burn in your on-site used oil burner to your corporate office for disposal. This oil is generated when water leaks into engine oil. You fill one 55-gallon drum and haul to your corporate office in Pennsylvania. Be advised that you can only haul up to 55-gallons of used oil to another location owned by the same company. So PJAX should ensure to not exceed this limit. In addition, PJAX should ensure that their corporate office is managing this used oil properly.

*To satisfy this area of concern, please state how the used oil/water mixture is being managed by your corporate office.*

- B. You also stated that your corporate office sends someone to come in and change all the fluorescent bulbs at your facility. You are unsure how these bulbs are being managed.

*To satisfy this area of concern, please state how the bulbs generated from your facility are being managed and disposed or recycled. Also, state where the bulbs are being recycled/disposed.*

- C. Although, we looked at the used oil filters generated from the changing of filters for your fleet it is unknown whether these are terne-plated or not. PJAX must either conduct a waste evaluation for this filters to determine if they are hazardous or not or begin recycling as scrap metal in lieu of a waste evaluation.

*To satisfy this area of concern please either conduct a waste evaluation or tell me if (and with who) you will be recycling your spent used oil filters in the future.*

Ms. Robinlyne Rodriguez, Service Center Manager  
March 19, 2009  
Page 5

PJAX reuses their used oil generated on-site in a used oil burner. In addition, scrap metal is recycled with OmniSource. If you find additional ways to recycle, reduce, or altogether eliminate the amount of waste that your company generates you may be able to reduce treatment and disposal costs.

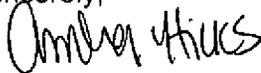
Furthermore, you may possibly reduce your regulatory requirements. You can find helpful information about pollution prevention at the following web address:  
<http://www.epa.state.oh.us/ocapp/ocapp.html>. In addition, I have enclosed information on household hazardous waste and CFL's which you requested.

Ohio EPA will issue an EPA ID number to track our investigation activity at the property in question. You cannot use this number for manifesting hazardous waste shipments. If you want to use an EPA ID number for manifesting and other hazardous waste, used oil or universal waste activities, you must complete and submit a Notification of Regulated Waste Activity form (*EPA Form 9029 (Rev. 11/2002)*) to Ohio EPA. This form is available on our Web page at <http://www.epa.state.oh.us/dhwm/notiform.html> or you can call me or the Division of Hazardous Waste Management, Central Office, RIS at (614) 644-2977 and we will mail you a copy.

The Division of Hazardous Waste Management (DHWM) has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link  
<http://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues. 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 has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>.

A copy of all checklists completed during these inspections is attached for your review. Please address all correspondence to Amber Hicks, Ohio EPA, 347 N. Dunbridge Road, Bowling Green, Ohio 43402. Should you have any questions, please feel free to call me at (419) 373-3082.

Sincerely,



Amber M. Hicks  
Division of Hazardous Waste Management

/llr

Enclosures

pc: Colleen Weaver, DHWM, NWDO  
Cindy Lohrbach, DHWM, NWDO  
(DHWM-NWDO File: Vitran-Express.)  
ec: Amber Hicks, 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.

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

For Ohio EPA use only

E-mail this completed form to [kristina.durnell@epa.state.oh.us](mailto:kristina.durnell@epa.state.oh.us)  
or mail it to Kristina Durnell, Central Office

<p><b>Site EPA ID No.</b> <b>Site Name</b></p> <p><b>Site Location Information</b></p> <p><b>Site Land Type</b> (check only one) <b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a></p>	<p>EPA ID Number: Name: <b>Vitran Express (PJAX)</b></p> <p>Website: <b>www.vitranexpress.com</b> (Optional)</p> <p>Street Address: <b>30520 Tracy Road</b> City, Town, or Village: <b>Walbridge</b> County Name: <b>Wood</b></p> <p>State: OH Zip Code: <b>43465</b></p> <p>Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/></p>
<p><b>Facility Representative</b></p> <p>Additional names can be recorded in number 12</p> <p>Only provide address information if it is different than the site address</p>	<p>First Name: <b>Robinlynne</b> MI: Last Name: <b>Rodriguez</b> Phone Number: <b>419-661-1065</b> Phone Number Extension: E-Mail Address: <b>rodriguezr@vitranexpress.com</b> Fax Number: <b>419-661-1176</b> Fax Number Extension: Street or P.O. Box: City, Town or Village: State: Zip Code:</p>
<p><b>Legal Owner And Operator of the Site.</b> List Additional Owners and/or Operators in the Comment Section or on another copy of this form page</p>	<p>Name of Site's Legal Owner:</p> <p>Owner Private County District Federal Indian Municipal State Other Type: <input type="checkbox"/> <input type="checkbox"/></p> <p>Street or P.O. Box: City, Town or Village: State:</p> <p>Name of Site's Operator:</p> <p>Owner Private County District Federal Indian Municipal State Other Type: <input type="checkbox"/> <input type="checkbox"/></p> <p>Street or P.O. Box: City, Town or Village: State:</p> <p>Date Became Owner (mm/dd/yyyy): Owner Phone #: Zip Code: Country: Zip Code: Date Became Operator (mm/dd/yyyy): Operator Phone #: Zip Code: United States</p>

**VIOLATIONS CITED?**  Yes  No

**TYPE OF HANDLER-- A MINIMUM OF ONE BOX MUST BE CHECKED**

<p><input type="checkbox"/> Not a Generator</p>	<p><input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11</p>	<p><input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator</p>
---	---	--

**TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)**

- |   |  |
|---|--|
| <input type="checkbox"/> Recycler of Hazardous Waste                    | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace       |
| <input type="checkbox"/> Underground Injection Control Facility         | <input type="checkbox"/> Small Quantity On-Site Burner Exemption       |
| <input type="checkbox"/> Hazardous Waste Transporter                    | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste |  |

**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"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more) |   |

**CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES**

- Batteries  
 Pesticides  
 Mercury containing equipment  
 Lamps

**USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))**

- Used Oil Generator  
 Used Oil Transporter  
 Used Oil Transfer Facility  
 Used Oil Processor  
 Used Oil Re-refiner  
 Off-Specification Used Oil Burner  
 Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil  
 Used Oil Fuel Marketer to Off-Specification Used Oil Burner

**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.

**COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.**

- Announced  Yes  No Additional Facility Representatives:  
Tanks  Yes  No Other Comments:  
Containers  Yes  No

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Amber Hicks		2/26/2009 14:36-15:40

**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: PJAX (Vitran Express) Facility Type: LQG SQG CESQG TSD Date of Inspection: 2-26-09 EPA ID#:

Waste Generated			On- or Off-Site Management		P2 Activities		
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc)	Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.	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	Parts washing/general maintenance	Spent parts washing fluid	Approximately 30-gallons every 6 mons; facility cited for 52-11 to determine if haz*	NA	Facility transporting to their corporate office in Gibsonia, PA		
2	maintenance of trucks	Used Oil	Unknown	Burned on-site in used oil burner.	Re-using for energy.	Recycle.	
3	maintenance of trucks	Used oil filters	Unknown.		Properly drained then thrown in trash.	None	Encouraged to recycle as scrap metal.
4	Spills of used oil.	Oil dry mixture.	Unknown, thrown in trash. Cited for 52-11.		Thrown in trash.		
5	Lightning	Lamps	Unknown - corporate changes out lamps & takes off-site		Unsure at this time - facility checking.		
6	maintenance of trucks	Used oil/water	Approximately one 55-gallon every 4, 5 months	NA	Transported to corporate office in Gibsonia, PA; facility checking to see how managed.		

7							
8							
9							

**REMARKS-GENERAL INFORMATION**

**General Process Information:**

**Regulatory/Enforcement History** (if applicable):

\* facility cited for multiple 52-11 violations - will access generator status after proper waste evaluations have been conducted.

**Additional P2 remarks and information:**

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](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html)

**Other:**

**USED OIL INSPECTION CHECKLIST  
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

*NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.*

**PROHIBITIONS**

1. Does the generator manage used oil in a surface impoundment or waste pile? If yes: Yes  No  N/A
- a. Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)] Yes  No  N/A
2. Is used oil used as a dust suppressant? [3745-279-12(B)] Yes  No  N/A
3. Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? Yes  No  N/A

*NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).*

**GENERATOR STANDARDS**

4. Does the generator mix hazardous waste with used oil? If so, Yes  No  N/A
- a. Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)] Yes  No  N/A

*NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.*

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  N/A

*NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.*

6. Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)] Yes  No  N/A
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes  No  N/A
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  N/A

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  N/A
- b. Contained the release? Yes  No  N/A
- c. Cleaned up and properly managed the used oil and other materials? Yes  No  N/A
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes  No  N/A

#### ON-SITE BURNING IN SPACE HEATER

10. Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so: Yes  No  N/A
- 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  N/A
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes  No  N/A
- c. Are the combustion gases from heater vented to the ambient air? Yes  No  N/A

#### GENERATOR TRANSPORTATION

11. If the generator self-transported used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24] Yes  No  N/A
- a. Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24] Yes  No  N/A
- b. Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24] Yes  No  N/A

*NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).*

#### 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  N/A
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes  No  N/A
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  N/A

*NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.*

Keyword: UsedOilChecklistforGenerators.Oct.2007.doc