

**Region 6 - Enforcement & Compliance Assurance Division**  
**INSPECTION REPORT**

|                                        |                                                                                              |                                            |
|----------------------------------------|----------------------------------------------------------------------------------------------|--------------------------------------------|
| Inspection Date(s):                    | August 23, 2023                                                                              |                                            |
| Media Program:                         | RCRA                                                                                         |                                            |
| Regulatory Program(s)                  | Large Quantity Generator                                                                     |                                            |
| Company Name:                          | <b>Stolt-Nielsen USA, Inc.</b>                                                               |                                            |
| Facility Name:                         | <b>Stolt Tank Cleaning Facility and Depot</b>                                                |                                            |
| Facility Physical Location:            | 16300 De Zavalla Road, Building #3                                                           |                                            |
| (City, State, Zip Code)                | Channelview, Texas 77530                                                                     |                                            |
| Mailing address:                       | 16300 De Zavalla Road, Building #3                                                           |                                            |
| (City, State, Zip Code)                | Channelview, Texas 77530                                                                     |                                            |
| County/Parish:                         | Harris County                                                                                |                                            |
| Facility Phone Number                  |                                                                                              |                                            |
| Facility Contact:                      | Walt Wilkerson<br>w.wilkerson@stolt.com                                                      | Environmental Superintendent               |
| FRS Number:                            | 110000821282                                                                                 |                                            |
| Identification/Permit Number:          |                                                                                              |                                            |
| Media Identifier Number:               | RCRA ID: TX0000326819                                                                        |                                            |
| NAICS:                                 | 488490 - Other Support Activities for Road Transportation                                    |                                            |
| SIC:                                   |                                                                                              |                                            |
| Personnel participating in inspection: |                                                                                              |                                            |
| John Penland                           | USEPA Region 6 (ECDSR)                                                                       | Senior Environmental Scientist - Inspector |
| Sandesh Thapa                          | USEPA Region 6 (ECDSR)                                                                       | Environmental Scientist - Inspector        |
| Dan Shelton                            | Stolt-Nielsen                                                                                | Depot Manager                              |
| Walt Wilkerson                         | Stolt-Nielsen                                                                                | Environmental Superintendent               |
| Julio Cuellar                          | Stolt-Nielsen                                                                                | Cleaning Station Manager                   |
|                                        |                                                                                              |                                            |
|                                        |                                                                                              |                                            |
|                                        |                                                                                              |                                            |
| EPA Lead Inspector<br>Signature/Date   | <b>JOHN PENLAND</b><br>Digitally signed by JOHN PENLAND<br>Date: 2023.11.24 10:24:26 -06'00' |                                            |
|                                        | John Penland – Senior Environmental Scientist (ECDSR)                                        | Date                                       |
| Supervisor<br>Signature/Date           | <b>DEBRA PANDAK</b><br>Digitally signed by DEBRA PANDAK<br>Date: 2023.11.27 10:22:09 -06'00' |                                            |
|                                        | Debra Pandak – Section Chief (ECDSR)                                                         | Date                                       |

## **Section I – INTRODUCTION**

### **PURPOSE OF THE INSPECTION**

On August 23, 2023, Environmental Protection Agency (EPA) Region 6 inspectors John Penland and Sandesh Thapa conducted an unannounced inspection of the Stolt-Nielsen Tank Cleaning and Depot (Stolt Tank) facility, located at 16300 De Zavalla Road #3 in Channelview, Texas. The inspection was conducted to determine compliance with the Resource Conservation and Recovery Act (RCRA). The inspection included walkthroughs of the facility's hazardous waste generation and management units and a review of the facility records related to hazardous waste management. The Stolt Tank facility was targeted for inspection as part of the Region 6 response to EPA's November 2022 Drum Reconditioner Damage Case Report.

### **FACILITY DESCRIPTION**

The Stolt Tank facility cleans, inspects, and repairs iso-containers for the shipping industry. The chemicals that are removed from the iso-containers during cleaning include a wide variety of organic and inorganic materials that are primarily liquid. Incoming iso-containers are checked-in at the inspection platform, and a decision is made on whether they must first be cleaned at the Tankwash, or if they can go directly to the Depot for inspection, testing, and/or repair. Large numbers of iso-containers are stored outdoors throughout the facility and remain closed during storage. Iso-container cleaning and repairs are conducted indoors or in covered areas at the Tankwash and the Depot. On occasion, the remaining chemical heel must be heated to facilitate removal from the iso-container. The heating is with steam in a non-contact process and is mostly performed outdoors in bermed and concrete-lined areas. Any steam condensate from the heating process is collected and recycled through the boiler for use in creating more steam. Washwater is collected from concrete-contained areas and pumped to the wastewater storage tanks for onsite treatment prior to shipment offsite to a centralized wastewater treatment facility. In addition to the cleaning and repairing of iso-containers, Stolt Tank facility also stores full iso-containers in dedicated areas for customers.

The Stolt Tank facility currently notifies as a Large Quantity Generator of hazardous waste and is assigned the EPA ID: TX0000326819.

## **Section II – INSPECTION SUMMARY**

### **August 23, 2023**

We arrived at the Stolt Tank facility at approximately 11:30am Central Time and began the inspection with an opening conference. During this conference, we presented our credentials to Mr. Walt Wilkerson and informed him that we were there to conduct an inspection of the facility under the authority of Section 3007 of RCRA. During this conference, we also discussed the purpose and scope of the inspection and notified them of the facility's right to assert a claim for Confidential Business Information for records collected during this inspection.

Following the opening conference, we discussed Stolt Tank's container receiving and cleaning processes. We then conducted our walkthrough of the facility's process and storage areas. This walkthrough was focused on inspector orientation of the site and an evaluation of the facility's compliance with the hazardous waste container and tank management standards. After the walkthrough we conducted an initial review of the facility's RCRA compliance records. We concluded our day with a closing conference where we presented our preliminary findings to the facility which are summarized in Section III of this report.

We departed the facility at approximately 3:50pm Central Time.

For our detailed observations, inspection notes, and records request, see the Daily Summary for August 23, 2023, in Appendix 2.

### **Section III – PRELIMINARY FINDINGS**

#### **1. Open containers of hazardous waste - 40 CFR 262.17(a)(1)(iv)(A)**

The container management standards for large quantity generators require containers accumulating hazardous waste to be kept closed unless waste is actively being added or removed. During this inspection we observed one container which was in hazardous waste service and open when unattended and not being filled or emptied. This container was located in the Stolt Tank facility's <90-day container central accumulation area (NOR Unit 001) and contained a D001 ignitable hazardous waste. The container was immediately closed by facility personnel. See photos 4 and 5.

#### **2. Unlabeled containers of hazardous waste - 40 CFR 262.17(a)(5)(i) and 40 CFR 262.15(a)(5)**

The container management standards require large quantity generators to mark containers used for the accumulation of hazardous waste with: the words "hazardous waste"; an indication of the hazards associated with the waste; and, except for satellite accumulation containers, the date when accumulation of the waste began. The same container identified in finding #1 above was also unlabeled at the time of this inspection. The container was immediately labeled by facility personnel after identification. See photos 4 and 5.

#### **3. Condition of hazardous waste containers - 40 CFR 262.17(a)(1)(ii)**

The large container management standards require large quantity generators to immediately transfer hazardous waste out of containers which are leaking or found to be in poor condition. During this inspection we observed one container located near the wastewater treatment unit which was compromised by corrosion. The container was marked with an accumulation start date of August 4, 2023, but we were unable to determine how long the container had been in hazardous waste service or its condition prior to our inspection. See photos 1 through 3.

#### **4. Failure to maintain adequate aisle spacing – 40 CFR 262.255**

Large quantity generators must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency. During our inspection we observed that the <90-day container central accumulation area lacked sufficient aisle space to allow the inspectors to access all of the containers. See photo 6.

#### **Section IV – LIST OF APPENDICES**

Appendix 1 – Photo Log

Appendix 2 – Daily Summary of Inspection Notes and Observations



## **APPENDIX 1**

### **PHOTO LOG**





Photo 1



HAZARDOUS WASTE  
TANK# N/A  
ORDER # N/A  
DRUM# 23147 DATE: 8/4/23  
CHEMICAL NAME: SPENT MEA/TDI (80/20)







Photo 3





Photo 4





Photo 5





Photo 6



## **APPENDIX 2**

### **SUMMARY OF INSPECTION NOTES AND OBSERVATIONS**



## Penland, John

---

**From:** Penland, John  
**Sent:** Monday, August 28, 2023 1:06 PM  
**To:** Thapa, Sandesh; d.shelton@stolt.com; w.wilkerson@stolt.com; JIR@stolt.com  
**Cc:** Pandak, Debra (she/her/hers)  
**Subject:** Inspection summary 2023 EPA RCRA Inspection Stolt-Nielsen Container Wash and Depot (TX0000326819)- Channelview, TX

All, Here is a summary of my notes from last week's inspection. If there are any errors or omissions please let me know.

### Introduction

On August 23, 2023, I, John Penland, will be conducted an unannounced inspection of the Stolt-Nielsen USA, Inc. facility located at 16300 De Zavalla Rd # 3, Channelview, TX 77530, for compliance with the Resource Conservation and Recovery Act (RCRA). I was assisted on this inspection by Environmental Protection Agency (EPA) inspector Sandesh Thapa. The inspection included walkthroughs of the facility's hazardous waste generation and management units and a review of the facility records related to hazardous waste management.

### Purpose

The Stolt facility was targeted for inspection as part of the Region 6 response to EPA's November 2022 [Drum Reconditioner Damage Case Report](#).

### Inspection Attendees:

| NAME           | TITLE                           | REPRESENTING    | PHONE        | EMAIL                                                            |
|----------------|---------------------------------|-----------------|--------------|------------------------------------------------------------------|
| John Penland   | Lead Hazardous Waste Inspector  | US EPA Region 6 | 214-665-9717 | <a href="mailto:Penland.john@epa.gov">Penland.john@epa.gov</a>   |
| Sandesh Thapa  | Asst. Hazardous Waste Inspector | US EPA Region 6 | 214-665-2265 | <a href="mailto:Thapa.sandesh@epa.gov">Thapa.sandesh@epa.gov</a> |
| Dan Shelton    | Depot Manager                   | Stolt-Nielsen   | 281-860-6302 | <a href="mailto:d.shelton@stolt.com">d.shelton@stolt.com</a>     |
| Walt Wilkerson | Environmental Superintendent    | Stolt-Nielsen   | 281-382-3171 | <a href="mailto:w.wilkerson@stolt.com">w.wilkerson@stolt.com</a> |
| Julio Cuellar  | Cleaning Station Manager        | Stolt-Nielsen   | 832-593-5389 | <a href="mailto:Jir@stolt.com">Jir@stolt.com</a>                 |

### Daily Summary

- Initial Entry to the facility - approximately 11:30 am
- Opening meeting start – 11:35 am
  - I presented my credentials to Mr. Walt Wilkerson and informed him that we were there to conduct an inspection of the facility under the authority of section 3007 of the Resource Conservation and Recovery Act
  - We discussed the authority for the inspection – RCRA Section 3007 - For purposes of developing or assisting in the development of any regulation or enforcing the provisions of this chapter, any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, or upon request of any duly designated officer, employee or representative of a State having an authorized hazardous waste program, furnish information relating to such wastes and permit such person at all reasonable times to have access to, and to copy all records relating to such wastes. For the purposes of developing or assisting in the development of any regulation or enforcing the provisions of this chapter, such officers, employees or representatives are authorized—



- (1) to enter at reasonable times any establishment or other place where hazardous wastes are or have been generated, stored, treated, disposed of, or transported from;
    - (2) to inspect and obtain samples from any person of any such wastes and samples of any containers or labeling for such wastes.
  - We discussed the purpose of EPA's inspection – In response to the Drum Reconditioner Damage Case Report, this inspection is intended to: Assess the Stolt facility's regulatory status (ie, VSQG, SQG, or LQG); Assess compliance with the appropriate regulatory requirements based on the facility's regulatory status, Evaluate the facility's waste identification and characterization procedures; and Identify facility operations which could pose a risk of release of hazardous waste or hazardous constituents to the air, water, or land.
  - Discussed the right of Stolt to assert a Confidential Business Information claim for records requested by EPA (see attachment)
  - Discussed the process for transferring electronic records – EPA has set up a  [Microsoft OneDrive folder](#) with access limited to the inspection participants.
  - Discussed the inspection process – the onsite inspection will be conducted on August 23, 2023. The records review will be conducted by the inspectors independently offsite who will remain in the area throughout the week for additional records delivery if needed. A daily summary will be provided by the inspectors at the end of the onsite inspection day to ensure a clear communication of questions and findings.
- General Facility Process – The Stolt facility is an ISO container washing facility located in Channelview, Texas. This process generates: wastewater; used ppe; and residues removed from the ISO containers.
  - Initial request for compliance records, including:
    - Facility Maps identifying solid waste management units, if available
    - Facility waste profiles for any solid waste generated since 2020. Include documentation relevant to the waste determination made for each waste (i.e. analytical reports or documentation to support generator knowledge; see 40 CFR 262.11(f))
    - Facility SOPs and documents related to the exclusion of certain categories of container residues
    - Facility SOPs and documents related to the characterization of container residues
    - Facility SOPs and documents related to the generation or management of container residues
    - The facility contingency plan with records of distribution
    - Example service contracts describing heel ownership and transfer
    - RCRA training Records for Juan Cuellar, Walt Wilkerson, Jonathan Davis, Steven Petties, Charles Haggerty
    - Rejected Manifests, if any
    - Weekly Inspection records for March 2023
  - Facility Walkthrough
    - Beginning at approximately 12:00pm- This walkthrough of the facility was focused on familiarizing the inspection team with the function and layout of the process and to identify readily apparent management concerns.
    - Container Receiving Process
      - Receives containers from offsite and staged in a designated area before processing.
      - ISO containers are visually inspected to ensure that they are received RCRA empty
      - Container last held contents are reviewed to verify that they meet the acceptance criteria for cleaning.
    - Container Emptying and Cleaning Process
      - ISO Containers are cleaned once they meet the acceptance criteria.
        - The cleaning process consist of: 1) venting the vapor space of the container through a thermal oxidizer; 2) Removing the heel; 3) Washing with a hot non-caustic detergent; 4) Rinsing with clean water



- Heels may be managed as a product or hazardous waste depending on the original shipper's determination. Hazardous waste heels are collected in 55-gallon drums and sent out for disposal. According to the cleaning manager, Mr. Julio Cuellar, there are no mixing of heels from different ISOs.
  - Wastewater Treatment (WWT)
    - Washwater from first flush can be reused or sent to the facility's wastewater treatment unit. The facility is using multiple holding tanks and settling tanks for processing Washwater.
    - Wastewater from the cleaning process is sent to Ciron Environmental; a TPDES permitted facility.
- Facility Walkthrough
  - During the facility walkthrough we discussed the regulatory applicability of RCRA to the processes.
  - Our walkthrough included the container venting area, the container wash racks, the wastewater treatment area, and the <90-day container central accumulation area (NOR001)
  - Wastewater treatment area
    - During our inspection of the wastewater treatment area we found one 55-gallon drum marked as containing hazardous waste which was severely corroded.
  - Central Accumulation Area
    - The spacing of the drums did not allow the unobstructed movement of personnel and emergency equipment.
    - Identified one open and unlabeled 55-gallon drum. This drum was later confirmed to contain a D001 hazardous waste. According to Mr. Wilkerson this waste was generated on August 1, 2023.
- Onsite document review
  - Reviewed weekly container inspection record
    - Stolt was unable to provide an inspection record for the week of March 12, 2023
    - All other records were complete
  - However, according to the RCRA regulations, a Large Quantity Generator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes (40 CFR 262 Subpart M).
- Preliminary Findings
  - 40 CFR 262.17(a)(1)(iv)-Failure to close containers managing hazardous waste
    - One container identified in NOR001
  - 40 CFR 262.17(a)(5)-Failure to label containers managing hazardous waste
    - One container identified in NOR001
  - 40 CFR 262.17(a)(1)(ii)-Management of hazardous waste in a compromised container
    - One container identified in the Wastewater Treatment area
  - 40 CFR 262.255-Failure to maintain aisle spacing
    - Lack of adequate aisle spacing in CAA.

Departed Facility at approximately 3:50pm

John Penland  
 Senior Environmental Scientist (ECDSR)  
 Enforcement and Compliance Assurance Division  
 Waste Enforcement Branch  
 EPA Region 6 1201 Elm St., Suite 500  
 Dallas, Texas 75270  
 (214)665-9717



## Penland, John

---

**From:** Walt Wilkerson <w.wilkerson@stolt.com>  
**Sent:** Tuesday, August 29, 2023 10:45 AM  
**To:** Penland, John; Thapa, Sandesh; Dan Shelton; Julio Cuellar  
**Cc:** Pandak, Debra (she/her/hers)  
**Subject:** RE: Inspection summary 2023 EPA RCRA Inspection Stolt-Nielsen Container Wash and Depot (TX0000326819)- Channelview, TX

Good morning John,

I have posted some photographs to the shared drive (photographs folder) to document the actions we have taken in response to the findings of your facility walkthrough last week:

- Preliminary Findings
  - 40 CFR 262.17(a)(1)(iv)-Failure to close containers managing hazardous waste
    - One container identified in NOR001
  - 40 CFR 262.17(a)(5)-Failure to label containers managing hazardous waste
    - One container identified in NOR001

**Photograph “drum#23151 closed,labeled” shows this drum, mentioned in the two bullet points above, has been identified, labelled, and closed. This action was taken on Wednesday August 23<sup>rd</sup>**

- 40 CFR 262.17(a)(1)(ii)-Management of hazardous waste in a compromised container
  - One container identified in the Wastewater Treatment area

**Photograph “drum#23148 overpack: shows this drum has been overpacked and moved into our drum storage area. This action was taken on Thursday August 24<sup>th</sup>**

- 40 CFR 262.255-Failure to maintain aisle spacing
  - Lack of adequate aisle spacing in CAA.

**Photographs “drum spacing” 1 & 2 show we have rearranged our drums to create aisle spacing that will allow access to all drums. This action was taken on Wednesday August 23<sup>rd</sup>**

Please let me know if you have any questions.

Kind Regards,

**Walt Wilkerson**  
**Environmental Superintendent**  
STC Depot Administration  
Stolt Tank Containers  
16300 Dezavala Building 3  
Houston 77530  
United States

**Phone:** 281-382-3171  
**Mobile:** +1 2813823171  
**Email:** w.wilkerson@stolt.com  
<https://www.stolttankcontainers.com>  
Manage Your Business 24/7/365 via **mySTC**



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John Penland  
 Senior Environmental Scientist (ECDSR)  
 Enforcement and Compliance Assurance Division  
 Waste Enforcement Branch  
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 Dallas, Texas 75270  
 (214)665-9717