



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

August 22, 2023

VIA Electronic Mail: ndave@monumentchemical.com

Narayan Dave
16717 Jacintoport Blvd
Houston, TX 77015

Re: Notice of Potential Violation and Opportunity to Confer
Resource Conservation and Recovery Act
Monument Chemical Houston, LLC

Dear Mr. Dave:

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.

From April 24-28, 2023, the EPA, Region 6 conducted an inspection at Monument Chemical Houston, LLC's (Monument Chemical) facility located in Houston, Tx. The purpose of the inspection/investigation was to determine Monument Chemical '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 Monument Chemical may be in violation of RCRA. By this letter, the EPA is extending Monument Chemical 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 an adequate hazardous waste determination at the point of generation pursuant to 40 C.F.R. § 262.11 and 30 Tex. Admin. Code §335.504.
- Satellite Accumulation Area- Failure to properly close the container holding hazardous waste at all times pursuant to 40 C.F.R. 262.15(4) and 30 Tex. Admin. Code §335.52.
- Labeling and Marking of Tanks- Failure to mark the hazardous waste tank with words “Hazardous Waste” pursuant to 40 C.F.R. §262.15(a)(5) and 30 Tex. Admin. Code §335.52.
- Notification- Facility failed to notify the disposition of each solid waste generated pursuant to 40 C.F.R and 30 TAC 335.6 (c).

If Monument Chemical Houston, LLC is interested in participating in an opportunity to confer with the Agency with respect to the above listed potential violations, please contact Ashley McDonald, with the Office of Regional Counsel, within 14 calendar days of receipt of this letter at mchonald.shaley@epa.gov or 214-665-6589.

Addressing noncompliance with environmental laws is important in carrying out the EPA's mission to protect human health and the environment. At the same time, the EPA acknowledges that the COVID-19 pandemic may impact Monument Chemical Houston, LLC. If that is the case, please contact us regarding any specific issues you need to discuss.

Thank you for your attention to this matter. If you have any questions, please contact Ashley McDoanld, at McDonald.Ashley@epa.gov or 214-665-6589, or Sandesh Thapa, of my staff, at thapa.sandesh@epa.gov or 214-665-2265.

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