

INSPECTION REPORT

Inspection Entry Date/Time	06/26/2024 1:45 PM (CT)			Announced: No
Inspection Exit Date/Time	06/26/2024 2:50 PM (CT)			Access: Granted
Regulatory Program	RCRA			
Type of Inspection	Focused Compliance Inspection (FCI)			
Facility or Site Name	Gulf Stream Marine LLC			
Facility/Site Identifier	N/A			
Facility/Site Physical Address	575 Pete Schaff Blvd			
City, State, Zip Code	Freeport, TX 77541			
County/Borough	Brazoria County			
Generator Status	Non-generator			
NAICS	336611			
Type of Operation	Gulf Stream Marine LLC is a stevedoring company that unloads cargo from water and land-based transportation.			
Geographic Coordinates	28.94196, -95.34553			
Additional Persons Participating in Inspection:				
Name	Title	Organization	Email	Phone
Elizabeth Pham	Inspector	EPA REGION 6	Pham.Elizabeth@epa.gov	(214) 665-8354
Erin Young-Dahl	Inspector	EPA REGION 6	YoungDahl.Erin@epa.gov	(214) 665-3166
Neil Rapp	Contractor	Eastern Research Group (ERG)	Neil.Rapp@erg.com	(480) 450-6517
Lead Inspector:				
Vince Damiano				
	ERG	Vince.Damiano@erg.com	(703) 633-1732	

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

The Port Freeport 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	Vince Damiano	(703) 633-1732	Vince.Damiano@erg.com	Yes	Yes
RCRA Inspector/ Contractor/ERG	Neil Rapp	(480) 450-6517	Neil.Rapp@erg.com	Yes	Yes
Inspector/Enforcement Officer/EPA Region 6	Elizabeth Pham	(214) 665-8354	Pham.Elizabeth@epa.gov	Yes	Yes
Inspector/Enforcement Officer/EPA Region 6	Erin Young-Dahl	(214) 665-3166	YoungDahl.Erin@epa.gov	Yes	Yes

Facility General Description

Tenant/Area	Inspection Date	Process Description	Area of Concern
Gulf Stream Marine LLC	06/26/24	Gulf Stream Marine LLC (GSM) is a stevedoring company that unloads cargo from water and land-based transportation. Cargo includes steel bars, rice, and bulk equipment for the oil industry.	Yes

SECTION II – OBSERVATIONS

Tenant: Gulf Stream Marine LLC			
Section: 2.1	Date: 06/26/24, 01:45 AM	Contains AOC: Yes	Contains CBI: No
Lead Inspector: Vince Damiano	Attendees: Urban Martinez (Operations Manager)		
GSM is located within Port Freeport and operates as a stevedore for multiple tenants within the port. GSM uses Port-owned cranes to unload and offload cargo for their clients while also operating their own fleet of forklifts and trucks to move the cargo within the port. GSM mostly handles steel bars, rice, and oil industry project cargo. GSM operates at Docks 3, 4, 5, 8, and 9. GSM does not maintain a MARPOL COA or have an EPA ID. Mr. Martinez explained they have a small maintenance area where they work on vehicles, and this is the only area where used oil and universal waste is generated. GSM does not generate any RCRA-regulated waste. The inspection team conducted a visual inspection of GSM's maintenance area. In a storage container near the maintenance area, the inspection team observed an unlabeled 275-gallon tote of used oil approximately $\frac{3}{4}$ full (see Appendix 1 – Photo 1) [AOC #1: <i>GSM did not clearly label containers used to store used oil with the words "Used Oil." – 40 CFR 279.22 (c)(1)</i>]. The inspection team also observed three half full 5-gallon containers of what appeared to be used oil; these containers also did not display a used oil label or marking (see Appendix 1 – Photo 2) (see AOC #1). Following the inspection, Mr. Martinez sent a follow-up email stating that these 5-gallon containers were holding hydraulic fluid that was pulled from a machine and would be placed back into the machine following repairs (see Appendix 2). Inside the same storage container, inspectors found two lead acid batteries covered in dust (see Appendix 1 – Photo 3). In a follow-up email, Mr. Martinez stated these were new batteries set aside and are not considered waste (see Appendix 2). The inspection team also noted oil stains on the gravel around the maintenance area; Mr. Martinez said these most likely accumulated from working on machines as the maintenance area is outside [AOC #2: <i>GSM did not clean up and manage properly released used oil and other materials– 40 CFR 279.22(d)(3)</i>]. The inspection team did not observe any other apparent AOCs at the time of the inspection. A closing conference was conducted at approximately 02:50 PM with GSM personnel. The AOCs were communicated during the closing. Following the inspection, Mr. Martinez sent a follow-up email on 6/27/24 stating the lead acid batteries and 5-gallon containers of oil were not waste, the used oil tote would be labeled once labels arrived, and that they have contacted a local environmental company to address the oil stains (see Appendix 2).			

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: Gulf Stream Marine LLC		
AOC #1 – GSM 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
AOC #2 – GSM did not clean up and manage properly released used oil and other materials.	Citation: 40 CFR 279.22(d)(3)	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. See Appendix 2.

Communication Log

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

1. 06/27/24 GSM email – Urban Martinez sent a follow-up addressing concerns found during the inspection.

SECTION VI – LIST OF APPENDICES

Appendix 1. Photograph Log

Appendix 2. GSM 06/27/24 Response

APPENDIX 1.
PHOTOGRAPH LOG



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: Gulf Stream Marine LLC		
City: Freeport	County/Parish: Brazoria County	State: Texas



Photo File Name: DSCN7386

Date of Photo: 06/26/2024

Time of Photo: 14:32 hrs. (Camera timestamp set to EST)

Photographer: Vince Damiano

Description: A 275-gallon tote of used oil inside a Conex that was approximately $\frac{3}{4}$ full and unlabeled.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: Gulf Stream Marine LLC		
City: Freeport	County/Parish: Brazoria County	State: Texas



Photo File Name: DSCN7387

Date of Photo: 06/26/2024

Time of Photo: 14:33 hrs. (Camera timestamp set to EST)

Photographer: Vince Damiano

Description: Three 5-gallon buckets containing hydraulic oil that GSM said was removed from equipment that was under repair and would be reused.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: Gulf Stream Marine LLC		
City: Freeport	County/Parish: Brazoria County	State: Texas



Photo File Name: DSCN7388

Date of Photo: 06/26/2024

Time of Photo: 14:35 hrs. (Camera timestamp set to EST)

Photographer: Vince Damiano

Description: Two lead-acid batteries that GMS stated were new and had been set aside for later use.

APPENDIX 2.
GSM 06/27/24 RESPONSE

FW: Follow-up from EPA Inspection 6/26

Neil Rapp <Neil.Rapp@erg.com>

Wed 7/31/2024 10:41 AM

To: Vince Damiano <Vince.Damiano@erg.com>

Regards,



Neil Rapp, P.E.

Senior Engineer

Cell: 480-450-6517

neil.rapp@erg.com

From: Urban Martinez <umartinez@gulfstreammarine.com>

Sent: Thursday, June 27, 2024 12:31 PM

To: Neil Rapp <Neil.Rapp@erg.com>

Cc: Vince Damiano <Vince.Damiano@erg.com>; Young-Dahl, Erin <YoungDahl.Erin@epa.gov>; Pham, Elizabeth <Pham.Elizabeth@epa.gov>; Larry Gutierrez <larryg@gulfstreammarine.com>; Wojciech Rutkowski <wojciechr@gulfstreammarine.com>; Ricky Ramirez <rickyr@gulfstreammarine.com>; Marie-Andree Giguere <mgiguere@logistec.com>

Subject: RE: Follow-up from EPA Inspection 6/26

CAUTION: Don't open links or attachments unless you recognize the sender and know they are safe.

Neil,

Thank you for your email. See below in red for immediate response and for action items to be completed in next couple weeks.

Thank you for your assistance this afternoon. I am following up with a list of items and notes from our inspection today. We would like you to send us:

- Confirmation on whether or not GSM has an EPA Generator ID. - **GSM does not have an EPA Generator ID as we do not generate any waste**
- Confirmation on whether or not GSM has a MARPOL Certificate of Adequacy. – **GSM does not have a MARPOL COA as we do not handle the types of vessels that would require it.**
- Follow up on the two batteries in the Connex. Please let us know if they are new or used and, if they are used, then how long they have been stored in the Connex. – **These batteries are new batteries they just were put off to the side and not used which accounts for the dust on them**
- Pictures of any responses to the areas of concern we communicated to you today. – **We have contacted a local environmental company to address the small hydrocarbon spots and dispose of the contaminated material.**

Please send the requested information to me and the persons copied on this email within two weeks. In addition, please see below a list of initial areas of concern that we noted today:

- Unlabeled containers (i.e., tote, 5-gallon buckets) of used oil (**Labels being ordered, will send pictures upon completion. Please note that hydraulic fluid in 5 gallon buckets were pulled from a machine and is going back in machine upon completion of repairs**)
- Potentially unlabeled used batteries – **Not used batteries**
- Oil stains on the ground in the maintenance area – **As a corrective measure we have contacted a local environmental firm to address the small spots. As a preventative measure we have ordered steel plates under work**

areas to prevent future events.

Thank you, Let me know if there are any questions or concerns.

Urban A. Martinez
Operations Manager
| 504-214-9388 (cell)

Gulf Stream Marine
575 Pete Schaff Blvd
Freeport, TX 77541
www.gulfstreammarine.com



From: Neil Rapp <Neil.Rapp@erg.com>
Sent: Wednesday, June 26, 2024 3:52 PM
To: Urban Martinez <umartinez@gulfstreammarine.com>
Cc: Vince Damiano <Vince.Damiano@erg.com>; Young-Dahl, Erin <YoungDahl.Erin@epa.gov>; Pham, Elizabeth <Pham.Elizabeth@epa.gov>
Subject: Follow-up from EPA Inspection 6/26

External Email: Use caution when opening links and attachments / Courriel externe: Soyez prudent avec les liens et documents joints

Hi Urban,

Thank you for your assistance this afternoon. I am following up with a list of items and notes from our inspection today. We would like you to send us:

- Confirmation on whether or not GSM has an EPA Generator ID.
- Confirmation on whether or not GSM has a MARPOL Certificate of Adequacy.
- Follow up on the two batteries in the Connex. Please let us know if they are new or used and, if they are used, then how long they have been stored in the Connex.
- Pictures of any responses to the areas of concern we communicated to you today.

Please send the requested information to me and the persons copied on this email within two weeks. In addition, please see below a list of initial areas of concern that we noted today:

- Unlabeled containers (i.e., tote, 5-gallon buckets) of used oil
- Potentially unlabeled used batteries
- Oil stains on the ground in the maintenance area

Thanks again for your time and please let us know if you have any questions or concerns.

Regards,



Neil Rapp, P.E.
Senior Engineer
Cell: 480-450-6517
neil.rapp@erg.com