EPA REGION 6 Enforcement Division

INSPECTION REPORT

Inspection Entry Date/Time	05/22/2024 13:35 (CT)	Announced: No
Inspection Exit Date/Time	05/22/2024 15:45 (CT)	Access: Granted
Regulatory Program	RCRA	
Type of Inspection	Focused Compliance Inspection (FCI)	
Facility or Site Name	Western Gulf Recycling	
Facility/Site Identifier	TXR000057372	
Facility/Site Physical Address	7934 Bearden Dr	
City, State, Zip Code	Corpus Christi, TX 78409	
County/Borough	Nueces County	
Generator Status	N/A	
NAICS	None	
Type of Operation	Western Gulf Recycling is a container washout, water treatment, and barge cleaning facility.	
Geographic Coordinates	27.816557, -97.518336	

Additional Persons Participating in Inspection:

Name	Title	Organization	Email	Phone
Cameron Tanaka	Contractor	Eastern Research Group (ERG)	Cameron.Tanaka@erg.com	(508) 314-6432
Erin Young-Dahl	Inspector	EPA REGION 6	YoungDahl.Erin@epa.gov	(214) 665-3166
John Penland	Inspector	EPA REGION 6	Penland.John@epa.gov	(214) 665-9717

Lead Inspector:

Brook McKeown			09/03/2024
	ERG	Brook.McKeown@erg.com	(410) 459-5811

SECTION I – INTRODUCTION

Site Entry and Purpose of the Inspection

The Port of Corpus Christi 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, and other 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 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	Brook McKeown	(410) 459-5811	Brook.McKeown@erg.com	Yes	No
RCRA Inspector/ Contractor/ERG	Cameron Tanaka	(508) 314-6432	Cameron.Tanaka@erg.com	Yes	No
Inspector/Enforcement Officer/EPA Region 6	Erin Young-Dahl	(214) 665-3166	YoungDahl.Erin@epa.gov	Yes	Yes
Inspector/Enforcement Officer/EPA Region 6	John Penland	(214) 665-9717	Penland.John@epa.gov	Yes	Yes

Facility General Description

Tenant/Area	Inspection Date	Process Description	Area of Concern
Western Gulf Recycling	05/22/24	Western Gulf Recycling (WG) is a container washout, water treatment, and barge cleaning facility. The company washes out containers including roll-offs, frac tanks, and vac bins for its customers. These containers/tanks are reportedly "RCRA-empty" when received but could have previously contained any kind of material, including hazardous waste. Non-empty containers that arrive on-site for treatment generally contain non-hazardous water contaminated with fuels. WG verbally confirms with drivers that the containers are empty as they enter the facility, and before they unload the containers. On occasion, containers will come in that are not RCRA-empty. On these occasions, WG sends the equipment back to the customer. WG generates non-hazardous solid waste in its equipment washing sump and disposes of the waste through US Ecology. WG receives and generates oily water to be centrifuged and treated with dissolved air flotation. The oil separated from the water is sold to K-Solv. WG also receives used oil from their customers, and acts as a used oil transfer facility. The facility does not maintain a MARPOL COA.	Yes

SECTION II – OBSERVATIONS

Tenant: Western Gulf Recycling			
Section: 2.1	**Date:** 05/22/24, 13:35 AM	**Contains AOC:** Yes	**Contains CBI:** No
Lead Inspector: Brook McKeown	**Attendees:** Sunny Moore (Yard Supervisor), Javier Longoria (Operations)		

WG is a container washout, water treatment, and barge cleaning facility. The company washes out containers, including roll-offs and vac bins, and frac tanks for its customers. These containers and tanks are reportedly RCRA-empty when received but could have previously contained any kind of material, including hazardous wastes. Containers containing wastewater that arrive on-site for treatment generally contain non-hazardous water contaminated with fuels. Prior to containers of wastewater being transported to the facility; samples are sent to WG to determine if WG can accept the container and whether its contents would be considered hazardous waste. Samples are tested for pH, total suspended solids, metals, and chemical oxygen demand. After containers of wastewater arrive onsite, the company samples and analyzes them a second time. WG will reject wastewater based on the sample results or when containers arrive without prior notice. Commonly, WG rejects wastewater that does not break up well when mixed with treatment chemicals. WG only treats non-hazardous wastewater.

For RCRA-empty containers being received on site for washout, WG verbally confirms with drivers the containers are empty as they enter the facility. When a reportedly RCRA-empty container arrives at the facility, WG visually inspects the container to determine if it is empty. On occasion, a container will come in that is not RCRA-empty. On these occasions, WG sends the container back to the customer or to US Ecology, who scrapes out any remaining wastes. When WG washes out frac tanks and RCRA-empty containers, any residuals in the container are usually washed out during the cleaning process; however, sometimes WG personnel need to shovel out extra residual material after power washing is performed. WG does not currently have a means for confirming whether a “RCRA-empty” container received on-site from their customer is truly RCRA-empty upon arrival. This confirmation occurs after the material is accepted and could be several days after the equipment arrives on site. Therefore, it is possible that the company may have received and stored non RCRA-empty containers that contained hazardous wastes. Beatriz Rivera (Senior Consultant at Trinity Consultants) included a response to this concern in her follow-up document from 06/05/2024 (see Appendix 2).

WG also leases dock space in Ingleside, TX, where it cleans customer barges every one to two months. As part of its barge cleaning operation, WG first removes liquid chemical heels from barges via vacuum truck; these heels consist of fuels such as naphtha, diesel, and/or gasoline. WG then transfers the liquid chemical heels from its vac trucks directly into drums and generally sells the material to another company for reuse. The remaining residuals, such as solids and sludges, in the barges are then power washed, generating water contaminated with fuels, solids, and sludges. The resulting wash water is centrifuged, and the solids are put in a vacuum box to be sent off for disposal as non-hazardous waste. The centrifuged liquids are brought to their Corpus Christi location and treated through its water treatment plant.

WG does not maintain a MARPOL COA. WG maintains an EPA ID (TXR000057372) but is registered as a non-generator of hazardous waste. WG has two 130-barrel vacuum trucks and a roll-off truck to hold and transport material. WG generates non-hazardous solid waste in its container washing sump and disposes of it through US Ecology. WG has performed analysis on the sump solids, and the waste has never come back as hazardous, according to WG personnel. Liquids from WG’s container washing sump are offloaded into tanks which are piped to WG’s centrifuge and then treated at the facility’s water treatment plant. WG receives and

generates oily water which is centrifuged and treated with dissolved air flotation. The oil separated from the water is sold to K-Solv Group near Houston. WG discharges the separated water. Fuel distillates from the centrifuge are sent off site with a Bill of Lading (BOL) as petroleum distillates. WG also receives used oil from their customers, and they serve as a used oil transfer facility. WG does not generate any universal waste to its knowledge, and a third-party company performs maintenance on the facility's equipment off site. The inspection team observed a BOL and a non-hazardous waste manifest for waste sent to US Ecology and noted no concerns.

During the inspection, the inspection team visually inspected WG's used oil containment area, container washing sump, and the storage area for containers awaiting washouts. Observations and areas of concern (AOCs) are organized by section below along with facility responses where relevant.

Used Oil Containment Area (see Appendix 1 – Photo 1)**:**

At the used oil containment area, WG personnel explained that they pump totes and drums of used oil into the tank seen in Appendix 1 – Photo 1. They explained that they have a third-party company come onsite to dispose of the used oil in the tank. WG personnel indicated that their used oil generally comes from Kiewit Offshore Services, and that all the used oil received onsite is comingled in the tank. The inspection team observed five full 55-gallon drums of used oil that had been transferred to WG and were being stored outside of secondary containment (see Appendix 1 – Photo 1) [***AOC #1*** *– WG stored containers of used oil without a secondary containment system- 40 CFR 279.54(c)*]. In her response document, Ms. Rivera indicated that WG has transferred all of its used oil containers to secondary containment (see Appendix 2 and Appendix 2 – Photo 7).

A 55-gallon hazardous waste drum labeled with both a "hazardous waste" and a "pending analysis" label was located adjacent to the used oil storage area (see Appendix 1 – Photos 2, 3, and 4). Facility personnel stated that the drum had been transferred to WG from a customer; the inspection team observed that the hazardous waste label on the drum was marked with "Kiewit Offshore Services" as the generator (see Appendix 1 – Photo 2). The inspection team requested additional information about the container. In her response document, Ms. Rivera indicated that the drum contained approximately 1 inch of liquid gasoline and water mixture and was received on 05/02/2024 (see Appendix 2); however, she did not indicate whether the contents of the container were hazardous waste. [***AOC #2*** *– WG did not make a hazardous waste determination on a waste at its facility – 40 CFR 262.11*].

The inspection team also observed that the following containers and tanks were not properly labeled as "Used Oil":

- The used oil tank located within secondary containment (see Appendix 1 – Photo 5)
- A roll-off for used oil filters, which was observed to have free-standing oily water in it (see Appendix 1 – Photos 6 and 9) [***AOC #3*** *– WG did not clearly label containers and a tank used to store used oil with the words "Used Oil" - 40 CFR 279.22(c)(1)*].

During the inspection, WG personnel indicated that the oily water in the roll-off of used oil filter is pumped out of the roll-off and treated through the facility's water treatment plant. In her response document, Ms. Rivera indicated that the used oil tank and all the used oil containers stored at the facility had been properly labeled (see Appendix 2 and Appendix 2 – Photos 3 and 4). The following containers located in the used oil secondary containment were not labeled as to their contents:

- Two poly totes (see Appendix 1 – Photo 7) [see ***AOC #3***]
- One black 55-gallon drum (see Appendix 1 – Photo 8) [see ***AOC #3***]

In her response document, Ms. Rivera indicated that the two poly totes and the 55-gallon drum contained

used oil and included follow-up pictures with the drum and totes labeled with non-hazardous waste stickers (see Appendix 1 – Photos 1, 2, 5, and 6). She stated that these containers were brought on-site on 03/13/2024, which is over 35 days before the inspection occurred (see Appendix 2). In her response document, Ms. Rivera explained that WG is registered as a used oil processor, which allows for used oil storage over 35 days (see Appendix 2). She also included a copy of their Used Oil Registration from the Texas Commission on Environmental Quality (TCEQ) as Attachment 4 of her response (see Appendix 2). Although the facility has registered with TCEQ, in WG's most recent notification to EPA on December 4, 2019, they did not indicate that they were a used oil processer [***AOC #4*** *– WG has not registered as a used oil processor with EPA – 40 CFR 279.51(b)*]. Texas regulations also require used oil processors to register with both TCEQ and EPA [TAC 324.12(2)].

The inspection team also observed at least three drums with non-hazardous waste labels that contained used oil in and around the used oil containment area (see Appendix 1 – Photo 10) [see ***AOC #3***]. The inspection team also requested documentation of the last date that used oil was shipped offsite from WG's facility. In her response, Ms. Rivera indicated that the last date used oil was transferred off the site was 02/06/2023 and included a Bill of Lading (BOL) confirming this (see Appendix 2).

Equipment Washing Sump:

According to WG personnel, WG rinses out "RCRA Empty" roll-off containers that may have previously contained hazardous waste in their equipment washing sump. Based on discussions with facility personnel, the waste determination for the rinse water is performed after multiple rinses have been combined and the facility has not done a proper waste determination to evaluate whether they are generating hazardous waste from the rinsing operations [***AOC #5*** *– WG has not been making a hazardous waste determination for the rinse water from container washouts at the point of generation – 40 CFR 262.11(a)*]. Ms. Rivera included a response to this AOC in her follow-up document (see Appendix 2).

Storage Area for Equipment Awaiting Washouts:

In the storage area, the inspection team observed a roll off with a hazardous waste label that was verbally confirmed to be empty (see Appendix 1 – Photos 11 and 12). Six frac tanks were observed on-site with hazardous waste labels that reportedly contained residue and were on-site for cleaning (see ***AOC #5***; see Appendix 1 – Photos 13 through 23). The inspection team observed residue inside one of these frac tanks (see Appendix 1 – Photo 17). The inspection team could not observe the interiors of the other frac tanks during the inspection. In her response, Ms. Rivera included the dates that the frac tanks were brought on site based on the Frac Drop-Off Tickets included as Attachment 3 of her response (see Appendix 2). The dates along with the frac tank numbers are as follows:

- Frac tank F06014 was received on 05/07/2024
- Frac tank 2704 was received on 05/15/2024
- Frac tank 2174 was received on 05/15/2024
- Frac tank A2371B was received on 05/08/2024
- Frac tank A5303C was received on 05/08/2024
- Frac tank 1753 was received on 05/15/2024 (see Appendix 2).

During the inspection there was a discussion about whether these frac tanks meet the definition of a container or a tank, and therefore if tanks with hazardous waste were transported and stored at the site. Ms. Rivera included a response to this AOC in her follow-up document stating that WG manages the frac tanks as containers (see Appendix 2). It is EPA's stance in FR 20919 that frac tanks and other types of mobile tanks are

considered “tanks,” per the regulatory definition found in 40 C.F.R. § 260.10, throughout all stages of waste management. Hazardous waste tanks contained within are subject to the requirements of 40 C.F.R. § 265 Subpart J – Closure and Post-Closure Care, and residues contained within the tanks are fully regulated as hazardous wastes.

A closing conference was conducted at approximately 3:15 PM with WG personnel. The AOCs and requested documents were communicated during the closing conference; however, further EPA review may change or add potential AOCs.

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: Western Gulf Recycling		
AOC #1 – WG stored containers of used oil without a secondary containment system.	**Citation:** 40 CFR 279.54(c)	Section: 2.1
AOC #2 – WG did not make a hazardous waste determination on a waste at its facility.	**Citation:** 40 CFR 262.11	Section: 2.1
AOC #3 – WG did not clearly label containers and a tank used to store used oil with the words “Used Oil”.	**Citation:** 40 CFR 279.22(c)(1)	Section: 2.1
AOC #4 – WG did not register as a processor of used oil with EPA.	**Citation:** 40 CFR 279.51(b)	Section: 2.1
AOC #5 – *WG has not been making a hazardous waste determination for the rinse water from container washouts at the point of generation.*	**Citation:** 40 CFR 262.11(a)	Section: 2.1

SECTION V – 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.

Communication Log

During and after the inspection, additional information was emailed to EPA including:

1. 06/05/2024 WG email – Beatriz Rivera (Senior Consultant at Trinity Consultants) sent an email with a follow-up document which included responses to documentation requests and AOCs, a BOL, frac tank drop off documentation, the facility's used oil registration, a laboratory log, a waste determination form, and WG's procedure for container drop-off and inspection.

SECTION VI – LIST OF APPENDICES

Appendix 1. Photograph Log

Appendix 2. Follow-Up Document from WG

APPENDIX 1.
PHOTOGRAPH LOG

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1100
Date of Photo: 05/22/2024
Time of Photo: 14:28 hrs.
Photographer: Cameron Tanaka
Description: Overview of used oil containment area including a used oil tank and five drums full of used oil without secondary containment that were transferred to WG.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1101
Date of Photo: 05/22/2024
Time of Photo: 14:28 hrs.
Photographer: Cameron Tanaka
Description: View of a 55-gallon hazardous waste drum labeled with both a “hazardous waste” and a “pending analysis” label located adjacent to the used oil storage area that was transferred to the facility from a customer and generated by Kiewit Offshore Services.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1102
Date of Photo: 05/22/2024
Time of Photo: 14:28 hrs.
Photographer: Cameron Tanaka
Description: View of one of the labels on the drum shown in Photo No. 2 in the used oil containment area indicating that the material is pending analysis.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1103
Date of Photo: 05/22/2024
Time of Photo: 14:28 hrs.
Photographer: Cameron Tanaka
Description: View of one of the labels on the drum shown in Photo No. 2 in the used oil containment area indicating that the material is hazardous waste.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1104
Date of Photo: 05/22/2024
Time of Photo: 14:29 hrs.
Photographer: Cameron Tanaka
Description: View of the used oil tank located within secondary containment in the used oil containment area that was not properly labeled as “Used Oil”.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1105
Date of Photo: 05/22/2024
Time of Photo: 14:29 hrs.
Photographer: Cameron Tanaka
Description: View of the inside of the roll-off with oil filters and free-standing oily water in the used oil containment area that was not properly labeled as “Used Oil.”

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1106
Date of Photo: 05/22/2024
Time of Photo: 14:30 hrs.
Photographer: Cameron Tanaka
Description: View of two poly totes located in the used oil containment area's secondary containment that were not labeled as to their contents.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1107
Date of Photo: 05/22/2024
Time of Photo: 14:31 hrs.
Photographer: Cameron Tanaka
Description: View of a black 55-gallon drum located in the used oil containment area's secondary containment that was not labeled as to its contents.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 9

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1108
Date of Photo: 05/22/2024
Time of Photo: 14:32 hrs.
Photographer: Cameron Tanaka
Description: View of the exterior of the roll-off with oil filters and free-standing oily water in the used oil containment area that was not properly labeled as “Used Oil.”

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 10

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1109
Date of Photo: 05/22/2024
Time of Photo: 14:33 hrs.
Photographer: Cameron Tanaka
Description: View of three drums with non-hazardous waste labels that contained used oil in the used oil containment area's secondary containment.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 11

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1110
Date of Photo: 05/22/2024
Time of Photo: 14:53 hrs.
Photographer: Cameron Tanaka
Description: View of a vacuum box with a hazardous waste label that was verbally confirmed to be empty in the storage area for equipment awaiting washouts.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 12

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1111
Date of Photo: 05/22/2024
Time of Photo: 14:53 hrs.
Photographer: Cameron Tanaka
Description: View of the hazardous waste label on the roll off shown in Photo No. 11 in the storage area for equipment awaiting washouts.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 13

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1112
Date of Photo: 05/22/2024
Time of Photo: 15:00 hrs.
Photographer: Cameron Tanaka
Description: Overview of three frac tanks (labeled as F06014, 2704, and 2174) with hazardous waste labels in the storage area for equipment awaiting washouts that reportedly contained residue and were on-site for cleaning. The inspection team observed that tank F06014, the rightmost tank, had a broken gauge.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 14

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1113
Date of Photo: 05/22/2024
Time of Photo: 15:00 hrs.
Photographer: Cameron Tanaka
Description: View of the hazardous waste label on the rightmost tank (F06014) in Photo No. 13.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 15

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1114
Date of Photo: 05/22/2024
Time of Photo: 15:00 hrs.
Photographer: Cameron Tanaka
Description: View of the hazardous waste label on the middle tank (2701) in Photo No. 13.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 16

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1115
Date of Photo: 05/22/2024
Time of Photo: 15:00 hrs.
Photographer: Cameron Tanaka
Description: View of the hazardous waste label on the leftmost tank (2174) in Photo No. 13.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 17

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1116
Date of Photo: 05/22/2024
Time of Photo: 15:00 hrs.
Photographer: Cameron Tanaka
Description: View of residue inside frac tank 2174 shown in Photo No. 13 and 16.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 18

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1117
Date of Photo: 05/22/2024
Time of Photo: 15:08 hrs.
Photographer: Cameron Tanaka
Description: View of a frac tank (A2371) with a hazardous waste label in the storage area for equipment awaiting washouts that reportedly contained residue and was on-site for cleaning.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 19

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1118
Date of Photo: 05/22/2024
Time of Photo: 15:08 hrs.
Photographer: Cameron Tanaka
Description: View of the hazardous waste label on frac tank A2371 shown in Photo No. 18 in the storage area for equipment awaiting washouts.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 20

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1119
Date of Photo: 05/22/2024
Time of Photo: 15:09 hrs.
Photographer: Cameron Tanaka
Description: View of a frac tank (A5303) with a hazardous waste label in the storage area for equipment awaiting washouts that reportedly contained residue and was on-site for cleaning.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 21

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

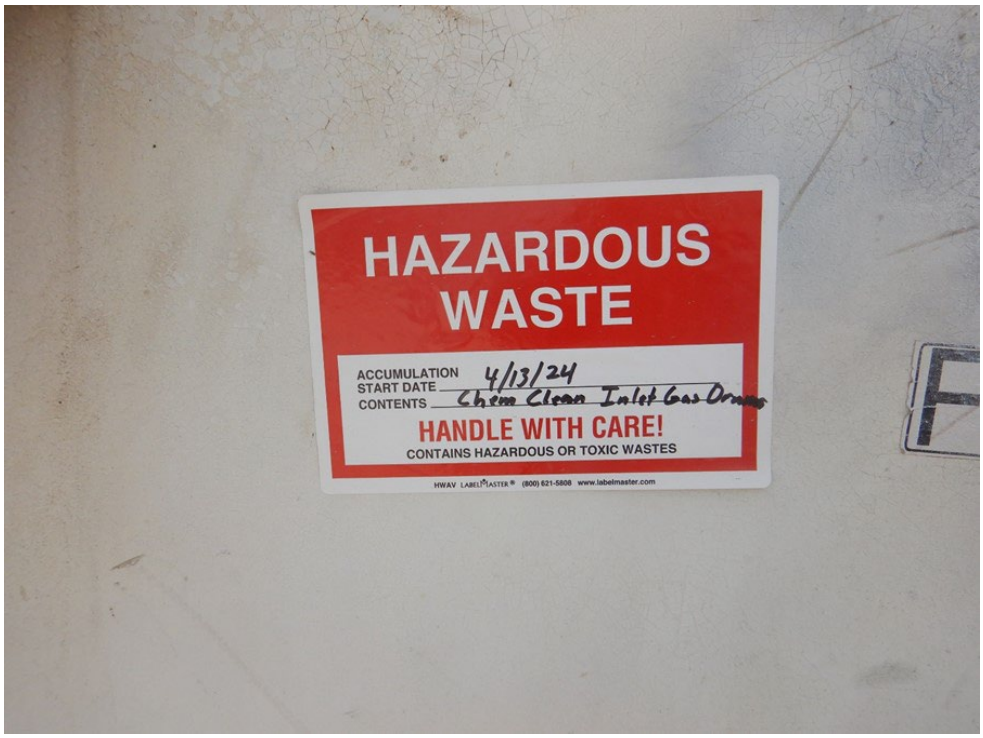

Photo File Name: DSCN1120
Date of Photo: 05/22/2024
Time of Photo: 15:09 hrs.
Photographer: Cameron Tanaka
Description: View of the hazardous waste label on frac tank A5303 shown in Photo No. 20 in the storage area for equipment awaiting washouts.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 22

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

Photo File Name: DSCN1121
Date of Photo: 05/22/2024
Time of Photo: 15:09 hrs.
Photographer: Cameron Tanaka
Description: View of a frac tank (1753) with a hazardous waste label in the storage area for equipment awaiting washouts that reportedly contained residue and was on-site for cleaning.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 23

Location: Western Gulf Recycling		
City: Corpus Christi	County/Parish: Nueces	State: Texas

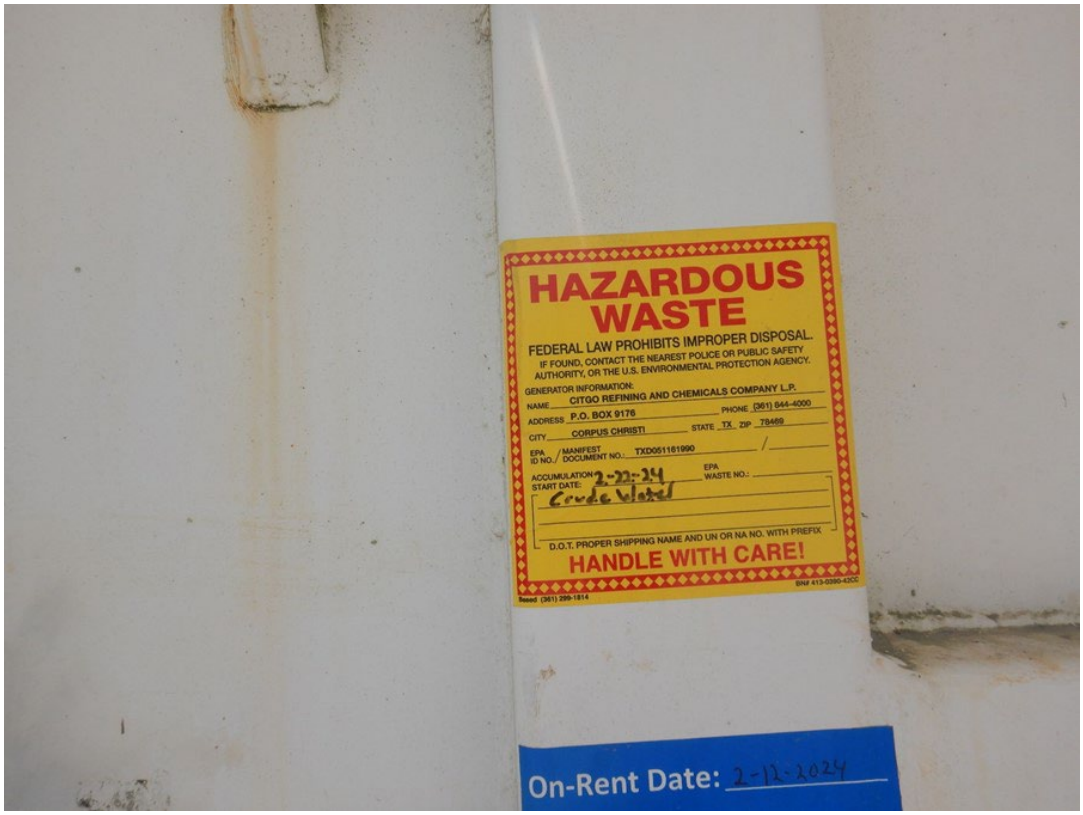

Photo File Name: DSCN1122
Date of Photo: 05/22/2024
Time of Photo: 15:09 hrs.
Photographer: Cameron Tanaka
Description: View of the hazardous waste label on frac tank A2371 shown in Photo No. 22 in the storage area for equipment awaiting washouts.

APPENDIX 2.
FOLLOW-UP DOCUMENT FROM WG

Trinity Consultants
555 N Carancahua St, Ste 820, Corpus Christi, TX 78401 / P 361.883.1668 / F 361.883.1620 / **trinityconsultants.com**

June 5, 2024

Brook McKeown
(She/They)
Chemical Engineer
Cell: 410-459-5811
Email: brook.mckeown@erg.com

Dear Ms. Mckeown,

This letter is in response to the EPA's RCRA inspection received on May 22, 2024, at the Western Gulf Recycling (WGR) facility. The response to the requested documents and follow-up questions contained in the closing email are organized in the following sections:

Attachment 1: Written Response to Records Request (PDF Page Nos. 1).

Attachment 2: Bill of Landing (BOL) 10147 (PDF Page Nos. 7).

Attachment 3- Copy of Frac Tanks Drop-Off Tickets (PDF Page Nos. 11).

Attachment 4- Facility Used Oil Registration (PDF Page Nos. 18).

Attachment 5-Evidence of Laboratory Log (PDF Page Nos. 20).

Attachment 6-Waste Determination Form (PDF Page Nos. 22).

Attachment 7- Procedure for Container Drop-off and Inspection at Western Gulf Recycling (WGR) Yard (PDF Page Nos. 25).

If you have any questions or comments about the information presented in this letter, please contact me at 361-235-3078 or by email at beatriz.rivera@trinityconsultants.com.

Sincerely,
Trinity Consultants

Beatriz Rivera
Senior Consultant

Attachment 1: Written Response

Document Request

1. Please confirm the contents of the following unlabeled containers we observed during the inspection, and provide the date they were brought on-site:

    a. One black 55-gallon drum located in used oil secondary containment (photo DSCN1107).

Response: The black 55-gallon drum located in used oil secondary containment contain used oil and was brought on-site on March 13, 2024.

Photo 1-Labeled Used Oil Drum

    b. Two poly totes located in the used oil secondary containment (photo DSCN1106).

Response: The Two unlabeled poly totes located in the used oil secondary containment contain used oil and were brought on-site on March 13, 2024. The containers were labeled.

Photo 2- Labeled Totes

2. Please confirm the contents of the 55-gallon drum labeled with a hazardous waste sticker, with "Kiewit Offshore Services" listed as the generator, including whether the material is a hazardous waste. Please also provide the date the container was brought to Western Gulf Recycling. If this was shipped to the site with a manifest that was signed by WGR, please provide that.

Response: Based on Shipping Order 84945 included as Attachment 1 the drum containing approximately 1 inch of liquid is a mix of gas & water was received on May 2, 2024.

3. Please provide documentation of the last date that you transferred used oil off of the site (e.g. when did you last empty the used oil tank for transport off-site).

Response: The last date that used oil was transferred off the site was February 6, 2023. Please see the copy of the Bill of Lading (BOL) 10147 in Attachment 2.

4. For all used oil containers observed near the used oil storage area, please identify the date they were brought on-site:

    a. Fourteen 55-gallon drums (excluding the drum labeled as hazardous waste, the unlabeled drum and the used oil filter drums).

Response: The 55-gallon drums were brought on-site on March 13, 2024, and May 2, 2024.

    b. Four poly totes (excluding the two poly totes that were unlabeled)

Response: The Four poly totes were brought on-site on March 13, 2024.

5. Please provide the dates that the following frac tanks with hazardous waste stickers were brought on-site:

Response: Please refer to the Frac Drop-Off Tickets included in Attachment 3 for copies of the individual tickets.

a. Frac tank F06014 was received on May 7, 2024, as reflected in Ironclad ticket #42730.
b. Frac tank 2704 was received on May 15, 2024, as reflected in Ironclad ticket #42960.
c. Frac tank 2174 was received on May 15, 2024, as reflected in Ironclad ticket #42949.
d. Frac tank A2371B was received on May 8, 2024, as reflected in Miller/Ironclad ticket #42785.
e. Frac tank A5303C was received on May 8, 2024, as reflected in Miller/Ironclad ticket #42784.
f. Frac tank 1753 was received on May 15, 2024, as reflected in Ironclad ticket #42958.

<u>Areas of Concern</u>

1. A 55-gallon hazardous waste drum was located adjacent to the used oil storage area that was transferred to the facility from a customer. The EPA inspection team has requested additional information about this container.

Response: Based on Shipping Order 84945 included as Attachment 1 the drum containing approximately 1 inch of liquid is a mix of gas & water was received on May 2, 2024.

2. The following containers and tanks were not properly labeled as "Used Oil":

a. The used oil tank located within secondary containment
b. The roll-off with oil filters, which was observed with free oily water

Response: The deficiency was corrected immediately, and all containers stored at the facility have been properly labeled.

Photo 3 and 4- Labeled Containers

3. The following containers located in the used oil secondary containment were not labeled as to their contents:
   a. One black 55-gallon drum
   b. Two poly totes

Response: The containers have been properly labeled.

Photo 5 and 6- Labeled Containers

4. Based on the accumulation dates listed on some of the used oil containers transferred to the facility, they may have been stored on site greater than 35 days, which is the limit for a used oil transfer facility. The EPA inspection team has requested the dates that these containers were brought to the facility.

Response: WGR is registered as a used oil processor which allows storage over 35 days. Refer to a copy of the Used Oil Registration in Attachment 4.

5. Five used oil drums that were transferred to the site were stored without secondary containment.

Response: WGR has transferred all containers to a secondary container.

Photo 7- Drums transferred to a secondary container

6. WGR rinses out "RCRA Empty" roll-off containers that may have previously contained hazardous waste. Based on discussions with facility personnel, the waste determination for the rinse water is performed after multiple rinses have been combined and the facility has not done a proper waste determination to evaluate whether they are generating hazardous waste from the rinsing operations.

Response: WGR conducts water testing of the rinse water once the holding level in the pit is achieved and prior to its transfer to the water treatment unit for treatment and reuse. The water is tested in the facility laboratory for metals, pH, solids, and oil, and the results are recorded in the laboratory log (see Attachment 5 for evidence of recent sample test results recorded in the log). WGR performs a waste determination every time the water is going to be transfer to the water treatment unit based on the results of the water samples and after considering the information received, such as SDS, manifest, and BOL, during the drop-off of each container processed in the rinse unit during the accumulated water period.

Although the facility has been performing waste determinations before transferring the rinse water to the treatment unit based on laboratory results, there was no formal form in place to consolidate all information.

As a corrective action, a formal Waste Determination form has been created to document the waste determination in a more organized manner. See Attachment 6 for the Waste Determination form.

7. WGR does not currently have a means for confirming whether a "RCRA-empty" container received on-site from their customer is truly RCRA-empty upon arrival (this occurs after the material is accepted). Therefore, it is possible that they may receive and store non RCRA-empty containers that contain hazardous wastes.

Response: In the past, WGR allowed drivers to drop off containers at the yard and depart, under the understanding that only empty containers were accepted. If, upon later inspection, a container was found not to be empty, it was rejected, and the customer was notified to retrieve it.

To ensure documentation of compliance, effective May 22, 2024, WGR implemented a new procedure to inspect and document each container prior to the truck driver's departure. If the container is found not to be empty or if discrepancies are noted, it is immediately rejected on the spot. For more details, see the Procedure for Container Drop-off and Inspection in Attachment 7.

8. Six frac tanks were observed on-site with hazardous waste labels that reportedly contained residue and were on-site for cleaning. EPA is evaluating whether these frac tanks meet the definition of a container or a tank, and therefore if tanks with hazardous waste were transported and stored at the site.

Response: EPA defined containers in a broad manner to encompass all different types of portable devices that may be used to manage hazardous waste such as rail cars, roll-off boxes, totes, small buckets, drums, etc. The primary difference between a container and a tank is that a tank is stationary, usually bolted down, and often contains piping, while a container is portable. In addition, the received frac tanks are not intended to be stationary during operation; therefore, they are considered portable devices.

Attachment 2: Bill of Landing (BOL)

10147

STRAIGHT BILL OF LADING

ORIGINAL - NOT NEGOTIABLE

Shipper No. B 10147

Carrier No.

WESTERN GULF RECYCLING
(Name of Carrier)

Date 2-6-2025

TO: Consignee UES	FROM: Shipper WESTERN GULF RECYCLING
Street 3340 FM 665	Street 7934 BEARDEN DR
Destination ROBSTOWN, TX 78380	Origin CORPUS CHRISTI, TX 78409
Route	Emergency Response Phone No. / Vehicle Number

No. Shipping Units	HM*	Kind of Packaging, Description of Articles, Special Marks and Exceptions	Weight (subject to correction)	Rate	CHARGES
3225 gal		USED OIL	23560	lbs	
		NON HAZ			
		NON DOT			

When transporting hazardous materials include the technical or chemical name for n.o.s. (not otherwise specified) or generic description of material with appropriate UN or NA number as defined in US DOT Emergency Communication Standard (HM-126C). Provide emergency response phone number in case of incident or accident in box above.

REMIT C.O.D. TO: ADDRESS:

COD Amt: $

C.O.D. FEE: PREPAID ☐ $ COLLECT ☐

NOTE - Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property.
The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding
$ _____ per _____

This is to certify that the above named materials are properly classified, described, packaged, marked, and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.
_____ Signature

Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:
The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.
_____ (Signature of Consignor)

TOTAL CHARGES: $

FREIGHT CHARGES:
FREIGHT PREPAID except when box at right is checked ☐ Check box if charges are to be collect

RECEIVED, subject to the classifications and lawfully filed tariffs in effect on the date of the issue of this Bill of Lading, the property described above in apparent good order except as noted (contents and condition of contents of packages unknown), marked, consigned and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination if on it's route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of said property, that every service to be performed hereunder shall be subject to all the Bill of Lading terms and conditions in the governing classification on the date of shipment.

Shipper hereby certifies that he is familiar with all the Bill of Lading terms and conditions in the governing classification and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

NOTICE: Freight moving under this Bill of Lading is subject to the classifications and lawfully filed tariffs in effect on the date of this Bill of Lading. This notice supersedes and negates any claimed, alleged or asserted oral or written contract, promise, representation or understanding between the parties with respect to this freight, except to the extent of any written contract which establishes lawful contract carriage and is signed by authorized representatives of both parties to the contract.

SHIPPER WESTERN GULF RECYCLING
PER
RUBEN M. MORALES

CARRIER Western Gulf Recycling
PER Trustius
DATE 2-6-2025

*HAZARDOUS MATERIALS MARK WITH "X" TO DESIGNATE HAZARDOUS MATERIALS AS REFERENCED IN 49CFR / 172.202.

8

WGR 19241

Time In: [illegible]
Out: _____

C.C. WEIGHING CO.
709 Corn Products Rd. • Corpus Christi, TX 78409
289-0721

2-6 20 23

Weighed For WGR Of _____

Consigned
Or Sold To _____ Of _____

Article Rec. oil Truck Number T-107-VT100

Remarks

64920 lb LBS. GROSS
41360 lb LBS. TARE
23560 lb LBS. NET

"Weigh Charge - $ 10.00" ☐ Chg ☐ Paid

Driver On
Driver Off Frank Hupp

THIS IS TO CERTIFY that I have this day weighed the above described articles and the weights and conditions set forth are true and correct.

CERTIFIED PUBLIC WEIGHER
Precinct No. 1, Nueces County, Texas

DEPARTMENT OF AGRICULTURE • TEXAS •

WESTERN GULF WGR RECYCLING

Retain samples for ONE week!!

Sell of Product - WGR TANK (Internal)

Date _____ Time _____ Sampler _____

Tank ID - _____

Composite Sample - _____ Notes: _____

Spin Out Results:

Product _____
Water _____ BS&W _____
Solids _____

3225 gal delivered

Sample Heated _____

API _____ @ _____ degrees

ADJ API _____ @ 60 Degrees = _____ lbs/gallon

Sell of Product - Truck Sample after loading

Customer UES

Date 2/6/23 Time 12:15 Sampler Ruben Morales

Trailer Number 67-100

Drivers Name FRANK

Composite Sample ✓ Notes: _____

Spin Out Results

Product 97%
Water .5 BS&W 3%
Solids 2.5

API 31.2 @ 77.1 degrees

Adj API 29.8 @ 60 degrees = 7.305 lbs/gallons

Attachment 3: Copy of Frac Tanks Drop-Off Tickets

EQUIPMENT DROP OFF

Ticket # : 00042730
Ticket Created : 05/07/2024
Dropped of at WGR : 05/07/2024
Project Location : CITGO 90 AREA
Work Order No :
PO No :
Job No :
Tracking No :

Western Gulf Recycling
P.O. Box 9605
Corpus Christi, TX 78469
Phone: (361) 299-6600

BILL TO	SPECIAL INSTRUCTIONS
IRONCLAD ENVIRONMENTAL SOLUTIONS 1650 EAST FREEWAY BAYTOWN TX 77521	This document serves as a confirmation of pickup for the below Equipment from Western Gulf Recycling. Final pricing and wash details will be added at time of invoicing.

EQUIPMENT	UNIT NUMBER
Equipment : Fracs Equipment Type : Frac	Unit Number : FO6014

Dropped by : Roel Ortega
Dropped on : 05/07/2024

EQUIPMENT DROP OFF

Ticket # : 00042960
Ticket Created : 05/15/2024
Dropped of at WGR : 05/15/2024
Project Location : CITGO 90 AREA TK 5003
Work Order No :
PO No :
Job No :
Tracking No :

Western Gulf Recycling
P.O. Box 9605
Corpus Christi, TX 78469
Phone: (361) 299-6600

BILL TO	SPECIAL INSTRUCTIONS
IRONCLAD ENVIRONMENTAL SOLUTIONS 1650 EAST FREEWAY BAYTOWN TX 77521	This document serves as a confirmation of pickup for the below Equipment from Western Gulf Recycling. Final pricing and wash details will be added at time of invoicing.

EQUIPMENT	UNIT NUMBER
Equipment : Fracs Equipment Type : Frac	Unit Number : 2704

Dropped by : Andrew Levine
Dropped on : 05/15/2024

EQUIPMENT DROP OFF

Ticket # : 00042949
Ticket Created : 05/15/2024
Dropped of at WGR : 05/15/2024
Project Location : CITGO 90 AREA TK 5003
Work Order No :
PO No :
Job No :
Tracking No :

Western Gulf Recycling
P.O. Box 9605
Corpus Christi, TX 78469
Phone: (361) 299-6600

BILL TO	SPECIAL INSTRUCTIONS
IRONCLAD ENVIRONMENTAL SOLUTIONS 1650 EAST FREEWAY BAYTOWN TX 77521	This document serves as a confirmation of pickup for the below Equipment from Western Gulf Recycling. Final pricing and wash details will be added at time of invoicing.

EQUIPMENT	UNIT NUMBER
Equipment : Fracs Equipment Type : Frac	Unit Number : 2174

Dropped by : Mark Canfield
Dropped on : 05/15/2024

EQUIPMENT DROP OFF

Ticket # : 00042785
Ticket Created : 05/08/2024
Dropped of at WGR : 05/08/2024
Project Location : GIDDLING GAS PLANT
Work Order No :
PO No : P94727
Job No :
Tracking No :

Western Gulf Recycling
P.O. Box 9605
Corpus Christi, TX 78469
Phone: (361) 299-6600

BILL TO	SPECIAL INSTRUCTIONS
Miller Environmental Services, LLC MILLER ENVIRONMENTAL SERVICES, LLC PO BOX 5233 CORPUS CHRISTI TX 78465	This document serves as a confirmation of pickup for the below Equipment from Western Gulf Recycling. Final pricing and wash details will be added at time of invoicing.

EQUIPMENT	UNIT NUMBER
Equipment : Fracs Equipment Type : Frac	Unit Number : A2371B

Dropped by : Damon Vera
Dropped on : 05/08/2024

EQUIPMENT DROP OFF

Ticket # : 00042784
Ticket Created : 05/08/2024
Dropped of at WGR : 05/08/2024
Project Location : GIDDINGS GAS PLANT
Work Order No :
PO No : P94727
Job No :
Tracking No :

Western Gulf Recycling
P.O. Box 9605
Corpus Christi, TX 78469
Phone: (361) 299-6600

BILL TO	SPECIAL INSTRUCTIONS
Miller Environmental Services, LLC MILLER ENVIRONMENTAL SERVICES, LLC PO BOX 5233 CORPUS CHRISTI TX 78465	This document serves as a confirmation of pickup for the below Equipment from Western Gulf Recycling. Final pricing and wash details will be added at time of invoicing.

EQUIPMENT	UNIT NUMBER
Equipment : Fracs Equipment Type : Frac	Unit Number : A5303C

Dropped by : Oscar Pena
Dropped on : 05/08/2024

EQUIPMENT DROP OFF

Ticket # : 00042958
Ticket Created : 05/15/2024
Dropped of at WGR : 05/15/2024
Project Location : CITGO 90 AREA TK 5003
Work Order No :
PO No :
Job No :
Tracking No :

Western Gulf Recycling
P.O. Box 9605
Corpus Christi, TX 78469
Phone: (361) 299-6600

BILL TO	SPECIAL INSTRUCTIONS
IRONCLAD ENVIRONMENTAL SOLUTIONS 1650 EAST FREEWAY BAYTOWN TX 77521	This document serves as a confirmation of pickup for the below Equipment from Western Gulf Recycling. Final pricing and wash details will be added at time of invoicing.

EQUIPMENT	UNIT NUMBER
Equipment : Fracs Equipment Type : Frac	Unit Number : 1753

Dropped by : Mark Canfield
Dropped on : 05/15/2024

Attachment 4- Facility Used Oil Registration

UOR **A86370** CO

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Used Oil Handler Registration

January 19, 2024

Registration Number: A86370 CN603635897 RN106866890
EPA ID: TXR000084361

Shannon W. Frazier, Manager
Registration & Reporting Section

JOHN MURPHY
WESTERN GULF TERMINAL PARTNERS, LP
7934 BEARDEN DR
CORPUS CHRISTI, TX 78409-2003

The Texas Commission on Environmental Quality (TCEQ) has issued this registration in accordance with Title 30 of the Texas Administrative Code (30 TAC) Chapter 324 and Chapter 328, subchapter A. This registration will serve to verify that the used oil handler listed below is registered with the TCEQ.

Issuance of this registration is not an acknowledgment regarding compliance of your operation with state and federal rules and regulations. It reflects the information submitted on your application to register or renew under the Used Oil Program. Failure to comply with all rules and regulations may result in enforcement action and/or the revocation of your registration.

Changes or additions to this registration must be made in writting to the address below within 30 days. If you have any questions, please contact the Used Oil Registration Program at **(512) 239-6413.**

Used Oil and Used Oil Filter Handler

Registration Number: A86370 **Biennial Report Due:** January 25th, every even year

Company Name: WESTERN GULF TERMINAL PARTNERS, LP
Site Name: WESTERN GULF RECYCLING WASH OUT FACILITY
Regulated Entity: WESTERN GULF RECYCLING WASH OUT FACILITY

Physical Address:
7934 BEARDEN DR
CORPUS CHRISTI, TX 78409-2003

Mailing Address:
7934 BEARDEN DR
CORPUS CHRISTI, TX 78409-2003

Contact: JOHN MURPHY
Phone: (361) 299-6600 **Ext:**
E-Mail: BILLING@WESTERNGULFRECYCLIN

Used Oil Handler Activity	Used Oil Filter Handler Activity
One time registration. No renewal required.	**Registration Expiration Date:** 12/31/2025
Financial Insurance Expiration Date: 10/01/2024	**Financial Insurance Expiration Date:** 10/01/2024
* PROCESSOR * TRANSPORTER	* PROCESSOR * TRANSPORTER

Texas Commission on Environmental Quality
Used Oil Recycling Program (MC-129)
P.O. Box 13087, Austin, Texas 78711-3087
www.tceq.texas.gov

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cc: TCEQ REGION 14 - CORPUS CHRISTI

Attachment 5-Evidence of Laboratory Log

5-21-24

4:02 p.m. M1 - 50% oil, 50% Toluene
Heat @ 145° spin test - 50% solid, 50% oil

4:03 p.m. 501 RaG - 50% oil, 50% Toluene
Heat @ 145° spin test - 50% solid, 50% oil

4:05 p.m. 4779 - 50% oil 50% Toluene
Heat @ 145° spin test -

4:17 p.m. Pit 3 2% oil 8% solids 90% H_2O
pH 7.7 long 4poly

Appendix 2 Page 22 of 31

Attachment 6-Waste Determination Form

Section 1: General Information

Date/Time:_____

Inspector Name:_____

Container ID/Batch Number:_____

Source of Waste:_____

Section 2: Waste Characteristics

Waste Type:	Liquid / Solid / Gas / Sludge
Physical Description:	
Odor:	None / Mild / Strong

Section 3: Analytical Results

Test Parameter	**Result**	**Units**	**Regulatory Limit**	**Method Used**
Metals		mg/L or ppm		
pH		pH units		
Total Solids		% or mg/L		
Waste Oil		% or mg/L		
Other (specify)				

Section 4: Supporting Documentation

Document	**Included (Y/N)**	**Notes**
Safety Data Sheets (SDS)		
Waste Manifests		
Bills of Lading (BOL)		
Other (specify)		

Section 5: Waste Determination

Waste Classification	
Non-Hazardous Waste	
Hazardous Waste	
Acutely Hazardous Waste	
Special Waste (specify)	

Rationale for Classification:

- Briefly explain the basis for the waste determination, referencing analytical results, regulatory limits, and supporting documentation.

Section 6: Handling and Disposal Instructions

Action Required	
Approved for Treatment	
Requires Special Handling	
Approved for Disposal	
Requires Further Testing	
Other (specify)	

Section 7: Authorization

Inspector Signature:_____

Date:_____

Notes:

- This form should be completed for each waste determination event.
- Attach all supporting documents and laboratory reports.

Attachment 7- Procedure for Container Drop-off and Inspection at Western Gulf Recycling (WGR) Yard

Procedure for Container Drop-off and Inspection at Western Gulf Recycling (WGR) Yard

Objective: To ensure that containers received on-site from customers meet the requirements for being classified as "RCRA-empty" in accordance with the Resource Conservation and Recovery Act (RCRA).

Scope: This procedure applies to all containers received on-site that are declared as RCRA-empty by the customer.

Responsibilities:

- **Receiving Personnel:** Responsible for initial inspection and documentation.
- **Waste Management Team:** Responsible for handling and processing containers post-verification.

Procedure:

1. Driver Check-in

1.1. **Receiving:**

Upon arrival, the driver checks in at the office where the following information needs to be provided:

- Customer Information
- Container/Equipment Generation Location,
- Container/Equipment Type
- Container/Equipment Unit number
- Bill of Lading, Manifest, Product SDS

2. Initial Inspection by Receiving Personnel:

2.1. After the container information is entered into the facility database, the container/equipment is dropped off at the staying collection area for inspection before the truck leaves the facility.
2.2. WGR Receiving Personnel visually inspect the exterior of the container for any signs of leaks, residue, or damage.
2.3. WGR Receiving Personnel verify the container labeling to ensure it matches the accompanying shipping documentation.
2.4. Record the container's relevant details in the receiving log/database.

3. Inspection Protocol:

3.1. Upon arrival, WGR personnel will inspect each container before the truck leaves. If the container is label with an RCRA-Empty Status (see Appendix A for definition) the following procedure will be followed:

3.1.1. Open the container in the staying collection area equipped with appropriate safety measures (e.g., spill containment, PPE).
3.1.2. Check for any remaining residues or materials inside the container.

3.1.2.1. **For liquid containers:** Ensure no more than 1 inch (2.5 cm) of residue remains on the bottom, or no more than 3% by weight of the total capacity of the container.

3.1.2.2. **For solid containers:** Ensure no more than 3% by weight of the total capacity of the container. 2.3. Document findings on the RCRA-Empty Verification Form (see Appendix B for template).

3.2. If the container is found not to be empty or if discrepancies are noted, it is immediately rejected on the spot.

3.3. The customer associated with the container is promptly notified to arrange for its pickup.

4. Handling and Processing:

4.1. Approved RCRA-empty containers are moved to the designated storage area for further handling.

5. Labeling

5.1. Immediately upon receiving, label the waste container with the appropriate waste label.

5.2. Each waste container must be labeled with the proper sticker (Hazardous Waste, Used Oil, Waste) sticker identifying contents and accumulation start dates.

5.3. A container holding waste must be in good condition (i.e., no severe rusting or apparent structural defects).

5.4. The accumulation storage area must be inspected at least weekly.

6. Documentation and Record Keeping:

6.1. Maintain all records, including inspection reports, verification forms, and correspondence with the customer, for a minimum of three years.

6.2. Ensure that all documentation is readily accessible for regulatory inspections and audits.

Appendix A: "RCRA-empty" Definition (40 CFR Subpart I Part 261.7):

A container is considered "RCRA-empty" under the Resource Conservation and Recovery Act (RCRA) when it meets specific criteria set by the Environmental Protection Agency (EPA). These criteria vary depending on the type of material that was in the container:

1. Containers that held hazardous waste other than compressed gases or acutely hazardous waste:
    - For liquid hazardous waste: The container is considered empty if no more than 1 inch (2.5 centimeters) of residue remains on the bottom of the container or inner liner.
    - For containers greater than 110 gallons in size: The container is empty if no more than 0.3% by weight of the total capacity of the container remains in the container or inner liner.
    - For containers 110 gallons or smaller: The container is empty if no more than 3% by weight of the total capacity of the container remains in the container or inner liner.
2. Containers that held acutely hazardous waste (P-listed waste):
    - The container is empty if it has been triple-rinsed using a solvent capable of removing the acutely hazardous waste, or if the inner liner that prevented contact with the hazardous waste has been removed.
3. Containers that held compressed gases:
    - The container is empty when the pressure in the container approaches atmospheric pressure.

Appendix B: RCRA-Empty Verification Form

Container ID	Customer Name	Date Received	Initial Inspection Findings	Approved/ Rejected
