



**REGION 6**

DALLAS, TX 75270

December 18, 2023

VIA Electronic Mail:

*mhaughton@gulfcopper.com*

Mike Haughton  
Corporate Risk Manager  
Gulf Copper & Manufacturing  
2920 Todd Rd  
Galveston, TX 77554

Re: Notice of Potential Violation and Opportunity to Confer  
Resource Conservation and Recovery Act

Dear Mr. Haughton:

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 December 8, 2022, the EPA, Region 6 conducted an inspection at Gulf Copper and Manufacturing’s facility located in Galveston, TX. The purpose of the inspection/investigation was to determine compliance with the requirements of RCRA and the implementing regulations. Information currently available to the EPA suggests potential violations of RCRA. By this letter, the EPA is extending an 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:

- Universal Waste Management – Potential violation of the requirements to store Universal Waste in a structurally sound and appropriately labeled container as required by 30 T.A.C. §§ 335.262(c)(2)(B) and (F).
- Used Oil Management – Potential violation of the requirements to store Used Oil in a structurally sound and appropriately labeled container as required by 30 TAC § 324.6, which incorporates the rule for used oil generators in 40 C.F.R. section 279(c)(1) and (b).

If you are interested in participating in an opportunity to confer with the Agency with respect to the above listed potential violations, please contact Nathan Taylor, with the Office of Regional Counsel, within seven calendar days of receipt of this letter at [taylor.nathan@epa.gov](mailto:taylor.nathan@epa.gov) or 214-665-3128.

Thank you for your attention to this matter. If you have any questions, please contact Nathan Taylor, at [taylor.nathan@epa.gov](mailto:taylor.nathan@epa.gov) or 214-665-3128, or Erin Young-Dahl, at 214-665-3166 or [youngdahl.erin@epa.gov](mailto:youngdahl.erin@epa.gov).

Sincerely,

Jeff Yurk  
Manager  
Waste Enforcement Branch

Enclosure: Additional Sources of Information

cc: [madelyn.flannagan@tceq.texas.gov](mailto:madelyn.flannagan@tceq.texas.gov)  
[john.shelton@tceq.texas.gov](mailto: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](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](http://www.epa.gov/compliance/small-business-resources-information-sheet)*