

INSPECTION REPORT

Inspection Entry Date/Time	11/4/2024 12:25 (CT)		Announced: No (tenants and related facilities)	
Inspection Exit Date/Time	11/4/2024 13:25 (CT)		Access: Granted	
Regulatory Program	RCRA			
Type of Inspection	Focused Compliance Inspection (FCI)			
Facility or Site Name	Cooper/Ports America			
Facility/Site Identifier	N/A			
Facility/Site Physical Address	1225 Main St.			
City, State, Zip Code	Beaumont, TX 77701			
County/Borough	Jefferson County			
Generator Status	Non-generator			
NAICS	488320			
Type of Operation	Cooper/Ports America is a facility that loads and unloads cargo from vessels.			
Geographic Coordinates	30.07941, -94.09232			
Additional Persons Participating in Inspection:				
Name	Title	Organization	Email	Phone
Angela Hays	Inspector	EPA REGION 6	Hays.Angela@epa.gov	(214) 665-2285
Sandesh Thapa	Inspector	EPA REGION 6	Thapa.Sandesh@epa.gov	(214) 665-2265
Jon Herbay	Contractor	Eastern Research Group (ERG)	Jon.Herbay@erg.com	(412) 780-9931
Lead Inspector:				
Vince Damiano	Chemical Engineer			02/06/2025
	ERG	Vince.Damiano@erg.com	(703) 633-1732	

SECTION I – INTRODUCTION**Site Entry and Purpose of the Inspection**

The Port of Beaumont and surrounding facilities were selected for inspection based on an Environmental Justice and Regional initiative to evaluate facilities at ports receiving or transporting Resource Conservation and Recovery Act (RCRA)--regulated hazardous wastes, and/or have an International Convention for the Prevention of Pollution from Ships (MARPOL) Annex V Certificate of Adequacy (COA) issued by the U.S. Coast Guard (USCG).

This report is based on information supplied by the facility representatives, inspector observations, port-related facilities, and records including photographs taken (see Appendix 1), verbal or written statements made during or after the on-site inspection, and/or materials shown, demonstrated, or submitted to the Environmental Protection agency (EPA) during or after the on-site inspection. In addition, information gathered prior to or after the inspection from a review of EPA, State, and public records may be included in this report.

Attendees

Title/Organization	Name	Phone	Email	Opening Conf.	Closing Conf.
Lead Inspector/ Contractor/ERG	Vince Damiano	(703) 633-1732	Vince.Damiano@erg.com	Yes	Yes
Inspector/Enforcement Officer/EPA Region 6	Angela Hays	(214) 665-2285	Hays.Angela@epa.gov	Yes	Yes
Inspector/Enforcement Officer/EPA Region 6	Sandesh Thapa	(214) 665-2265	Thapa.Sandesh@epa.gov	Yes	Yes
RCRA Inspector/ Contractor/ERG	Jon Herbay	(412) 780-9931	Jon.Herbay@erg.com	Yes	Yes
Cooper/Ports America	Joshua Davis	(713) 437-9413	Josh.L.Davis1992@gmail.com	Yes	Yes
Cooper/Ports America	D.L. Stelly	(832) 203-9547	Devonion.Stelly@c-pa.com	Yes	Yes

Facility General Description

Tenant/Area	Inspection Date	Process Description	Area of Concern
Cooper/Ports America	11/04/2024	Cooper/Ports America (CPA) loads and unloads cargo from vessels. The company is covered under the Port of Beaumont's MARPOL COA. CPA does not remove any waste from ships.	Yes

SECTION II – OBSERVATIONS

Tenant: Cooper/Ports America			
Section: 2.1	Date: 11/04/24, 12:25 PM	Contains AOC: Yes	Contains CBI: No
Lead Inspector: Vince Damiano	Attendees: Joshua Davis (Mechanic), D.L. Stelly (Superintendent)		
CPA is located within the Port of Beaumont and operates as a stevedore loading and unloading cargo from vessels. The cargo CPA handles consist primarily of military equipment and equipment for chemical plants. CPA operates on four docks within the Port of Beaumont and uses its own heavy-lift forklifts, yard trucks, and small forklifts to move cargo. CPA is covered under Port of Beaumont’s MARPOL COA, but Mr. Stelly stated they do not remove trash or waste from vessels. Mr. Stelly explained that CPA generates used oil and antifreeze from maintenance on their equipment and through their operations. The used oil is picked up by Sun Coast Resources (TXR000081384). CPA is considered a non-generator of hazardous waste. Following the opening conference, the inspection team conducted a visual inspection of CPA’s maintenance area where their trucks and forklifts are maintained. The inspection team first observed two 1,000-gal fuel tanks storing unleaded gasoline and diesel fuel. Next to the fuel tank shed, the inspection team observed a 5-gal container on the ground storing oil (see Appendix 1 – Photo 1). CPA representatives were unsure if the container contents were considered used oil or if the oil was still considered a product. The inspection team requested a waste determination on the contents of the open bucket [<u>AOC #1</u> – CPA did not make a waste determination – 40 CFR 262.11]. The inspection team noticed two aerosol cans on the ground near the shed area which were immediately picked up by the facility and placed into the appropriate disposal container. The inspection team observed six conex boxes used to store supplies and tools. Next, the inspection team observed CPA’s used oil storage area which contained a 500-gal used oil recovery tank (see Appendix 1 – Photos 2 to 3). The used oil recovery tank did not contain a label or marking with the words “Used Oil.” The inspection also observed two 55-gal drums and one 5-gal container storing used oil that did not contain a label or marking with the words “Used Oil.” The containers were approximately one-quarter to half full at the time of the inspection (see Appendix 1 – Photos 4 to 5) [<u>AOC #2:</u> CPA did not clearly label containers used to store used oil with the words “Used Oil.” – 40 CFR 279.22 (c)(1)]. The inspection team did not observe other areas of concern (AOCs) at the time of the inspection. However, further EPA review may change or add to their potential AOCs. A closing conference was conducted at approximately 1:30 PM with CPA personnel. The AOCs were communicated during the closing.			

SECTION III – RECORDS REVIEW

No RCRA-regulated records were reviewed during this focused onsite inspection.

SECTION IV – AREAS OF CONCERN

The presentation of Area(s) of Concern does not constitute a formal compliance determination or violation.

Tenant: Cooper/Ports America		
AOC #1 – CPA did not make a waste determination on the contents of a bucket.	Citation: 40 CFR 262.11	Section: 2.1
AOC #2 – CPA did not clearly label containers used to store used oil with the words “Used Oil.”	Citation: 40 CFR 279.22 (c)(1)	Section: 2.1

SECTION V – FOLLOW UP**Follow-Up**

Any facility follow-up items are as discussed in the observations in Section II. Documents or files provided by the facility were transmitted via email and included responses to AOCs or provision of documents requested.

SECTION VI – LIST OF APPENDICES

Appendix 1. Photograph Log

APPENDIX 1.
PHOTOGRAPH LOG



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Location: CPA		
City: Beaumont	County/Parish: Jefferson	State: Texas



Photo No. 1

Photo File Name: DSCN7646

Date of Photo: 11/04/2024

Time of Photo: 12:59 hrs.

Photographer: Vince Damiano

Description: View of a 5-gal container storing oil found next to the fuel tank shed. CPA did not verify with the inspection team if the contents of the container were product or waste at the time of the inspection.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Location: CPA		
City: Beaumont	County/Parish: Jefferson	State: Texas



Photo No. 2

Photo File Name: DSCN7647

Date of Photo: 11/04/2024

Time of Photo: 13:16 hrs.

Photographer: Vince Damiano

Description: View a 500-gal used oil recovery tank in the used oil storage area that was not labeled "Used Oil". The tank was closed and in good condition.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Location: CPA		
City: Beaumont	County/Parish: Jefferson	State: Texas



Photo No. 3

Photo File Name: DSCN7648

Date of Photo: 11/04/2024

Time of Photo: 13:16 hrs.

Photographer: Vince Damiano

Description: View a 500-gal used oil recovery tank in the used oil storage area that was not labeled "Used Oil."
The tank was closed and in good condition



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Location: CPA		
City: Beaumont	County/Parish: Jefferson	State: Texas



Photo No. 4

Photo File Name: DSCN7649

Date of Photo: 11/04/2024

Time of Photo: 1317 hrs.

Photographer: Vince Damiano

Description: View of two 55-gal drums that contained used oil and were not labeled "Used Oil" in the used oil storage area. The containers were closed and in good condition.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Location: CPA		
City: Beaumont	County/Parish: Jefferson	State: Texas



Photo No. 5

Photo File Name: DSCN7650

Date of Photo: 11/04/2024

Time of Photo: 1318 hrs.

Photographer: Vince Damiano

Description: View of one 5-gal container (middle of picture with red funnel) that contained used oil and was not labeled "Used Oil" in the used oil storage area.