

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

Inspection Date(s):	February 3-4, 2025	
Media Program:	Resource Conservation and Recovery Act	
Regulatory Program(s)	Hazardous Waste Large Quantity Generator and Transporter	
Company Name:	Pro Clean Tank Wash and Water Treatment, LLC	
Facility Name:	Pro Clean Tank Wash and Water Treatment, LLC	
Facility Physical Location:	2310 Archie Road	
(city, state, zip code)	Sulphur, Louisiana 70663	
Mailing address:	2310 Archie Road	
(city, state, zip code)	Sulphur, Louisiana 70663	
County/Parish:	Calcasieu Parish	
Facility Phone Number	(337)625-9915	
Facility Contact:	Chris Ervin	Facility Manager
	chris@procleantw.com	
FRS Number:	110015819140	
Identification/Permit Number:	LDEQ AI:6279	
Media Identifier Number:	EPA ID: LAD981584725	
NAICS:	488999 - All Other Support Activities for Transportation	
SIC:	N/A	
Personnel participating in inspection:		
John Penland	US EPA Region 6 (ECAD)	Sr. Environmental Scientist
Chris Ervin	Pro Clean Tank Wash	Facility Manager
David Thibodeaux	Pro Clean Tank Wash	Operations Supervisor
DeWayne Corley	Pro Clean Tank Wash	Environmental Consultant
EPA Lead Inspector Signature/Date	 Digitally signed by JOHN PENLAND Date: 2025.05.23 11:00:31 -05'00'	
	John Penland – Sr. Environmental Scientist (ECAD)	Date
Supervisor Signature/Date	 Digitally signed by DEBRA PANDAK Date: 2025.05.23 11:22:53 -05'00'	
	Debra Pandak – RCRA Enforcement Section Manager (ECAD)	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

On February 3rd and 4th, 2025, I, John Penland, conducted an unannounced Compliance Evaluation Inspection (CEI or Inspection) of the Pro Clean Tank Wash and Water Treatment, LLC (Pro Clean) facility located at 2310 Archie Road in Sulphur, Louisiana for compliance with the Resource Conservation and Recovery Act (RCRA). The inspection included a walkthrough of the facility's hazardous waste generation and management units, and a review of the facility records related to hazardous waste management.

The Pro Clean facility was selected for inspection as a follow-up to the Region 6 initiative to inspect ports and other facilities that could be affected by port activities. Additionally, EPA Region 6 has an ongoing interest in facilities whose operations relate to the bulk transportation of chemical products and hazardous wastes.

FACILITY DESCRIPTION

Pro Clean operates its facility on approximately 8 acres at 2310 Archie Road in Sulphur, Louisiana. The facility operates in 2 shifts from 7am to 11pm with approximately 12 employees. Operations at the facility include the pretreatment and direct discharge of non-hazardous waste waters and the cleaning of tanker trailers, roll-off boxes, and frac tanks. According to Chris Ervin, the facility cleans approximately 40 units per day. According to documents presented to me during this inspection, the facility is registered as a large quantity generator of hazardous waste with the assigned EPA ID: LAD981584725. However, the EPA RCRAInfo database showed this ID to be inactive at the time of the inspection. The Louisiana Department of Environmental Quality has assigned the facility the Agency Interest number: 6279.

Section II – INSPECTION SUMMARY

February 3, 2025

I arrived at the Pro Clean facility at approximately 11:30pm Central Time and began the inspection with an opening conference. During this conference, I presented my credentials to Mr. Chris Ervin and informed him that I was 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 him of the facility's right to assert a claim of Confidential Business Information for records collected during this inspection.

Following the opening conference, I conducted my first walkthrough of the facility's process and storage areas. This initial walkthrough was focused primarily on inspector orientation of

the site, but also included a cursory evaluation of the facility's compliance with the hazardous waste container management standards. I departed the facility at approximately 3:45pm Central Time.

For our detailed observations, inspection notes, and records request, see the Daily Summary for February 3, 2025, in Appendix 2.

February 4, 2025

I arrived at the Pro Clean facility at approximately 9:05am Central Time to begin my inspection day. I began the day with a discussion of the facility's hazardous waste notification history, operating records, and emergency planning. Following these discussions, I concluded the inspection day with a review of the preliminary inspection findings described in Section III.

For our detailed observations, inspection notes, and records request, see the Daily Summary for February 4, 2025, in Appendix 2.

Section III – AREAS OF CONCERN

The inspection concluded on February 4, 2025, with a closing meeting where I presented my preliminary areas of concern. These concerns are described in this section with citations to the relevant Code of Federal Regulations (CFR) and Louisiana Administrative Code (LAC) where appropriate.

1. 40 C.F.R. § 262.11 and LAC 33:V.1005 - Waste Identification and Determination Requirements

Associated Documentation:

Appendix 1 - Photo log – Photo Numbers 1; 8-12; 14-20; 25-28

Appendix 2 - Daily Summary of Inspection Notes and Observations

Appendix 3 - Site Maps

Appendix 4 - Pro Clean Drum Inventory

Appendix 10 - Pro Clean Waste Manifests

A person who generates a solid waste must make an accurate determination as to whether that waste is a hazardous waste to ensure they are properly managed according to applicable RCRA regulations. Solid wastes include materials which are disposed of; or accumulated, stored, or treated before or in lieu of being disposed. This determination must be made at the point of the waste's generation.

During this inspection, I observed that heels removed from the containers received for cleaning, were accumulated in containers and stored in the designated waste storage area and an area on the north side of the facility. When I first inspected the storage areas on February 3, 2025, 26 containers of heels were stored at the facility. I documented that at least 16 of these containers were marked by a sticker indicating that the contents were “on hold pending analysis”. This includes containers of styrene generated on July 11, 2024, which was 207 days prior to this inspection. If these materials are being accumulated and stored prior to disposal, they require a waste determination in accordance with 40 C.F.R. § 262.11 to be made at the point of generation, which includes the point at which storage began.

Following the conclusion of this inspection, Pro Clean shipped some of these containers as hazardous waste for off-site disposal. However, I was unable to establish which of the containers I observed onsite had been determined to be hazardous waste.

2. 40 C.F.R. § 262.17(a) and LAC 33:V.1015.B - Storage in excess of 90 days

Associated Documentation:

Appendix 1 - Photo log – Photo Numbers 1-7; 13; 29-31

Appendix 2 - Daily Summary of Inspection Notes and Observations

Appendix 4 - Pro Clean Drum Inventory

Appendix 10 - Pro Clean Waste Manifests

Large Quantity Generators are only allowed to store hazardous waste for 90 days without seeking an extension from the State of Louisiana or applying for a hazardous waste storage permit. Therefore, no hazardous wastes generated prior to November 5, 2024, should have been present at the time of this inspection. Based on the markings on the containers I observed during this inspection and recorded in the Drum Storage Inventory, at least 8 containers marked as hazardous waste had been stored for more than 90 days. Eight of the containers labeled as “on hold pending analysis” noted in Area of Concern #1 were also stored for more than 90-days. If these materials are determined to be hazardous waste, then they would be subject to the same limitation on storage time.

Following the conclusion of this inspection, Pro Clean shipped some of these containers as hazardous waste for offsite disposal. However, I was unable to establish which of the containers I observed onsite had been determined to be hazardous waste.

**3. 40 C.F.R. §262.13 and LAC 33:V.1017 - Notification Requirements
40 C.F.R. §262.41 and LAC 33:V.1021 - Annual Reporting Requirements**

Associated Documentation:

Appendix 2 - Daily Summary of Inspection Notes and Observations

Appendix 5 - Pro Clean Notification and Transfer of Ownership

Appendix 6 - 2019 Annual Waste Report

Appendix 7 - Pro Clean Hazardous Waste Reports

Both State and Federal Regulations require generators to determine their Generator Category (Large, Small, or Very Small) based on the quantity of hazardous waste they generate. In addition, the State of Louisiana requires hazardous waste generators to provide the State with a specific notification indicating which generator category their facility falls under and update it with any changes using the Notification of Hazardous Waste Activity Form (HW-1). For Large Quantity Generators, this notification must be resubmitted by March 1 of each even-numbered year. In addition, Federal Regulations require Large Quantity Generators to submit a biennial waste report for each odd numbered year. The State of Louisiana expands this reporting requirement to every year.

In preparation for this inspection, I reviewed records submitted by the facility to the State of Louisiana using the Louisiana Department of Environmental Quality's (LDEQ) Electronic Document Management System (EDMS). At that time, I was unable to find any record of HW-1 notifications, biennial, or annual waste reports submitted since 2019. According to EPA's RCRAInfo Database, the facility has reported as a non-generator since its 2019 Annual Waste Report submittal.

During the inspection, Mr. Chris Ervin presented me with receipts showing the payment of hazardous waste generator fees to the State of Louisiana. After the inspection, Mr. Ervin sent me files which purport to be annual waste reports for 2022 and 2023. However, none of these records appear in either the State of Louisiana's EDMS or EPA's RCRAInfo.

4. 40 C.F.R. §270.1 and LAC 33:V Subpart 1 - Improper receipt and management of frac tanks holding hazardous waste

Associated Documentation:

Appendix 1 – Photo log – Photo Number 21

Appendix 2 - Daily Summary of Inspection Notes and Observations

The facility receives frac tanks for cleaning that contain residues from management of materials at hazardous waste generating facilities. When the frac tanks are used for the storage of hazardous waste at those generating facilities, the residues are also hazardous waste. At the time of this inspection, the facility was storing a frac tank received from a chemical plant which contained approximately 1,100 gallons of residual DAF solids. According to Chris Evans, these DAF solids are hazardous waste due to their benzene content. Frac tanks are not intended to be portable when in service. Therefore, according to 52 Federal Register 20919 published June 3, 1987, frac tanks do not meet the RCRA container definition and are more appropriately managed as tanks. At Large Quantity Generator facilities, they would be subject to all the requirements of 40 C.F.R. §265 Subpart J; including the requirement for generators to remove all waste residues from the tank at closure. Further, their classification as tanks means that the RCRA empty container rules do not apply to frac tanks and their associated residues. Transportation of these materials is subject to all the hazardous waste management and manifesting standards and apply at the originating facility.

5. 40 C.F.R. §262.262 and LAC 33:V.1055 - Contingency plan availability

Associated Documentation:

Appendix 2 - Daily Summary of Inspection Notes and Observations

Appendix 8 - Pro Clean Contingency Plan

Large Quantity Generators must maintain a copy of the contingency plan and all revisions to the plan at the large quantity generator. They must also submit copies of this plan to all local emergency responders. At the time of this inspection, the only available version of the facility's contingency plan was dated November 1, 2011. According to Mr. Chris Evans, this version did not represent current operations and facility contacts. He stated that a revision of the plan had been prepared but was not available for review. The facility was also not able to locate records showing the distribution of this plan to the local emergency responders.

6. 40 C.F.R. 262.17(a)(7) and LAC 33:V.1015.B.7 - Training recordkeeping requirements

Associated Documentation:

Appendix 2 - Daily Summary of Inspection Notes and Observations

Appendix 9 - Training Record Example

Large Quantity Generators are required to provide a site-specific training program that ensures that employees can perform their duties in compliance with RCRA. This training must at a minimum ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency

systems. Records required to demonstrate compliance with these regulations must be maintained by the facility on both current and former employees.

Pro Clean provides general hazardous waste and DOT training through online training provided by Sentry Road. Site-specific training is provided in person with on-the-job walkthroughs. However, no records were available to document this training. Initial facility emergency training is not specifically documented. Mr. David Thibodeaux does provide periodic safety review meetings attended by all shift employees. An example record of this safety meeting is included as Appendix 9.

Section IV – FOLLOW UP

On February 7, 2025, Mr. Chris Evans provided an update via email for some of the concerns communicated on February 4, 2025. This response is included in Appendix 2.

On February 18, 2025, Mr. Chris Evans sent copies of Hazardous Waste Manifests via email for the transport of wastes containers observed during this inspection. This response is included in Appendix 2. The manifests are included as Appendix 10.

Section V – LIST OF APPENDICES

- Appendix 1 - Photo Log
- Appendix 2 - Daily Summary of Inspection Notes and Observations
- Appendix 3 - Site Maps
- Appendix 4 - Pro Clean Drum Inventory
- Appendix 5 - Notification and Transfer of Ownership
- Appendix 6 - 2019 Annual Waste Report
- Appendix 7 - Pro Clean Hazardous Waste Reports
- Appendix 8 - Pro Clean Contingency Plan
- Appendix 9 - Safety Briefing Sign-in - Example
- Appendix 10 - Pro Clean Waste Manifests