EPA REGION 6 Enforcement Division

INSPECTION REPORT

Inspection Entry Date/Time	06/18/2025 10:00 AM (CT)	Announced: Yes
Inspection Exit Date/Time	06/18/2025 11:00 AM (CT)	Access: Granted
Regulatory Program	RCRA	
Type of Inspection	Compliance Evaluation Inspection (CEI)	

Facility or Site Name	Westport Orange Shipyard
Facility/Site Identifier	TXD008079949
Facility/Site Physical Address	91 W Front Ave
City, State, Zip Code	Orange, TX 77630
County/Borough	Orange
Generator Status	Very Small Quantity Generator (VSQG)
NAICS	336611
Type of Operation	Westport Orange Shipyard (WOS) performs repairs and maintenance of barges, performs degas operations and cleaning of barges.
Geographic Coordinates	30° 5'27.79"N, 93°43'39.32"W

Additional Persons Participating in Inspection:

Name	Title	Organization	Email
Andrew Swingler	Contractor	Eastern Research Group (ERG)	Andrew.Swingler@erg.com

Lead Inspector: Janosh Wolters Digitally signed by Janosh Wolters Date: 2025.07.23 20:14:15 -04'00'

Janosh Wolters	Contractor	Eastern Research Group (ERG)	Janosh.Wolters@erg.com

SECTION I – INTRODUCTION

Site Entry and Purpose of the Inspection

The Port of Orange and surrounding facilities were selected for inspection based on a 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, port-related facilities, and other records, including photographs taken, verbal or written statements made during or after the on-site inspection, and/or materials shown, demonstrated, or submitted to the Environmental Protection Agency (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	Opening Conf.	Closing Conf.
Lead Inspector/ Contractor/ERG	Janosh Wolters	Yes	Yes
RCRA Inspector/ Contractor/ERG	Andrew Swingler	Yes	Yes
EHS Manager	Diego E. Chacin	Yes	Yes

Facility General Description

Tenant/Area	Inspection Date	Process Description	Area of Concern
Westport Orange Shipyard	6/18/25	WOS performs repairs and maintenance of barges, performs degas operations and cleaning of barges. Mr. Chacin stated the facility maintains a MARPOL COA but was not able to provide a copy during the inspection.	Yes

SECTION II – OBSERVATIONS

Facility: Westport Orange Shipyard			
Section: 2.1	**Date:** 06/18/25, 10:00 AM	**Contains AOC:** Yes	**Contains CBI:** No
Lead Inspector: Janosh Wolters	**Attendees:** Diego Chacin		

WOS, located in Orange, TX, operates as a repair, maintenance, new construction, and barge cleaning facility. WOS leases space, which includes six dock spaces, from the Port of Orange. WOS is registered with the EPA as a VSQG of hazardous waste under EPA ID TXD008079949. Mr. Chacin stated the facility maintains a MARPOL COA but was not able to provide a copy during the inspection. WOS uses a third party, Four Horn, who conducts all the maintenance and handling of used oil. Slop oil from barges is recycled by Reidco Enterprise. WOS uses a third-party intermediary, Eco Max, to coordinate the disposal of nonhazardous waste generated on site. Pro Waste is the facility's primary transporter of hazardous and nonhazardous waste. General trash is transported to Newton County Landfill.

After the opening conference, the inspection team observed the facility's waste areas. The inspection team observed Westport Orange's paint handling area (Appendix 1 - Photo 1). It was unclear how long paint cans have been accumulating in this area. There were various chunks of paint solids on the ground, as shown in Photo 1. Empty paint cans are consolidated and crushed. Mr. Chacin stated that when workers were finished using the paint, the facility would leave the paint sitting in its closed container to dry out. Mr. Chacin stated this may take up to 18 months. Once dried, the paint would be disposed of, and the empty 5-gallon containers would be saran wrapped with various other empty paint buckets on a pallet. Then, the wrapped pallets would be crushed by WOS staff and thrown in the trash. WOS is in the process of developing new SOPs for managing paint waste and the area observed.

Next, the inspection team observed frac tanks, a flare, and dock spaces (see Appendix 1, Photo 2). WOS utilizes the flare during barge off-gassing procedures prior to cleaning operations. Mr. Chacin explained that barges arrive from a CITGO refinery after transporting crude oil. Barges are degassed before WOS cleans the inside of the barges. Barges are cleaned by manually shoveling out sludge oil and then workers use high pressure water to clean remaining materials out of the barge. WOS does not use solvents throughout the cleaning process. After cleaning and any necessary repairs are made, the barge would be sent back to CITGO to collect more crude oil. During cleaning operations, slop oil and tank bottom sludge are generated. The slop oil is sent off site to a centrifuge prior to reclamation. The sludge is stored in onsite dumpsters (see Appendix 1 - Photo 3). Sludge bottoms are generated and accumulated into skid pans prior to being sent offsite for disposal. The inspection team noted the strong odor coming from the sludge and moved to observe the rest of the area. Inspectors asked Mr. Chacin if a waste determination was made on the sludge. Mr. Chacin stated the sludge is analytically tested once per year to ensure that it is nonhazardous. However, during the

inspection, Mr. Chacin could not provide the inspection team with analytical results. WOS uses methyl ethyl ketone (MEK) for cleaning paint guns and stores the spent MEK in 5-gallon containers. Mr. Chacin was unsure if the spent MEK was managed as hazardous or nonhazardous waste. Therefore, the inspection team explained it appears WOS has not made adequate waste determinations on the MEK waste stream and sludge bottoms [***AOC #1*** *– WOS did not make a hazardous waste determination. - 40 CFR 262.11*].

Next, the inspection team observed the facility's universal waste (Appendix 1 - Photo 4) storage area. The universal waste storage area contained one four-foot box of universal waste lamps. The container was not labeled, did not have an accumulation start date, and was open. [***AOC #2*** *– WOS did not label a container or package in which lamps with one of the following phrases: "Universal Waste—Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)". – 40 CFR 273.14(e)],* [***AOC #3*** *– WOS did not demonstrate the length of time that the universal waste has been accumulated from the date it becomes waste – 40 CFR 273.15(c)*], and [***AOC #4*** *– Tidewater did not contain lamps in a container that was closed and able to prevent damage– 40 CFR 273.13(d)(1)*].

All areas of concern (AOCs) observed by the inspection team at the time of the inspection are documented above. However, upon further review, EPA may change or add additional AOCs. A closing conference was conducted at approximately 10:55 AM with Mr. Chacin. The AOCs observed throughout the visual inspection were communicated during the closing conference.

SECTION III – RECORDS REVIEW

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

SECTION IV – AREAS OF CONCERN

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

Facility: Westport Orange Shipyard		
AOC #1 – WOS did not make a hazardous waste determination.	**Citation:** 40 CFR 262.11	Section: 2.1
AOC #2 – WOS did not label a container or package in which lamps with one of the following phrases: "Universal Waste—Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)".	**Citation:** 40 CFR 273.14(e)	Section: 2.1
AOC #3 – WOS did not demonstrate the length of time that the universal waste has been accumulated from the date it becomes waste.	**Citation:** 40 CFR 273.15(c)	Section: 2.1
AOC #4 – WOS did not contain lamps in a container that was closed and able to prevent damage.	**Citation:** 40 CFR 273.13(d)(1)	Section: 2.1

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 the provision of documents requested.

Communication Log

24 hours prior to the on-site inspection, Janosh Wolters from ERG notified the facility that ERG would be performing a CEI at WOS.

During the inspection, the contractors requested various documents for review, which the facility could not furnish. Mr. Wolters allowed a two-week period where the documents could be provided via email; consequently, following the inspection, Mr. Wolters emailed Mr. Chacin for the requested documents:

1. Analytical test for sludge
2. Nonhazardous waste manifest for sludge
3. Process description of how MEK waste is generated
4. SDS for MEK
5. MARPOL Certificate
6. Crude Oil Tracking invoice/work order going to Reidco Enterprise

At the time of writing this report, Mr. Chacin had not provided the requested documentation to ERG.

SECTION VI – LIST OF APPENDICES

Appendix 1. Photograph Log

APPENDIX 1.
PHOTOGRAPH LOG

Location: Westport Orange Shipyard		
City: Orange	County/Parish: Orange	State: Texas

Photo No. 1

Photo File Name: DSCN8768
Date of Photo: 6 /18/2025
Time of Photo: 1040 hrs.
Photographer: Janosh Wolters
Description: View of paint can storage area. Mr. Chacin claimed that the paint used for barge painting would dry in a closed container. Once paint cans are brought to this area, they would be sorted for disposal. It was unclear how long paint cans have been accumulating in this area. There were various chunks of paint solids on the ground as shown in the photo.

Location: Westport Orange Shipyard		
City: Orange	County/Parish: Orange	State: Texas

Photo No. 2

Photo File Name: DSCN8769
Date of Photo: 6/18/2025
Time of Photo: 1051 hrs.
Photographer: Janosh Wolters
Description: View of frac tanks present on site. The liquid present across the ground is rainwater due to the recent storms in the area.

Location: Westport Orange Shipyard		
City: Orange	County/Parish: Orange	State: Texas

Photo No. 3

Photo File Name: DSCN8770
Date of Photo: 6/18/2025
Time of Photo: 1058 hrs.
Photographer: Janosh Wolters
Description: Sludge from tank bottoms accumulated from recent barges. Claimed as a nonhazardous waste for disposal.

Location: Westport Orange Shipyard		
City: Orange	County/Parish: Orange	State: Texas

Photo No. 4

Photo File Name: DSCN8771
Date of Photo: 6/18/2025
Time of Photo: 1120 hrs.
Photographer: Janosh Wolters
Description: Universal Waste container accumulating universal waste lamps was not labeled, did not have an accumulation start date, and was open.