



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

Re: Estes Express Lines  
OHD144336773  
Richland County  
NOV

April 11, 2013

Mr. Michael Kruman, Terminal Manager  
Estes Express Midwest  
792 5<sup>th</sup> Avenue  
Mansfield, Ohio 44905

Dear Mr. Kruman:

On March 26, 2013, Kara Reynolds and I conducted a hazardous waste compliance evaluation inspection (CEI) of Estes Express Lines (Estes) located at 792 5<sup>th</sup> Avenue, Mansfield, Ohio. This inspection was conducted to determine Estes'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). The inspection included a tour of the facility. This letter will explain the violation I found and what you need to do to correct this violation.

Estes is a trucking company. On September 12, 1995, Duff Warehouses notified that it was a small quantity generator of hazardous waste (D001, D018) at this address. We discussed the notification with you. You stated that Duff Warehouses used to be at this address but had moved. Estes has been at this address for the last 1.5 years but the building was vacant when Estes moved in. Prior to that, the facility was UCF Holland (also a trucking company). You did not know if the address had formerly had gasoline pumps/tanks, but no tanks or pumps are on-site currently (nor have they been since this facility has been Estes), nor did you know why the former business had notified. Estes picks up freight from the manufacturer, takes freight off the trucks at this site, transfers freight to another truck onsite, and then delivers the freight. No freight is stored onsite. Estes does not haul hazardous waste. Estes has 26 trucks which are all serviced at other terminals. Estes does have some product oil, etc., onsite but this is only to add to the trucks if needed. Wastes generated include used oil from the servicing of the five forklifts. Estes has lamps but you stated that since you've been at this address all the lamps were new and Estes has not had to change any lamps.

During the inspection, I gave you the following information: the Ohio EPA fact sheets Universal Waste Rules for Handlers of Lamps; Fluorescent Lamps: What you Should Know a sample universal waste management plan for lamps and a list of lamp recyclers in Ohio.

I found the following violation of Ohio's hazardous waste laws. Estes needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. **Within 14 days of receipt of this letter**, Estes is requested to provide documentation to this office including the steps taken to abate the violation cited below.

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Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to [amber.hicks@epa.ohio.gov](mailto:amber.hicks@epa.ohio.gov).

**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.

Estes failed to have waste evaluation documentation for the drum sitting at the back of its property near the old fuel tank (out of service). You stated that this drum was discovered when Estes was cleaning out brush to erect a fence along the property line in September of 2012. The drum's contents are unknown and the drum has been sitting there since its discovery last fall.

A waste evaluation can be conducted by taking a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. Estes must sample the waste from the drum to determine the Toxicity Characteristic Leaching Procedure (TCLP) concentrations of Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010), volatile organic compounds (SW-846 Method 1311/8260), chlorinated herbicides (SW-846 Method 1311/8151A), chlorinated pesticides (SW-846 Method 1311/8081), semi-volatile organic compounds (SW-846 Method 1311/8270), pH and flashpoint as listed in OAC Rule 3745-51-24 following the methods as outlined in U.S. EPA's SW-846.

- **To abate this violation**, Estes must submit a copy of the analytical results to me. Estes should be able to determine from the lab results if the waste is hazardous or non-hazardous and based on this determination the proper disposal of this drum. Please provide appropriate quality assurance/quality control (QA/QC) data with your results. 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.

*I have enclosed the fact sheet Identifying your Hazardous Waste and a list of Commercial Environmental Laboratories for your information as well as to assist you with the sampling process.*

When 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.

Please be advised that the violation cited above will continue until the violation has been properly abated. Failure to comply with Chapter 3734. of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, Estes is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

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**Pollution Prevention:**

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. Or if you would like a free, non-regulatory on-site pollution prevention assessment or more information about pollution prevention, please contact me at (419) 373-3082. Ohio EPA has helpful information about this at the following web address:  
<http://epa.ohio.gov/ocapp/ComplianceAssistanceandPollutionPrevention.aspx>.

The Division of Materials and Waste Management (DMWM) 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://ohioepa.custhelp.com/ci/documents/detail/2/subscriptionpage>. Please feel free to share this information with your colleagues.

Enclosed you will find a copy of the checklists that I completed during the inspection. Please address all correspondence via the postal service to Amber Hicks, Ohio EPA, 347 North Dunbridge Road, Bowling Green, Ohio 43402 or electronically to [amber.hicks@epa.ohio.gov](mailto:amber.hicks@epa.ohio.gov). Should you have any questions, please feel free to call me at (419) 373-3082 or email me at [amber.hicks@epa.ohio.gov](mailto:amber.hicks@epa.ohio.gov).

You can find copies of the rules and other information on the division's web page at  
<http://epa.ohio.gov/dmwm/dmwmrules.aspx>.

Sincerely,



Amber M. Hicks  
Division of Materials and Waste Management

/cg

Enclosures

pc: Lisa Gifford, DMWM, NWDO  
Colleen Weaver, DMWM, NWDO (w/ checklist)

ec: Amber Hicks, DMWM, NWDO  
Colleen Weaver, DMWM, NWDO  
EPA RCRAInfo Data

**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.

Completed verification forms required to be submitted to CO should be e-mailed to [RCRAInfo.Data@epa.state.oh.us](mailto:RCRAInfo.Data@epa.state.oh.us).

<b>Site EPA ID No.</b>	EPA ID Number: <b>OHD144336773</b>							
<b>Site Name</b>	Name: <b>Estes Express Lines</b>					Website: <b>www.estes-express.com</b> (Optional)		
<b>Site Location Information</b>	Street Address: <b>792 5<sup>th</sup> Avenue</b>							
	City, Town, or Village: <b>Mansfield</b>					State: <b>OH</b>		
	County Name: <b>Richland</b>							
<b>Site Land Type</b> (check only one)	Private <input checked="" 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 <input type="checkbox"/>
<b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	<b>484121</b>							

<b>Facility Representative</b>	First Name: <b>Michael</b>		MI:	Last Name: <b>Kruman</b>				
Additional names can be recorded in number 12	Title: <b>Terminal Manager</b>							
	Phone Number: <b>419-522-2641</b>				Phone Number Extension:			
Only provide address information if it is different than the site address	E-Mail Address: <b>tmmansfield@estes-express.com</b>							
	Fax Number: <b>419-522-2654</b>				Fax Number Extension:			
	Street or P.O. Box:							
	City, Town or Village:							
	State:				Zip Code:			

<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	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 checked="" type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
	Street or P.O. Box:								
	City, Town or Village:				Owner Phone #:				
	State:				Country:		Zip Code:		
	Name of Site's Operator:								
	Operator 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 <input type="checkbox"/>
	Street or P.O. Box:								
	City, Town or Village:				Operator Phone #:				
	State:				Country:		Zip Code:		

**VIOLATIONS CITED?**  Yes  No

**TYPE OF HANDLER - MARK "X" AS APPROPRIATE**

<input type="checkbox"/> Not a HW Generator	<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<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

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)	
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Hazardous Waste Transfer Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Underground Injection Control Facility
<input type="checkbox"/> 72-Hour Recycler	<input type="checkbox"/> Receives Hazardous Waste from Off-site

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	
<input type="checkbox"/> Batteries	
<input type="checkbox"/> Pesticides	
<input type="checkbox"/> Mercury containing equipment	
<input type="checkbox"/> Lamps	

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))	
<input checked="" type="checkbox"/> Used Oil Generator	
<input type="checkbox"/> Used Oil Transporter	
<input type="checkbox"/> Used Oil Transfer Facility	
<input type="checkbox"/> Used Oil Processor	
<input type="checkbox"/> Used Oil Re-refiner	
<input type="checkbox"/> Off-Specification Used Oil Burner	
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil	
<input type="checkbox"/> Used Oil Fuel Marketer who first claims the Used Oil meets the specifications	

**Eligible Academic Entities with Laboratories:** Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

<input type="checkbox"/> College or University	
<input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university	
<input type="checkbox"/> Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university	

**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 or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Containers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Amber Hicks	Kara Reynolds	03/26/13 13:20

**Comments:**  
Please note the ownership change: On September 12, 1995, Duff Warehouses notified that it was a small quantity generator of hazardous waste (D001, D018) at this address. Duff Warehouses used to be at this address but has moved. Estes has been at this address for the last 1.5 years but the building was vacant when Estes moved in. Prior to that, the facility was UCF Holland (also a trucking company).

## PROCESS, WASTE, P2 SUMMARY SHEET

**Facility Name:** Estes Express Lines   
**Facility Type:**  LQG   
 SQG   
 CESQG   
 TSD   
**Date of Inspection:** 3-26-13   
**EPA ID#:** OHD144336773

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 <small>(recycle, wwt, etc)</small>	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	Maintenace/servicin g of forklifts	Used oil	Varies *		Mid-Ohio Forklift - Akron, OH - Mid Ohio burns in used oil burner **	Burning for energy recovery.
2	Lighting	Lamps	None to date.		Facility stated they have not generated lamps but company policy to recycle.	
3	Clearing area along fence line	A 55-gallon drum of unknown waste.	One time generation. Sitting at back of property near old fuel tank.		Facility discovered a drum while erecting a fence along property. Facility must evaluate and properly dispose of.	
4						
5						
6						

7							
8							
9							

**REMARKS-GENERAL INFORMATION**

**General Process Information:**

\* Facility has five forklifts which are serviced 3-4 times a year. Each generates approximately 5 quarts of used oil per service. So maximum is 20-25 gallons of used oil generated per year. \*\* Mid-Ohio is considered the used oil generator as they are conducting the process which originally generates the used oil. Mid-Ohio then transports this used oil from Estes to Mid-Ohio's shop in Akron Ohio (1336 Home Avenue, Akron, OH) to burn in the facility used oil burner.

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

**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:** 1. 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.

2. Inspectors can check BUSTR's web-site at [https://www.comapps.ohio.gov/sfm/fire\\_apps/bust/bustr/PublicInquiry.asp](https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp) to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at: [https://www.comapps.ohio.gov/sfm/fire\\_apps/bust/bustr/SearchByCounty.asp](https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp).

**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

**NOTE:** For example, used oil contaminated scrap metal stored in a pile.

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)] Yes  No  N/A

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

<b>ON-SITE BURNING IN SPACE HEATER</b>		
10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> **
b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i>		
<b>GENERATOR TRANSPORTATION</b>		
11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
12.	If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>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).</i>		
<b>COLLECTION CENTERS AND AGGREGATION POINTS</b>		
13.	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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>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.</i>		

\*\* Facility does not store used oil. Only used oil generated onsite is from the maintenance of forklifts. Forklifts are serviced by Mid-Ohio Forklift and they take the used oil with them and burn in a used oil burner owned by Mid-Ohio. I was not able to verify venting/BTUs as the facility where the burning is occurring is in Akron (NEDO). Mid-Ohio told me that the burner is vented to the outside and they sent me pictures and the owner's manual verifying that the burner capacity is less than 500,000 BTUs.