



REGION 6

DALLAS, TX 75270

January 23, 2024

VIA Electronic Mail:

Luis.cantu@centurioncontainer.com

Luis Cantu
Centurion Container, LLC
8203 Market Street
Houston, Texas 77029

Re: Notice of Potential Violation and Opportunity to Confer
Resource Conservation and Recovery Act
Centurion Container, LLC

Dear Mr. Cantu:

Hazardous waste that is improperly managed poses a serious threat to human health and the environment. Through implementation of the authorities in the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 – 6992k, the United States Environmental Protection Agency regulates the control of hazardous waste from the “cradle-to-grave.” This includes the generation, transportation, treatment, storage, and disposal of hazardous waste.

On August 22, 2023, the EPA, Region 6 conducted an inspection at Centurion Container, LLC 's facility located in Houston, TX. The purpose of the inspection was to determine Centurion Container, LLC 's compliance with the requirements of RCRA, and the implementing regulations. The information currently available to the EPA, collected as a result of the inspection, suggests that Centurion Container, LLC may be in violation of RCRA. By this letter, the EPA is extending Centurion Container, LLC the opportunity to advise the Agency, via a conference call, or in writing, of any further information the EPA should consider with respect to the following potential violations of the RCRA and the implementing regulations:

- Hazardous Waste Determination – Failure to conduct a hazardous waste determination pursuant to 40 C.F.R. § 262.11.
- Notification – Failure to notify the EPA or authorized state of changes and failure to adequately describe the hazardous waste generating activity at the facility pursuant to Section 3010(a) of RCRA, 42 U.S.C. § 6930(a).

- Generator Category Determination – Failure to determine the amount of hazardous waste generated monthly to determine generator category pursuant to 40 C.F.R. § 262.13.
- Closure of Hazardous Waste Accumulation Containers – Failure to close containers holding hazardous waste during accumulation pursuant to 40 C.F.R. § 262.17(a)(1)(iv)(A) or 40 C.F.R. § 262.16(b)(2)(iii)(A) and 40 C.F.R. § 262.15(a)(4).
- Labeling of Hazardous Waste Accumulation Container – Failure to mark a container used for accumulation of hazardous waste with the words “Hazardous Waste” and an indication of the hazards associated with the waste pursuant to 40 C.F.R. § 262.15(a)(5).
- Incompatible Wastes – Failure to place incompatible wastes in separate containers pursuant to 40 C.F.R. § 262.15(a)(3) and 262.16(b)(2)(v).
- Illegal Disposal of Hazardous Waste – Failure to transport or offer for transport hazardous waste to a permitted facility pursuant to 40 C.F.R. § 262.10(a)(3).
- Emergency Coordinator – Failure to identify and post contact information for a qualified employee to act as the emergency coordinator for the facility pursuant to 40 C.F.R. § 262.16(b)(9).

If Centurion Container, LLC is interested in participating in an opportunity to confer with the Agency with respect to the above listed potential violations, please contact Elizabeth George, with the Office of Regional Counsel, within 14 calendar days of receipt of this letter at george.elizabeth.a@epa.gov or 214-665-6751.

Thank you for your attention to this matter. If you have any questions, please contact Elizabeth George, at george.elizabeth.a@epa.gov or 214-665-6751, or Angela Hays, of my staff, at hays.angela@epa.gov or 214-665-2285.

Sincerely,

Jeff Yurk
Manager
Waste Enforcement Branch

Enclosure: Additional Sources of Information

cc: madelyn.flannagan@tceq.texas.gov
john.shelton@tceq.texas.gov

ADDITIONAL SOURCES OF INFORMATION

- Information on RCRA and hazardous waste regulations
<https://www.epa.gov/rcra/resource-conservation-and-recovery-act-rcra-regulations>
- RCRA Civil Penalty Policy
<https://www.epa.gov/enforcement/resource-conservation-and-recovery-act-rcra-civil-penalty-policy>
- Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, 40 C.F.R. Part 22
https://www.epa.gov/sites/production/files/2013-10/documents/final-crop-fr_1.pdf
- Small Business Fact Sheet
www.epa.gov/compliance/small-business-resources-information-sheet