

INSPECTION REPORT

Inspection Entry Date/Time	12/12/2023 01:50 PM (CT)	Announced: No
Inspection Exit Date/Time	12/12/2023 04:25 PM (CT)	Access: Granted
Regulatory Program	RCRA	
Type of Inspection	RCRA Compliance Evaluation Inspection	
Company Name	Brownsville Gulfside Warehouse, Inc.	
Facility or Site Name	Brownsville Gulfside Warehouse, Inc.	
Facility/Site Identifier	TXR000076653	
Facility/Site Physical Address	400 RL Ostos Road	
City, State, Zip Code	Brownsville, TX 78521	
County/Borough	Cameron	
Generator Status	Non-generator	
NAICS	488310	
Type of Operation	Port located on the U.S.-Mexico border.	
Geographic Coordinates	25.931543, -97.498768	
Mailing Address/Secondary Address	400 RL Ostos Road	
City, State, Zip Code	Brownsville, TX 78521	
Permit Number (If Applicable)	Not Applicable	
Additional Persons Participating in Inspection:		
Name	Title	Organization
Raymond P. Everitt	Environmental Investigator	Texas Commission on Environmental Quality (TCEQ), Region 15 - Harlingen
Email		Phone
raymond.everitt@tceq.texas.gov		(956) 430-6025
Lead Inspector:		
Dedriel Gardner	[Signature]	[Date]
	EPA REGION 6	Gardner.Dedriel@epa.gov
		(913) 551-7049
Supervisor Review:		
Debra Pandak	[Signature]	[Date]
	EPA REGION 6	Pandak.debra@epa.gov

SECTION I – INTRODUCTION

Purpose of the Inspection

Type of inspection: Compliance Evaluation Inspection

On December 12, 2023, I, Dedriel Gardner, conducted an unannounced inspection of the Brownsville Gulfside Warehouse, Inc. (BGW) facility located at 400 RL Ostos Road in Brownsville, Texas, for compliance with the Resource Conservation and Recovery Act (RCRA). The CEI was needed following a September 28, 2023, focused RCRA inspection conducted at the Port of Brownsville (POB) and its tenants. Ramiro Yanez, Foreman, acted as the facility representative. I informed him this inspection would be evaluating the paint related materials EPA observed onsite during the previous September 28, 2023, inspection.

This report is based on information supplied by Mr. Yanez, inspector observations, and records including photographs taken, verbal or written statements made during or after the onsite inspection, and 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. Photographs taken during the inspection to document onsite observations are included as Appendix 1.

Attendees

Title/Organization	Name	Phone	Email	Opening Conf.	Closing Conf.
Lead Inspector/ Enforcement Officer/EPA Region 6	Dedriel Gardner	(913) 551- 7049	Gardner.Dedriel@epa.gov	Yes	Yes
Environmental Investigator/Texas Commission on Environmental Quality (TCEQ), Region 15 - Harlingen	Raymond P. Everitt	(956) 430- 6025	raymond.everitt@tceq.texas.gov	Yes	No
Foreman/BGW	Ramiro Yanez	(956) 466- 8521	egutierrez@brownsvillegulfside.com	Yes	Yes
Logistics Coordinator /BGW	Rachel Sarquis	(956) 831- 4241	rsarquis@brownsvillegulfside.com	No	Yes

SECTION II – OPENING CONFERENCE/OBSERVATIONS

During the previous September 28, 2023, inspection, over 1000 containers of apparent paint related materials were observed stored onsite in a waste like manner (see the September 28, 2023, POB inspection report).

This inspection concentrated on the status of the paint related materials EPA observed during the previous inspection. The following was noted:

1. On December 12, 2023, Raymond Everitt (TCEQ) and I arrived at BGW at about 1:50 P.M.
2. I asked for Belinda Vasquez, the facility contact from the previous inspection. However, I was told that she was in a meeting and the Foreman will be conducting the inspection. Ramiro Yanez, Foreman, arrived about 2:05 P.M. and acted as the facility representative. Mr. Yanez has worked for BGW approximately 38 years and at the POB for 53 years.
3. Mr. Yanez spoke Spanish and Mr. Everitt acted as his interpreter during this inspection.
4. Mr. Everitt and I introduced ourselves and presented our credentials to Mr. Yanez. I informed him we were there to conduct a inspection under the authority of Section 3007 of RCRA. I discussed EPA Region 6's Confidentiality Notice (40 CFR Section 2.203) for any, potential Business Confidentiality Information claims by BGW. At the conclusion of the inspection, Mr. Yanez stated through an interpreter (Rachel Sarquis, BGW Logistics Coordinator) that nothing was confidential, and they were not making any claims.
5. Mr. Yanez stated the following regarding the paint related materials currently onsite and those EPA observed during the previous September 28, 2023, inspection:
 - a. The warehouses were built in the 1970s.
 - b. Partoque Padre located in Matamoros, Mexico, leases the space at BGW. They pay rent but do not have a written lease agreement. Also, Partoque Padre does not have any rent receipts as they pay in cash. As discussed below, it is normal for BGW's customers to use the warehouse as needed and not have written lease agreements.
 - c. An unknown named company located in McAllen, Texas, sent the materials to BGW for storage in the space leased by Partoque Padre.
 - d. He believes Partoque Padre is a paint processor that will mix/reprocess these paint related materials and/or resale them as is.
 - e. Partoque Padre has a transportation company to transport the materials from BGW to Partoque Padre in Mexico. I asked for the shipping papers, and he stated that EPA would have to get them from Partoque Padre.
 - f. I asked how long Partoque Padre has been leasing this space and he stated about two years. However, I reminded him that during the previous inspection, he stated that some of the material had been there six years. He stated yes, they have been leasing for six years.
 - g. Since the previous inspection, paints have been removed from Warehouses #1 and #2. He stated that about 150 pallets of paints were removed from Warehouse #1 and about 200 pallets of paints removed from Warehouse #2 over the past one to one and half months. Some were last removed about two weeks ago from Warehouse #2. All had been shipped

to Partoque Padre in Mexico. Nothing has been removed from Warehouse #3 but will be after he completes the removal from the other two warehouses.

- h. He expects to have all the materials onsite removed within a week.
 - i. He has no relations to the McAllen or Partoque Padre companies.
 - j. I observed spilled paint pens on the ground on the south side of Warehouse #1 (see Photos 31 - 38). He stated that about a month ago, a pallet was being loaded onto a truck for transport to Mexico. The pallet was damaged by the forklift which caused the pens to spill onto the ground. He plans to pick them up, store them at BGW while he tries to sell them. If he cannot sell them, he will dispose of them. **[AOC #1a: No documentation, as required, to demonstrate the crushed spilled pens are not a solid waste – 40 CFR 261.2(f)].**
6. During the walk-through, I observed over 500 partially full to full containers of apparently waste like paint related materials. The container sizes included approximately 250-gallon totes, 1-cubic yard boxes, 55-gallon drums, 5-gallon pails, small pens, and 1-gallon, 1-quart, and 1-pint cans. The containers appeared waste-like based on they were old and stored haphazardly, i.e., some had cobwebs attached, a thick layer of dust, separated into phases, open lids with hardened contents, paint spilled on sides, limited access due to inadequate aisle space, and containers falling off pallets. Observations at each warehouse include the following:
- a. **Warehouse #1** – During the previous inspection, the EPA observed approximately 164 pallets of the various size containers of apparently waste-like materials being stored. It appeared that about a third to a half of the materials had been removed. The containers I observed remaining included containers that were unlabeled, and others labeled as stated in the previous inspection report and shown in Photos 1 thru 51. See the Warehouse #1 facility layout with the current and past photo locations in Appendix 1). The unlabeled containers included about six pallets of apparent 1-quart cans that had the labels removed and Mr. Yanez stated he did not know why (see Photos 14 – 16, 19, and 20). Also, I observed two unlabeled 5-gallon plastic jugs that had a solvent type of odor. Mr. Yanez stated that they came over with the electrical box stored next to them and he did not know what they were. **[AOC #1b: No documentation as, required, to demonstrate that materials stored in Warehouse #1 are not a solid waste – 40 CFR 261.2(f)].**
 - b. **Warehouse #2** – During the previous inspection, the EPA observed over 220 containers of the various sizes. It appeared that about a half of the materials had been removed since the previous inspection. The containers I observed remaining included containers that were unlabeled, and others labeled as stated in the previous inspection report and shown in Photos 52 thru 96. See the Warehouse #2 facility layout with the current and past photo locations in Appendix 1). **[AOC #1c: No documentation, as required, to demonstrate that materials stored in Warehouse #2 are not a solid waste – 40 CFR 261.2(f)]**
 - c. **Warehouse #3** – During the previous inspection, the EPA observed over 750 containers of waste-like materials being stored. None of the materials observed during the previous inspection had been removed. I was not able to see completely into the warehouse as supersacks of cement were blocking the doors as shown in Photos 97 and 98. See the Warehouse #3 facility layout with the current and past photo locations in Appendix 1). **[AOC #1d: No documentation, as required, to demonstrate that materials stored in Warehouse #3 are not a solid waste – 40 CFR 261.2(f)]**

7. In Warehouses #7 and #9, I did not observe any apparent changes regarding the types of materials stored, i.e., no apparent wastes were being stored.

SECTION IV – AREA OF CONCERN

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

Mr. Yanez stated that he did not have records and did not provide any. I asked Mr. Yanez to verify that the above materials were not solid wastes including information on where the paint related materials were being sent and how recycle. According to 40 CFR 261.2(f), a company that claims certain materials are not solid waste or is exempt from regulation, must demonstrate that there is a known market or disposition for the material, and that they meet the terms of the exemption. In doing so, they must provide appropriate documentation (such as contracts showing that a second person uses the material as an ingredient in a production process) to demonstrate that the material is not a waste or is exempt from regulation.

- a. **AOC #1a:** No documentation, as required, to demonstrate the crushed spilled pens are not a solid waste – 40 CFR 261.2(f).
- b. **AOC #1b:** No documentation, as required, to demonstrate that materials stored in Warehouse #1, are not a solid waste – 40 CFR 261.2(f).
- c. **AOC #1c:** No documentation, as required, to demonstrate that materials stored in Warehouse #2 are not a solid waste – 40 CFR 261.2(f).
- d. **AOC #1d:** No documentation, as required, to demonstrate that materials stored in Warehouse #3 are not a solid waste – 40 CFR 261.2(f).

SECTION V – CLOSING CONFERENCE AND FOLLOW UP

Mr. Yanez stated he would try to locate the contact information for the McAllen and Mexico companies that day. I informed him that I would return at about 9:00 A.M. the following day (December 13, 2023) to collect it. However, I closed out the inspection with Mr. Yanez and Ms. Sarquis on December 12, 2023, in case I received the information prior to my returning. Mr. Yanez stated through an interpreter (Rachel Sarquis, BGW Logistics Coordinator) that nothing was confidential, and they were not making any confidentiality claims.

On December 13, 2023, Ms. Sarquis called me prior to my arriving at BGW. Ms. Sarquis stated she emailed me the contact names for the company that sends the materials to BGW and for the Mexico company, where materials are sent (see Appendix 2). Therefore, I did not return to BGW. I asked Ms. Sarquis if BGW has a contract with the Mexico company and she stated no. She stated that none of their customers have written contracts and they use the warehouse as long as needed. I asked if they had rent receipts and Ms. Sarquis stated EPA would have to ask BGW's bookkeeper.

According to Appendix 2, CBD-International Inc, New Brunswick, New Jersey 08901 sends the paint related materials to BGW and provided a contact name and number (correct company name later determined to be GBD). Also, the company in Mexico, where the paint materials are being sent, is Sr. Paco Martinez, Calle 12 #900A, Laguna Santa Maria, Esquina Colonia Ind, H. Matamoros Tamaulipas. On

December 13, 2023, I contacted Mike at the New Jersey company. He stated that his name is Mike Reys, Salesman and they are a paint vendor and have customers throughout the country. This includes their customer Jose Elizondo who sends materials to BGW. Mr. Reyes also stated that the warehouse materials are sent to Paint (but spelled in Spanish) Que Padre. He gave the name "Heather" as the GBD bookkeeper who would have the shipping documents of the materials sent to BGW. On December 13, 2023, I contacted Heather who stated that the company's name is GBD and not CBD. She stated that she would send me all the shipping docs for the past three years. She also stated that the company in Mexico buys the materials that are sent to BGW. She stated that GBD would not have any documents of where the material was sent from BGW to Mexico.

SECTION VI – LIST OF APPENDICES

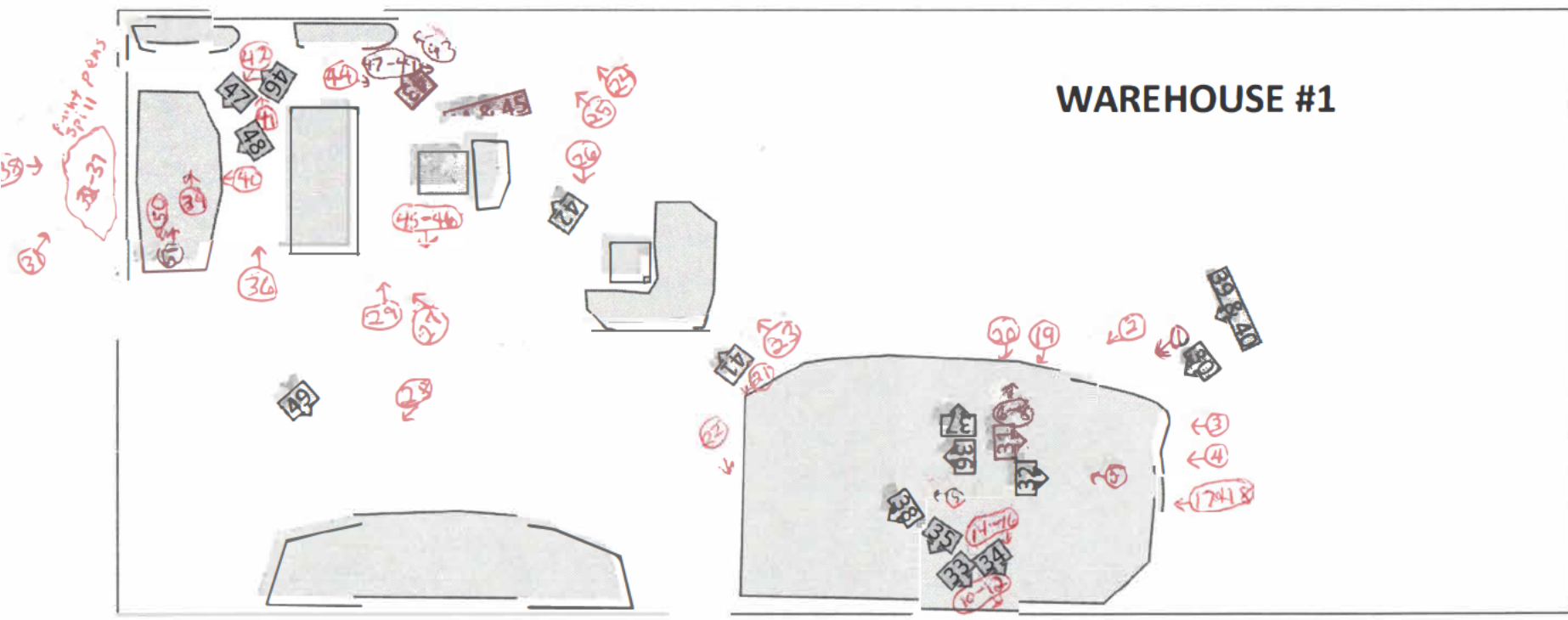
Appendix 1 - Photo Log and Photo Layout

Appendix 2 - 12/13/2023 BGW Email with Contact Names for GBD and Company in Mexico

12-12-23 Inspection Report

APPENDIX 1 -

Photo Locations and Photo Log



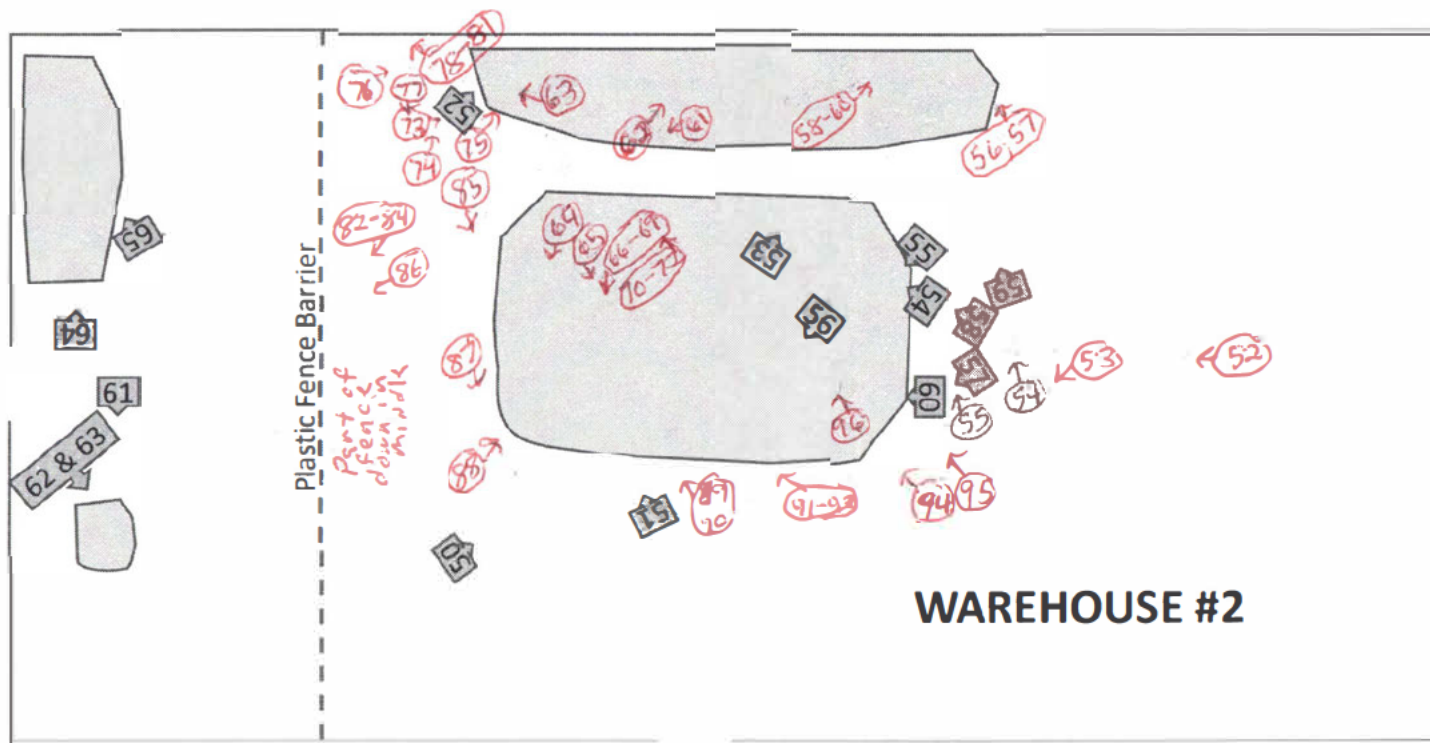
Brownsville Gulfside Warehouse, Port of Brownsville, TX - Warehouse #1
 9/28/23 RCRA Inspection - Approximate locations and directions of photos taken.

- Photo # and Direction
- Room
- Piece of Equipment
- Paint Related Materials

→ **Z**
 Not to Scale

12/12/23 RCRA Inspection - Approximate locations and directions
 of photos taken.

Deshiel Anderson



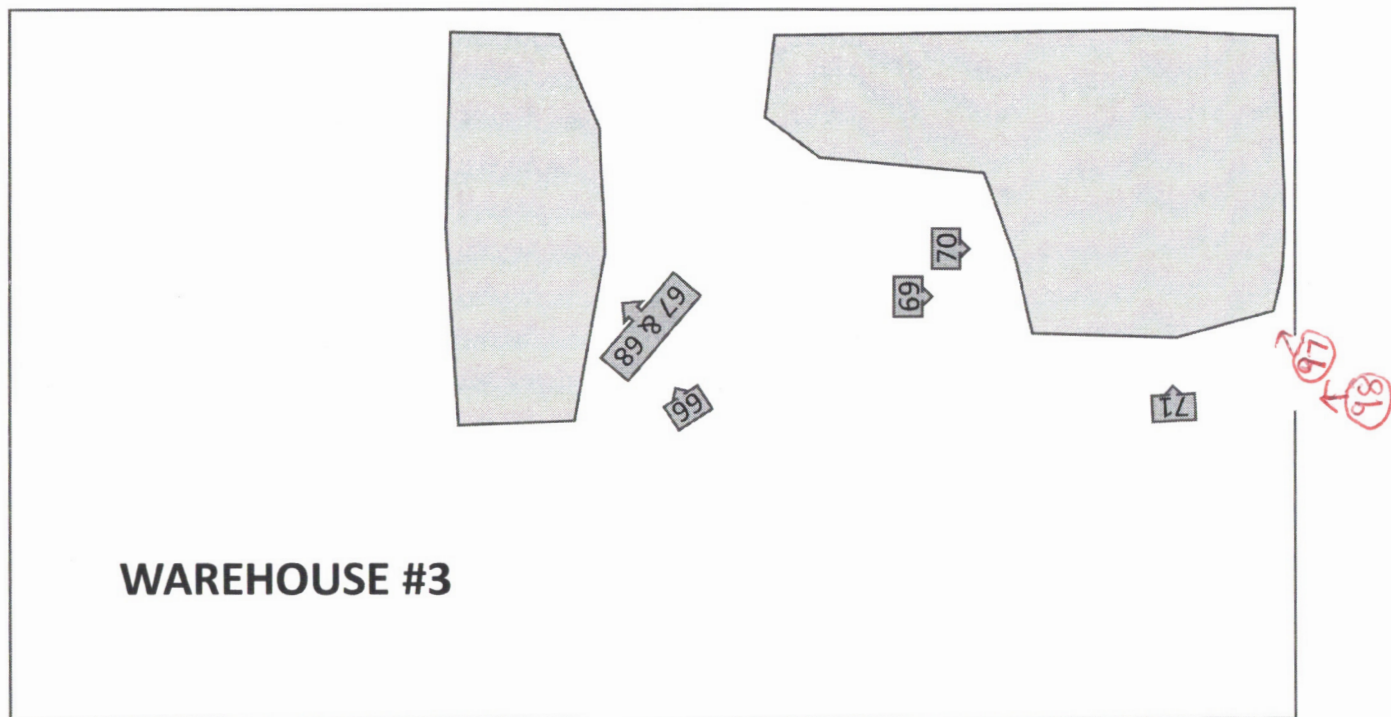
Brownsville Gulfside Warehouse, Port of Brownsville, TX - Warehouse #2
 9/28/23 RCRA Inspection - Approximate locations and directions of photos taken.

-  - Photo # and Direction
-  - Paint Related Materials

→ **2**
 Not to Scale

12/12/23 RCRA Inspection - Approximate locations and directions of photos taken.

Adriel Gordon



Brownsville Gulfside Warehouse, Port of Brownsville, TX - Warehouse #3
 9/28/23 RCRA Inspection - Approximate locations and directions of photos taken.

 - Photo # and Direction
 - Paint Related Materials

→ **N**

Not to Scale

12/12/23 RCRA Inspection - Approximate locations and directions
 of photos taken.

Dechiel Hardnett

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APPENDIX 1: PHOTO LOG

PHOTO 1



BGW Warehouse #1			P1010001.JPG
12/12/2023 02:30 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallets of off-spec paints/coatings. Orange labels say "Marking Restriction. Must be Relabeled."			

PHOTO 2



BGW Warehouse #1			P1010002.JPG
12/12/2023 02:30 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallets of off-spec paints/coatings. Super sacks contain cement.			

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PHOTO 3



BGW Warehouse #1			P1010003.JPG
12/12/2023 02:30 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of a label on one of the 5-gallon pails of off-spec paint (shown in photo 1). Orange label says "Marking Restriction. Must be Relabeled."			

PHOTO 4



BGW Warehouse #1			P1010004.JPG
12/12/2023 02:31 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallets of off-spec paints/coatings. Orange labels say "Marking Restriction. Must be Relabeled."			

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PHOTO 5



BGW Warehouse #1			P1010005.JPG
12/12/2023 02:31 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallets of off-spec paints/coatings. Orange labels say "Marking Restriction. Must be Relabeled."			

PHOTO 6



BGW Warehouse #1			P1010006.JPG
12/12/2023 02:32 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallets of apparent paint related material. Top tote dated 2011 and 15 totes. Bottom tote labeled "Diamond Collection Latex Interior/Exterior Base Paint For Factory".			

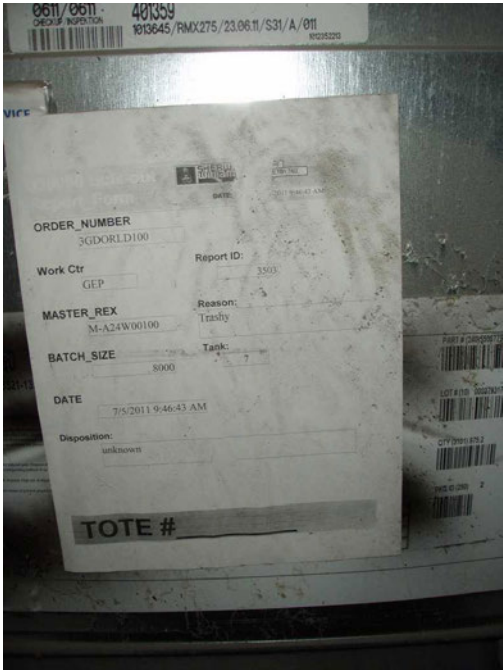
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PHOTO 7



BGW Warehouse #1			P1010007.JPG
12/12/2023 02:32 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallets of apparent paint related material. Top tote labeled "Diamond Collection Latex Interior/Exterior Base Paint For Factory". Bottom tote labeled "Trashy" and dated 7/5/2011. Small label to the left printed with "SEKO WORLDWIDE LRD."			

PHOTO 8



BGW Warehouse #1			P1010008.JPG
12/12/2023 02:32 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of label of tote of apparent paint-related material in photo 7. Labeled "Trashy" and dated 7/5/2011.			

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PHOTO 9



BGW Warehouse #1			P1010009.JPG
12/12/2023 02:33 PM	No CBI	No PII	Photographer: Dedriel Gardner
Spilled pallet of containers of apparent paint-related material.			

PHOTO 10



BGW Warehouse #1			P1010010.JPG
12/12/2023 02:34 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of a label on a 1-gallon can shown in photo 15. " Can labeled "Danger! Flammable Liquid and Vapor. Vapor Harmful. Causes Eye Irritation. May be Fatal or Cause Blindness If Swallowed." Orange labels say "Marking Restriction. Must be Relabeled.			

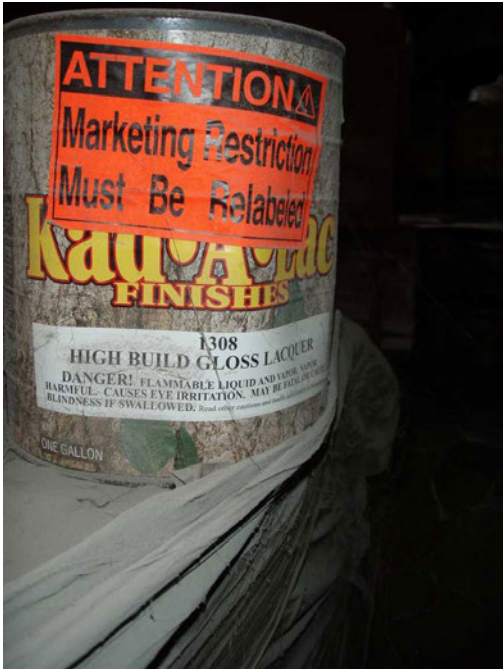
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PHOTO 11



BGW Warehouse #1			P1010011.JPG
12/12/2023 02:34 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of a label on a 1-gallon can shown in photo 15. Contains toluene, MEK, isobutyl acetate, isopropanol, and methanol. VOC content <= 680 g/L.			

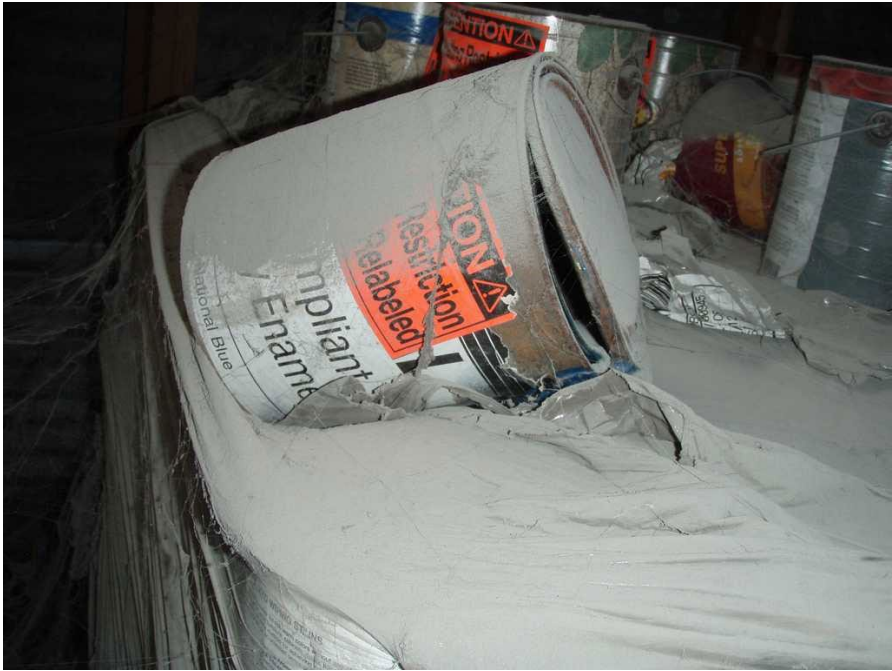
PHOTO 12



BGW Warehouse #1			P1010012.JPG
12/12/2023 02:34 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of label on one of the 1-gallon cans shown in photo 15. Orange label say "Marking Restriction. Must be Relabeled." Can labeled "Danger! Flammable Liquid and Vapor. Vapor Harmful. Causes Eye Irritation. May be Fatal or Cause Blindness If Swallowed."			

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PHOTO 13



BGW Warehouse #1			P1010013.JPG
12/12/2023 02:35 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of an open 1-gallon can labeled as enamel shown in photo 15.			

PHOTO 14



BGW Warehouse #1			P1010014.JPG
12/12/2023 02:36 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of the unlabeled 1-quart cans where the labels appeared to have been removed shown in photo 15.			

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PHOTO 15



BGW Warehouse #1			P1010015.JPG
12/12/2023 02:36 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallets of off-spec paints/coatings. Orange labels say "Marking Restriction. Must be Relabeled." 1-gallon cans labeled "Danger! Flammable Liquid and Vapor. Vapor Harmful. Causes Eye Irritation. May be Fatal or Cause Blindness If Swallowed." Pallet on right contained unlabeled approximately 1-quart cans where the labels appeared to have been removed.			

PHOTO 16



BGW Warehouse #1			P1010016.JPG
12/12/2023 02:36 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of the unlabeled approximately 1-quart cans where the labels appeared to have been removed shown in photo 15.			

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PHOTO 17



BGW Warehouse #1			P1010017.JPG
12/12/2023 02:37 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of the 1-gallon cans of enamels shown in photo 18.			

PHOTO 18



BGW Warehouse #1			P1010018.JPG
12/12/2023 02:37 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallets of off-spec paints/coatings. Orange labels say "Marking Restriction. Must be Relabeled."			

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PHOTO 19



BGW Warehouse #1			P1010019.JPG
12/12/2023 02:38 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallet of unlabeled 1-quart cans where the labels appeared to have been removed.			

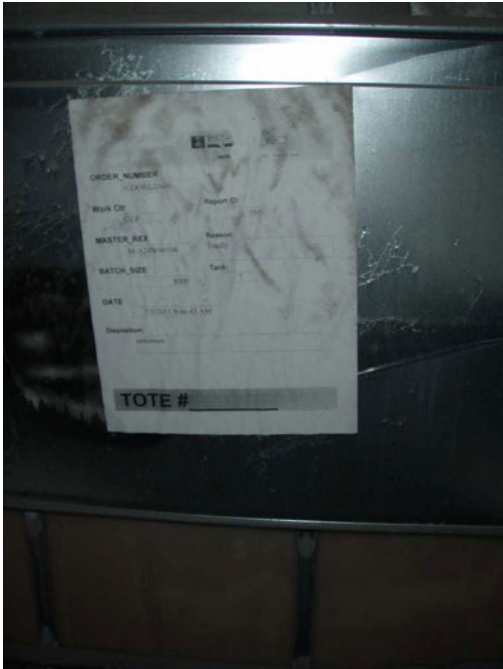
PHOTO 20



BGW Warehouse #1			P1010020.JPG
12/12/2023 02:40 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallets of unlabeled 1-quart cans where the labels appeared to have been removed.			

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PHOTO 21



BGW Warehouse #1			P1010021.JPG
12/12/2023 02:41 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallets of apparent paint related material. Tote labeled "Trashy" and dated 7/5/2011.			

PHOTO 22



BGW Warehouse #1			P1010022.JPG
12/12/2023 02:42 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of label on tote of apparent paint related material printed with "SEKO WORLDWIDE LRD."			

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PHOTO 23



BGW Warehouse #1			P1010023.JPG
12/12/2023 02:42 PM	No CBI	No PII	Photographer: Dedriel Gardner
Miscellaneous rolls and super sacks of cement in area where paint related materials were being stored during the previous 9/28/23 inspection.			

PHOTO 24



BGW Warehouse #1			P1010024.JPG
12/12/2023 02:43 PM	No CBI	No PII	Photographer: Dedriel Gardner
Miscellaneous items and super sacks of cement in area where paint related materials were being stored during the previous 9/28/23 inspection.			

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PHOTO 25



BGW Warehouse #1			P1010025.JPG
12/12/2023 02:43 PM	No CBI	No PII	Photographer: Dedriel Gardner
Miscellaneous items and super sacks of cement in area where paint related materials were being stored during the previous 9/28/23 inspection.			

PHOTO 26



BGW Warehouse #1			P1010026.JPG
12/12/2023 02:44 PM	No CBI	No PII	Photographer: Dedriel Gardner
Miscellaneous items and super sacks of cement in area where paint related materials were being stored during the previous 9/28/23 inspection.			

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PHOTO 27



BGW Warehouse #1			P1010027.JPG
12/12/2023 02:45 PM	No CBI	No PII	Photographer: Dedriel Gardner
Super sacks of cement in area near where paint related materials were being stored during the previous 9/28/23 inspection.			

PHOTO 28



BGW Warehouse #1			P1010028.JPG
12/12/2023 02:45 PM	No CBI	No PII	Photographer: Dedriel Gardner
Super sacks of cement in area where paint related materials were being stored during the previous 9/28/23 inspection.			

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PHOTO 29



BGW Warehouse #1			P1010029.JPG
12/12/2023 02:46 PM	No CBI	No PII	Photographer: Dedriel Gardner
Totes of paint related materials and super sacks of cement.			

PHOTO 30



BGW Warehouse #1			P1010030.JPG
12/12/2023 02:47 PM	No CBI	No PII	Photographer: Dedriel Gardner
Miscellaneous items and super sacks of cement and containers of paint related materials.			

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PHOTO 31



BGW Warehouse #1			P1010031.JPG
12/12/2023 02:49 PM	No CBI	No PII	Photographer: Dedriel Gardner
Paint pens that spilled on the ground about a month ago when a pallet of paint pens was being loaded onto a truck and was damaged by the forklift. Tire tracks were on the spilled paint pens.			

PHOTO 32



BGW Warehouse #1			P1010032.JPG.JPG
12/12/2023 02:49 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of spilled paint pens on the ground shown in photo 31.			

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PHOTO 33



BGW Warehouse #1			P1010033.JPG
12/12/2023 02:49 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of spilled paint pens on the ground shown in photo 31.			

PHOTO 34



BGW Warehouse #1			P1010034.JPG
12/12/2023 02:50 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of spilled paint pens on the ground shown in photo 31.			

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PHOTO 35



BGW Warehouse #1			P1010035.JPG
12/12/2023 02:50 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of spilled paint pens on the ground shown in photo 31.			

PHOTO 36



BGW Warehouse #1			P1010036.JPG
12/12/2023 02:50 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of spilled paint pens on the ground shown in photo 31.			

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PHOTO 37



BGW Warehouse #1			P1010037.JPG
12/12/2023 02:51 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of spilled paint pens on the ground shown in photo 31.			

PHOTO 38



BGW Warehouse #1			P1010038.JPG
12/12/2023 02:52 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of spilled paint pens on the ground shown in photo 31.			

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PHOTO 39



BGW Warehouse #1			P1010039.JPG
12/12/2023 02:55 PM	No CBI	No PII	Photographer: Dedriel Gardner
Miscellaneous items and super sacks of cement and containers of apparent paint related materials.			

PHOTO 40



BGW Warehouse #1			P1010040.JPG
12/12/2023 02:56 PM	No CBI	No PII	Photographer: Dedriel Gardner
Wrapped pallets labeled "Purple" with a date of 11/16/2018.			

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PHOTO 41



BGW Warehouse #1			P1010041.JPG
12/12/2023 02:56 PM	No CBI	No PII	Photographer: Dedriel Gardner
Black buckets of unknown material.			

PHOTO 42



BGW Warehouse #1			P1010042.JPG
12/12/2023 02:57 PM	No CBI	No PII	Photographer: Dedriel Gardner
Black buckets of unknown material. Wrapped pallets labeled "Purple" with a date of 11/16/2018.			

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PHOTO 43



BGW Warehouse #1			P1010043.JPG
12/12/2023 02:58 PM	No CBI	No PII	Photographer: Dedriel Gardner
Containers of apparent paint related materials.			

PHOTO 44



BGW Warehouse #1			P1010044.JPG
12/12/2023 02:59 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related material being stored and super sacks of cement.			

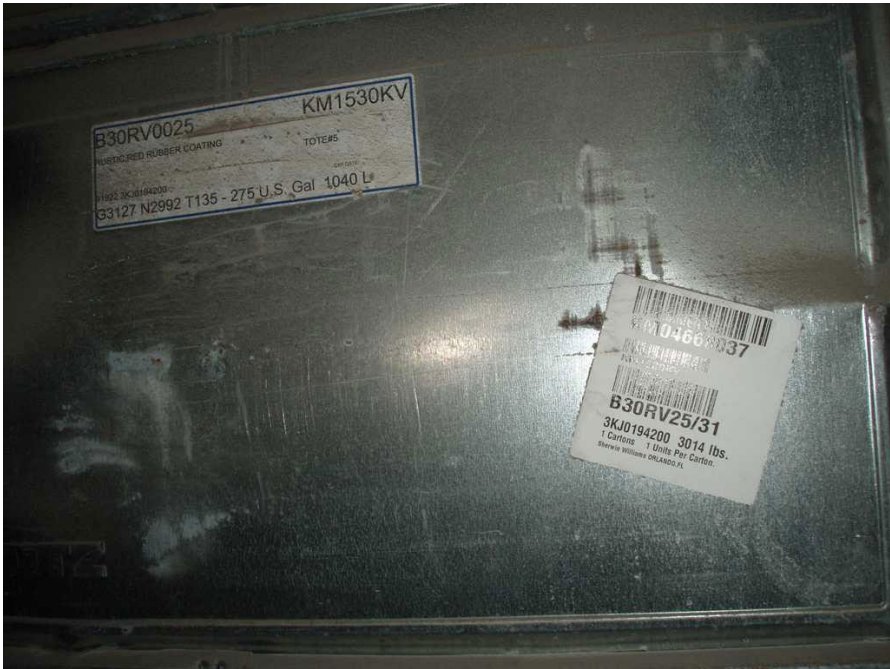
Inspection Date(s): 12/12/2023

PHOTO 45



BGW Warehouse #1			P1010045.JPG
12/12/2023 03:00 PM	No CBI	No PII	Photographer: Dedriel Gardner
Totes of off-spec paints/coatings.			

PHOTO 46



BGW Warehouse #1			P1010046.JPG
12/12/2023 03:00 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of label on tote shown in photo 45.			

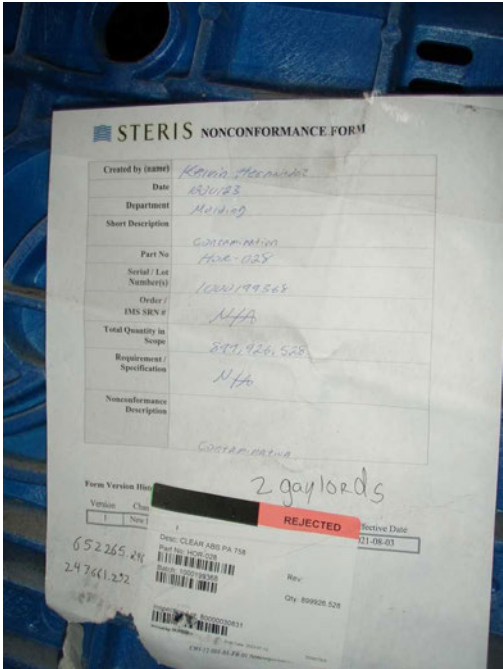
Inspection Date(s): 12/12/2023

PHOTO 47



BGW Warehouse #1			P1010047.JPG
12/12/2023 03:00 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of a Steris Nonconformance Form on a tote of apparent paint related materials dated 7/12/23 and labeled as having "Contamination".			

PHOTO 48



BGW Warehouse #1			P1010048.JPG
12/12/2023 03:00 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close-up of a Steris Nonconformance Form on a tote of apparent paint related materials dated 7/12/23 and labeled as having "Cos having "Contamination".			

Inspection Date(s): 12/12/2023

PHOTO 49



BGW Warehouse #1			P1010049.JPG
12/12/2023 03:01 PM	No CBI	No PII	Photographer: Dedriel Gardner
Tote of apparent paint related materials with a Steris Nonconformance Form dated 7/12/23 and labeled as having "Contamination".			

PHOTO 50



BGW Warehouse #1			P1010050.JPG
12/12/2023 03:03 PM	No CBI	No PII	Photographer: Dedriel Gardner
Two unknown unlabeled 5-gallon plastic jugs that had a solvent type odor. Came over with the electrical box located next to them.			

Inspection Date(s): 12/12/2023

PHOTO 51



BGW Warehouse #1			P1010051.JPG
12/12/2023 03:03 PM	No CBI	No PII	Photographer: Dedriel Gardner
Two unknown unlabeled 5-gallon plastic jugs that had a solvent type odor. Came over with the electrical box located next to them.			

PHOTO 52



BGW Warehouse #2			P1010052.JPG
12/12/2023 03:05 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallets of apparent paint related material being stored and super sacks of cement in area where paint related materials were being stored during the previous 9/28/23 inspection.			

Inspection Date(s): 12/12/2023

PHOTO 53



BGW Warehouse #2			P1010053.JPG
12/12/2023 03:05 PM	No CBI	No PII	Photographer: Dedriel Gardner
Super sacks of cement in area.			

PHOTO 54



BGW Warehouse #2			P1010054.JPG
12/12/2023 03:05 PM	No CBI	No PII	Photographer: Dedriel Gardner
Super sacks of cement in area where paint related materials were being stored during the previous 9/28/23 inspection.			

Inspection Date(s): 12/12/2023

PHOTO 55



BGW Warehouse #2			P1010055.JPG
12/12/2023 03:06 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallets of apparent paint related material being stored and super sacks of cement in area where paint related materials were being stored during the previous 9/28/23 inspection.			

PHOTO 56



BGW Warehouse #2			P1010056.JPG
12/12/2023 03:06 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of can labels on pallet of apparent paint related material shown on photo 57.			

Inspection Date(s): 12/12/2023

PHOTO 57



BGW Warehouse #2			P1010057.JPG
12/12/2023 03:07 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallet of apparent paint related material being stored.			

PHOTO 58



BGW Warehouse #2			P1010058.JPG
12/12/2023 03:07 PM	No CBI	No PII	Photographer: Dedriel Gardner
A pile of apparent paint related material being stored including some containers of hardened material.			

Inspection Date(s): 12/12/2023

PHOTO 59



BGW Warehouse #2			P1010059.JPG
12/12/2023 03:07 PM	No CBI	No PII	Photographer: Dedriel Gardner
A close-up of a container of hardened material in the pile of apparent paint related material shown in photo 58.			

PHOTO 60



BGW Warehouse #2			P1010060.JPG
12/12/2023 03:08 PM	No CBI	No PII	Photographer: Dedriel Gardner
A close-up of a container of hardened material in the pile of apparent paint related material shown in photo 58.			

Inspection Date(s): 12/12/2023

PHOTO 61



BGW Warehouse #2			P1010061.JPG
12/12/2023 03:08 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of unlabeled approximately 1-gallon containers shown in photo 63.			

PHOTO 62



BGW Warehouse #2			P1010062.JPG
12/12/2023 03:08 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of unlabeled approximately 1-gallon containers shown in photo 63.			

Inspection Date(s): 12/12/2023

PHOTO 63



BGW Warehouse #2			P1010063.JPG
12/12/2023 03:09 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related material being stored.			

PHOTO 64



BGW Warehouse #2			P1010064.JPG
12/12/2023 03:10 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related material being stored.			

Inspection Date(s): 12/12/2023

PHOTO 65



BGW Warehouse #2			P1010065.JPG
12/12/2023 03:10 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related material being stored including some 8-ounce glass jars that spilled from boxes.			

PHOTO 66



BGW Warehouse #2			P1010066.JPG
12/12/2023 03:11 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of apparent paint related material being stored including some 8-ounce glass jars that spilled from boxes shown in photo 65.			

Inspection Date(s): 12/12/2023

PHOTO 67



BGW Warehouse #2			P1010067.JPG
12/12/2023 03:11 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of apparent paint related material in 8-ounce glass jars that spilled from boxes shown in photo 65.			

PHOTO 68



BGW Warehouse #2			P1010068.JPG
12/12/2023 03:11 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of apparent paint related material in 8-ounce glass jars that spilled from boxes shown in photo 65.			

Inspection Date(s): 12/12/2023

PHOTO 69



BGW Warehouse #2			P1010069.JPG
12/12/2023 03:11 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of apparent paint related material in 8-ounce glass jars that spilled from boxes shown in photo 65.			

PHOTO 70



BGW Warehouse #2			P1010070.JPG
12/12/2023 03:12 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related material being stored including some 8-ounce glass jars that spilled from boxes.			

Inspection Date(s): 12/12/2023

PHOTO 71



BGW Warehouse #2			P1010071.JPG
12/12/2023 03:12 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related material in 8-ounce glass jars in a bucket.			

PHOTO 72



BGW Warehouse #2			P1010072.JPG
12/12/2023 03:13 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related material being stored including some that had hardened and some 8-ounce glass jars that spilled from boxes.			

Inspection Date(s): 12/12/2023

PHOTO 73



BGW Warehouse #2			P1010073.JPG
12/12/2023 03:14 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related material being stored.			

PHOTO 74



BGW Warehouse #2			P1010074.JPG
12/12/2023 03:15 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related material being stored.			

Inspection Date(s): 12/12/2023

PHOTO 75



BGW Warehouse #2			P1010075.JPG
12/12/2023 03:15 PM	No CBI	No PII	Photographer: Dedriel Gardner
View of a label of a can of "production sample" from Sherwin-Williams. Date is 4/8/2009.			

PHOTO 76



BGW Warehouse #2			P1010076.JPG
12/12/2023 03:15 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of label on apparent paint related material shown in photo 74.			

Inspection Date(s): 12/12/2023

PHOTO 77



BGW Warehouse #2			P1010077.JPG
12/12/2023 03:16 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of label on apparent paint related material shown in photo 74.			

PHOTO 78



BGW Warehouse #2			P1010078.JPG
12/12/2023 03:17 PM	No CBI	No PII	Photographer: Dedriel Gardner
Pallet of off-spec paints/coatings. Orange labels say "Marking Restriction. Must be Relabeled."			

Inspection Date(s): 12/12/2023

PHOTO 79



BGW Warehouse #2			P1010079.JPG
12/12/2023 03:17 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of labels on cans of paint materials shown in photo 78.			

PHOTO 80



BGW Warehouse #2			P1010080.JPG
12/12/2023 03:17 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of labels on cans of paint materials shown in photo 78.			

Inspection Date(s): 12/12/2023

PHOTO 81



BGW Warehouse #2			P1010081.JPG
12/12/2023 03:18 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of labels on cans of paint materials shown in photo 78. The Pecan color paint can had been opened.			

PHOTO 82



BGW Warehouse #2			P1010082.JPG
12/12/2023 03:19 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of open can of paint materials that hardened shown in photo 83.			

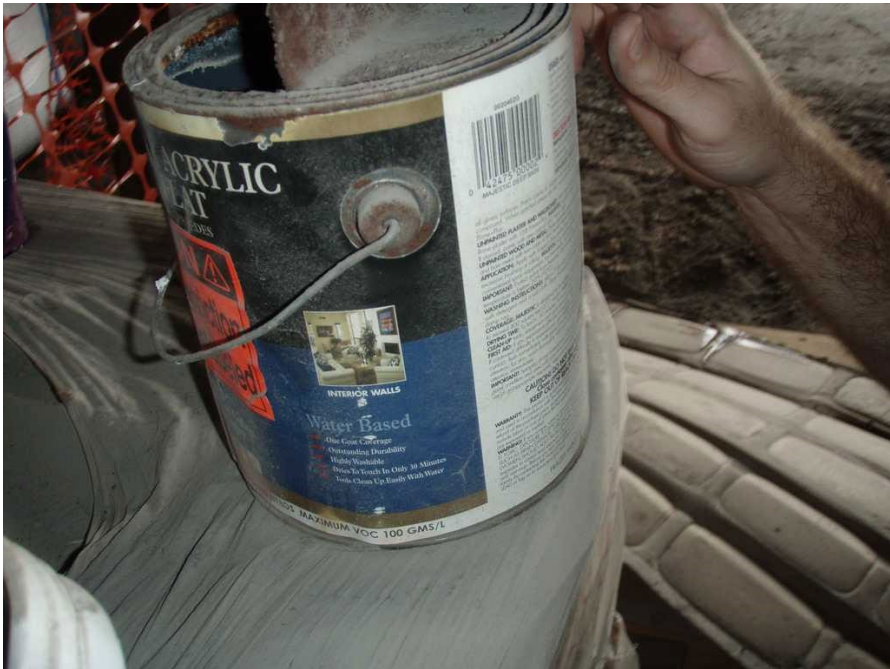
Inspection Date(s): 12/12/2023

PHOTO 83



BGW Warehouse #2			P1010083.JPG
12/12/2023 03:20 PM	No CBI	No PII	Photographer: Dedriel Gardner
Open can of paint materials that hardened. Labeled as water base.			

PHOTO 84



BGW Warehouse #2			P1010084.JPG
12/12/2023 03:21 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of open can of paint materials that hardened shown in photo 83.			

Inspection Date(s): 12/12/2023

PHOTO 85



BGW Warehouse #2			P1010085.JPG
12/12/2023 03:22 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related materials including approximately 1-cubic yard boxes labeled "FLAMMABLE." Boxes held "pens" of automobile paint.			

PHOTO 86



BGW Warehouse #2			P1010086.JPG
12/12/2023 03:23 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related material being stored. Orange labels say "Marking Restriction. Must be Relabeled."			

Inspection Date(s): 12/12/2023

PHOTO 87



BGW Warehouse #2			P1010087.JPG
12/12/2023 03:24 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of the approximately 1-cubic yard boxes labeled "FLAMMABLE" shown in photo 85. Boxes held "pens" of automobile paint.			

PHOTO 88



BGW Warehouse #2			P1010088.JPG
12/12/2023 03:24 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of the approximately 1-cubic yard boxes labeled "FLAMMABLE" shown in photo 85. Boxes held "pens" of automobile paint.			

Inspection Date(s): 12/12/2023

PHOTO 89



BGW Warehouse #2			P1010089.JPG
12/12/2023 03:24 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of the approximately 1-cubic yard boxes labeled "FLAMMABLE" shown in photo 90. Boxes held "pens" of automobile paint.			

PHOTO 90



BGW Warehouse #2			P1010090.JPG
12/12/2023 03:24 PM	No CBI	No PII	Photographer: Dedriel Gardner
Approximately 1-cubic yard boxes labeled "FLAMMABLE" shown in photo 85. Boxes held "pens" of automobile paint.			

Inspection Date(s): 12/12/2023

PHOTO 91



BGW Warehouse #2			P1010091.JPG
12/12/2023 03:25 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of the approximately 1-cubic yard boxes labeled "FLAMMABLE" shown in photo 92. Boxes held "pens" of automobile paint.			

PHOTO 92



BGW Warehouse #2			P1010092.JPG
12/12/2023 03:25 PM	No CBI	No PII	Photographer: Dedriel Gardner
Approximately 1-cubic yard boxes labeled "FLAMMABLE". Boxes held "pens" of automobile paint.			

Inspection Date(s): 12/12/2023

PHOTO 93



BGW Warehouse #2			P1010093.JPG
12/12/2023 03:25 PM	No CBI	No PII	Photographer: Dedriel Gardner
Close up of the approximately 1-cubic yard boxes labeled "FLAMMABLE" shown in photo 92. Boxes held "pens" of automobile paint.			

PHOTO 94



BGW Warehouse #2			P1010094.JPG
12/12/2023 03:26 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related material including approximately 1-cubic yard boxes of automobile paint "pens".			

Inspection Date(s): 12/12/2023

PHOTO 95



BGW Warehouse #2			P1010095.JPG
12/12/2023 03:26 PM	No CBI	No PII	Photographer: Dedriel Gardner
Apparent paint related material including approximately 1-cubic yard boxes labeled "FLAMMABLE." Boxes held "pens" of automobile paint.			

PHOTO 96



BGW Warehouse #2			P1010096.JPG
12/12/2023 03:26 PM	No CBI	No PII	Photographer: Dedriel Gardner
1-cubic yard box with handwritten "DON'T DOUBLE STACK" sitting on floor.			

Inspection Date(s): 12/12/2023

PHOTO 97



BGW Warehouse #3			P1010097.JPG
12/12/2023 03:35 PM	No CBI	No PII	Photographer: Dedriel Gardner
Overall view of blue drums in south part of warehouse 3 with "Use before" date 4/14/2019.			

PHOTO 98



BGW Warehouse #3			P1010098.JPG
12/12/2023 03:35 PM	No CBI	No PII	Photographer: Dedriel Gardner
Super sacks of cement in front of warehouse 3 north door.			

12-12-23 Inspection Report

APPENDIX 2 -

12/13/2023 BGW Email with Contact Names for
GBD and Company in Mexico

From: [Raquel Sarquis](#)
To: [Gardner, Dedriel](#)
Subject: Contact info.
Date: Wednesday, December 13, 2023 8:52:00 AM
Attachments: [image001.png](#)

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Good morning Dedriel,

Please find below contact information for the paint are storing.

Contact: Mike



CBD-International Inc.
New Brunswick NJ 08901

Sr. Paco Martinez
Calle 12 #900A
Laguna Santa Maria
Esquina Colonia Ind
H. Matamoros Tamaulipas

Thank you,



Rachel Sarquis

Logistics Coordinator

BROWNSVILLE GULFSIDE WAREHOUSE

400 R.L. OSTOS RD

Brownsville Tx 78521

Telephone – 956 831-4241

www.brownsvillegulfside.com