

INSPECTION REPORT

Inspection Entry Date/Time	05/21/2024 13:00 (CT)		Announced: No	
Inspection Exit Date/Time	05/21/2024 14:45 (CT)		Access: Granted	
Regulatory Program	RCRA			
Type of Inspection	Focused Compliance Inspection (FCI)			
Facility or Site Name	Gainco, Inc.			
Facility/Site Identifier	TXR000080455			
Facility/Site Physical Address	900 Floerke Road			
City, State, Zip Code	Portland, TX 78374			
County/Borough	San Patricio County			
Generator Status	N/A			
NAICS	None			
Type of Operation	Gainco, Inc. is a transporter for hire that performs spill cleanups, tank cleaning, operates 70-barrel trucks, and transports boxes and other material, including waste.			
Geographic Coordinates	27.87835, -97.3219			
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 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
Gainco, Inc.	05/21/24	Gainco, Inc. (Gainco) is a transporter for hire that performs spill cleanups and tank cleaning, operates 70-barrel trucks, and transports boxes and other material, including waste. Most of the waste the company transports, as well as the waste it generates itself, is sent to US Ecology. Gainco handles and transports hazardous waste, non-hazardous waste, used oil, and sludge. The company pumps wastes, generally in the form of slops, off tugboats and other vessels. Gainco generates non-hazardous waste including wash water and spent carbon, as well as used oil. The company does not act as a transfer facility but may keep material in transit at its facility overnight on rare occasions. Gainco does not maintain a MARPOL COA.	No

SECTION II – OBSERVATIONS

Tenant: Gainco, Inc.			
Section: 2.1	Date: 05/21/24, 01:00 PM	Contains AOC: No	Contains CBI: No
Lead Inspector: Brook McKeown	Attendees: Sally Garcia (DOT Manager), Theresa Nix (President)		
Gainco is a transporter for hire that performs spill cleanups and tank cleaning, operates 70-barrel trucks, and transports boxes and other material, including waste. Most of the waste the company transports as well as the waste it generates itself is sent to US Ecology in Houston. Gainco also sends waste to Texas Molecular and Kinder Morgan. Used oil that Gainco transports does not come back to its site, but is transported directly to US Ecology, Texas Molecular, or Kinder Morgan. Gainco handles and transports hazardous waste, non-hazardous waste, used oil, and sludge. The company pumps wastes, generally in the form of slops, off tugboats and other vessels. For pumping wastes off vessels, Gainco mainly acts as a mobile facility for the USCG. Gainco generates non-hazardous waste including wash water and spent carbon, as well as used oil. The company generates wash water through rinsing out its trucks. The company takes the wash water to a recycler that performs all the profiling for the wash water. Any washouts that could generate hazardous waste are performed at Western Gulf. Gainco generates used oil from its own trucks. Spent carbon is generated from its trucks’ filters and adsorbers. This waste is sent to US Ecology. Gainco has tested the spent carbon and characterized it as non-hazardous waste. Gainco’s 70-barrel trucks or tanker trucks mostly move wash water around their customers’ facilities and remain on these sites as a third-party transporter for their clients. Gainco has a spill response location in Arlington, TX. Gainco is registered with EPA as a transporter of hazardous waste and a used oil handler (EPA ID TXR000080455) and does not maintain a MARPOL COA. The facility services vessels on the road with their trucks and they do not operate any docks. The company does not act as a transfer facility; however, it may keep material in transit at its facility overnight on rare occasions when the Department of Transportation (DOT) prevents deliveries from occurring until the next day. Gainco maintains records of used oil transports with Bills of Lading (BOLs), and used oil is typically delivered to AEP Texas (EPA ID TXD98255328), among others. The inspection team viewed several BOLs and noted no issues. Based on these BOLs, all of the used oil was transported to its destination on the same day it was received. The inspection team also viewed non-hazardous waste manifests from 2024 and noted no issues. The inspection team then performed a walk through of the facility, which had waste scattered around its yard area. Observations and AOCs are presented here along with facility responses where relevant. The inspection team observed the following unlabeled waste containers, many of which were not properly closed or had integrity issues, that facility personnel stated contained non-hazardous waste streams: • One trailer with 24 unlabeled 55-gallon steel drums of spent carbon/unknown waste (see Appendix 1 – Photos 1 and 6). In Ms. Garcia’s follow-up email from 06/03/2024 (see Appendix 2), an attachment was included showing that these drums were labeled as non-hazardous waste (see Appendix 3). • One trailer with 10 unlabeled 55-gallon drums of spent carbon/unknown waste (see Appendix 1 – Photo 8). In Ms. Garcia’s follow-up email from 06/03/2024 (see Appendix 2), an attachment was included showing that these drums were labeled as non-hazardous waste (see Appendix 4). • One unlabeled 55-gallon drum adjacent to the scale area with integrity issues in the drum lid (see Appendix 1 – Photo 2). In Ms. Garcia’s follow-up email from 06/03/2024 (see Appendix 2), an attachment was included showing that this drum was labeled as non-hazardous waste, and its lid was			

replaced (see Appendix 5).

- One unlabeled 55-gallon green drum with unknown waste on the northern portion of the facility (see Appendix 1 – Photo 3). In Ms. Garcia’s follow-up email from 06/03/2024 (see Appendix 2), an attachment was included showing that this drum was labeled as non-hazardous waste (see Appendix 6).
- One unlabeled 55-gallon drum with unknown waste adjacent to tire storage (see Appendix 1 – Photo 4). In Ms. Garcia’s follow-up email from 06/03/2024 (see Appendix 2), an attachment was included showing that this drum was labeled as non-hazardous waste (see Appendix 7).

The inspection team also noted evidence of debris on the ground, which could potentially be waste from cleaning trucks or containers (see Appendix 1 – Photo 5). In Ms. Garcia’s follow-up email from 06/03/2024 (see Appendix 2), an attachment was included showing that this debris was removed, although no information was provided about whether the removed debris was determined to be a hazardous waste or how it was ultimately managed (see Appendix 8). The inspection team observed that liquid from a red frac tank was leaking into the secondary containment (see Appendix 1 – Photos 6 and 7). After the walkthrough, Gainco personnel indicated that this frac tank held non-hazardous oily water. The inspection team does not have sufficient information on the origin of the oily water to be able determine whether it is used oil or a non-hazardous waste stream.

No areas of concern (AOCs) were identified during the visual inspection; however, further EPA review may change or add to their potential AOCs. A closing conference was conducted at approximately 2:20 PM with Gainco personnel.

SECTION III – RECORDS REVIEW

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

SECTION IV – AREAS OF CONCERN

No areas of concern were found during the inspection.

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. 06/03/24 Gainco email – Sally Garcia sent several photos and descriptions showing corrective actions implemented in the general yard area.

SECTION VI – LIST OF APPENDICES

Appendix 1. Photograph Log

Appendix 2. Follow-Up Email from Gainco

Appendix 3. Gainco Follow-Up on Trailer with 24 Drums

Appendix 4. Gainco Follow-Up on Trailer with 10 Drums

Appendix 5. Gainco Follow-Up on Black Drum Adjacent to Scale Area

Appendix 6. Gainco Follow-Up on Green Drum

Appendix 7. Gainco Follow-Up on Black Drum Adjacent to Tire Storage

Appendix 8. Gainco Follow-Up on Evidence of Debris

APPENDIX 1.
PHOTOGRAPH LOG



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: Gainco, Inc.		
City: Portland	County/Parish: San Patricio	State: Texas



Photo File Name: DSCN1081

Date of Photo: 05/21/2024

Time of Photo: 13:59 hrs.

Photographer: Cameron Tanaka

Description: Overview of trailer with 24 unlabeled 55-gallon steel drums of spent carbon/unknown waste in Gainco's general yard area.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: Gainco, Inc.		
City: Portland	County/Parish: San Patricio	State: Texas



Photo File Name: DSCN1082

Date of Photo: 05/21/2024

Time of Photo: 14:01 hrs.

Photographer: Cameron Tanaka

Description: View of unlabeled 55-gallon drum adjacent to Gainco's scale area with integrity issues in the drum lid.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: Gainco, Inc.		
City: Portland	County/Parish: San Patricio	State: Texas



Photo File Name: DSCN1083

Date of Photo: 05/21/2024

Time of Photo: 14:03 hrs.

Photographer: Cameron Tanaka

Description: View of unlabeled 55-gallon green drum with unknown waste in the northern portion of the facility.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: Gainco, Inc.		
City: Portland	County/Parish: San Patricio	State: Texas



Photo File Name: DSCN1084

Date of Photo: 05/21/2024

Time of Photo: 14:04 hrs.

Photographer: Cameron Tanaka

Description: View of unlabeled 55-gallon drum adjacent to Gainco's tire storage area.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: Gainco, Inc.		
City: Portland	County/Parish: San Patricio	State: Texas



Photo File Name: DSCN1085

Date of Photo: 05/21/2024

Time of Photo: 14:07 hrs.

Photographer: Cameron Tanaka

Description: View of the area with evidence of debris on the ground, towards the top of the photograph, in Gainco's general yard area (observed).



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: Gainco, Inc.		
City: Portland	County/Parish: San Patricio	State: Texas



Photo File Name: DSCN1086

Date of Photo: 05/21/2024

Time of Photo: 14:09 hrs.

Photographer: Cameron Tanaka

Description: Overview of area with trailer containing 24 unlabeled 55-gallon drums and leaking red frac tank in Gainco's general yard area.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: Gainco, Inc.		
City: Portland	County/Parish: San Patricio	State: Texas



Photo File Name: DSCN1087

Date of Photo: 05/21/2024

Time of Photo: 14:10 hrs.

Photographer: Cameron Tanaka

Description: Close-up of leaking liquid from the red frac tank shown in Photo No. 6 in Gainco's general yard area.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: Gainco, Inc.		
City: Portland	County/Parish: San Patricio	State: Texas



Photo File Name: DSCN1088

Date of Photo: 05/21/2024

Time of Photo: 14:11 hrs.

Photographer: Cameron Tanaka

Description: Overview of trailer with 10 unlabeled 55-gallon drums of spent carbon/unknown material in Gainco's general waste area.

APPENDIX 2.
FOLLOW-UP EMAIL FROM GAINCO

FW: Gainco - POCCA Week 3 EPA RCRA Inspections

Brook McKeown <Brook.McKeown@erg.com>

Tue 2024-07-30 10:06 AM

To: Cameron Tanaka <Cameron.Tanaka@erg.com>

 6 attachments (10 MB)

Black Drum - Adjacent to Scale Area.pdf; Black Drum - Adjacent to Tire Storage.pdf; Evidence Debris.pdf; Green Drum Labeled.pdf; Trailer with 24 Drums.pdf; Trailer with 10 Drums.pdf;

This is the response I have for Gainco

From: Sally Garcia <sgarcia@gaincoinc.com>

Sent: Monday, June 3, 2024 4:46 PM

To: Brook McKeown <Brook.McKeown@erg.com>

Cc: 'Penland, John' <penland.john@epa.gov>; 'Young-Dahl, Erin' <youngdahl.erin@epa.gov>; Cameron Tanaka <Cameron.Tanaka@erg.com>; t.nix@gaincoinc.com

Subject: RE: Gainco - POCCA Week 3 EPA RCRA Inspections

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

Good afternoon Brook,

I hope you had a wonderful weekend. Attached are the pictures of the areas of concern for your review. Please contact either Theresa or myself with any questions, Thank you.

From: t.nix@gaincoinc.com <t.nix@gaincoinc.com>

Sent: Tuesday, May 21, 2024 4:13 PM

To: Brook McKeown <Brook.McKeown@erg.com>

Cc: sgarcia@gaincoinc.com; Penland, John <penland.john@epa.gov>; Young-Dahl, Erin <youngdahl.erin@epa.gov>; Cameron Tanaka <cameron.tanaka@erg.com>

Subject: RE: Gainco - POCCA Week 3 EPA RCRA Inspections

Brook,

Thank you for getting back to us so quickly. We will get these items addressed and resolved and send you photographic documentation. Have a great evening.

Thanks!

Theresa Nix

Gainco, Inc.

P. O. Box 309

Portland, TX 78374

Office: 361.643.4378

Mobile: 361.633.1605

tnix@gaincoinc.com

www.gaincoinc.com

-----Original Message-----

From: "Brook McKeown" <Brook.McKeown@erg.com>

Sent: Tuesday, May 21, 2024 4:50pm

To: "sgarcia@gaincoinc.com" <sgarcia@gaincoinc.com>, "t.nix@gaincoinc.com" <t.nix@gaincoinc.com>

Cc: "Penland, John" <Penland.John@epa.gov>, "Young-Dahl, Erin" <YoungDahl.Erin@epa.gov>, "Cameron Tanaka" <Cameron.Tanaka@erg.com>

Subject: Gainco - POCCA Week 3 EPA RCRA Inspections

Teresa and Sally –

Thank you again for your time today during EPA's RCRA inspection of Gainco's operations at 900 Floerke Road in Portland. As discussed during our closing today, below are a list of areas of concern from the inspection. If you have any responses or documented corrective actions to any of the areas of concern listed below, you can provide that information by June 4th and it will be incorporated into the inspection report.

Areas of Concern

- We observed the following unlabeled waste containers that reportedly contained non-hazardous waste streams, many of which were not properly closed or had integrity issues:
 - One trailer with 24 unlabeled 55-gallon steel drums of spent carbon/unknown waste
 - One trailer with 10 unlabeled 55-gallon drums of spent carbon/unknown waste
 - One unlabeled 55-gallon drum adjacent to the scale area with integrity issues in the drum lid
 - One unlabeled 55-gallon green drum with unknown waste on the northern portion of the facility.
 - One unlabeled 55-gallon drum with unknown waste adjacent to tire storage.
- Evidence of debris on the ground, which could potentially be disposal from cleaning trucks or containers.

Please don't hesitate to reach out to me if you have any questions or concerns.

Thanks,

Brook



Brook McKeown

(She/They)

Chemical Engineer

Cell: 410-459-5811

Email: brook.mckeown@erg.com

www.erg.com

APPENDIX 3.
GAINCO FOLLOW-UP ON TRAILER WITH 24 DRUMS



Trailer with 24 Labeled Drums



Trailer with 24 Labeled Drums

APPENDIX 4.
GAINCO FOLLOW-UP ON TRAILER WITH 10 DRUMS



Trailer with 10 drums-Labeled



Trailer with 1 drums-Labeled

APPENDIX 5.
GAINCO FOLLOW-UP ON BLACK DRUM ADJACENT TO SCALE AREA



Drum Located Adjacent to The Scale Area-Replaced Lid

APPENDIX 6.
GAINCO FOLLOW-UP ON GREEN DRUM



Labeled Green Drum Located on the Northern Portion of the facility

APPENDIX 7.
GAINCO FOLLOW-UP ON BLACK DRUM ADJACENT TO TIRE STORAGE



Labeled Black Drum Located Adjacent to Tire Storage

APPENDIX 8.
GAINCO FOLLOW-UP ON EVIDENCE OF DEBRIS



Evidence-Debris no longer on the ground.