

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

Inspection Date(s):	09/15/2021	
Media Program:	RCRA	
Regulatory Program(s)	Hazardous Waste	
Company Name:	WWF Operating Company	
Facility Name:	Danone Wave 3333	
Facility Physical Location:	3333 Dan Morton Dr.	
(city, state, zip code)	Dallas, TX 75236	
Mailing address:	Same as above	
(city, state, zip code)		
County/Parish:	Dallas	
Facility Phone Number	214-907-3466	
Facility Contact:	Scott Hazelton	EHS Manager
FRS Number:	NA	
Identification/Permit Number:	TXD055333819	
Media Identifier Number:	NA	
NAICS:	311511 - Fluid Milk Manufacturing	
SIC:	--	
Personnel participating in inspection:		
Debra Pandak	EPA Region 6	Inspector
EPA Lead Inspector Signature/Date		
	Debra Pandak	Date
Supervisor Signature/Date		9/16/21
	Jeff Yurk	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

I, Debra Pandak, EPA Region 6 inspector arrived at Danone Wave 3333 (Danone) at 1:07 pm on 09/15/2021 for an unannounced inspection. I met with Scott Hazelton, Health and Safety Manager for an opening conference. I presented my credentials and informed Mr. Hazelton that this was an EPA inspection to evaluate the facilities compliance with the Resource Conservation and Recovery Act (RCRA) regulations.

The scope of the inspection is a Compliance Evaluation Inspection (CEI) and includes evaluation of the facility's hazardous waste management activities.

FACILITY DESCRIPTION

Danone is part of Danone North America, a food and beverage company whose brands includes: Activia®, DanActive® and Oikos®. Danone has more than 6,000 employees and 14 production locations across the U.S. and Canada.

The facility registered as Very Small Quantity Generator (VSQG) in 2017.

Section II - OBSERVATIONS

EPA's review of RCRAinfo database show Danone generates hazardous wastes from the production of food and beverage products and facility maintenance. Waste registered include, characteristic waste codes: D001 D002 D006 D007 D008 D009 D011 D018 D019 D020 D030 D031 D032 D033 D034 D035 D036 D038 D039 D042, and Listed Waste: F005. The Texas Commission on Environmental Quality (TCEQ) registration data show over 27 active waste codes (hazardous and non-hazardous).

Based on waste generation in 2018, 2019 and 2020, Danone potentially generated quantities of hazardous waste triggering Small Quantity or Large Quantity Generator status requirements (greater than 100 kgs/month generation rate). TCEQ Annual Waste Summary reports are summarized and show hazardous waste quantities generated per year. Associated manifests of concern are identified for reference.

2018 AWS	2019 AWS	2020 AWS	
1,465 kgs	1,919 kgs	1,887 kgs	
Manifest Date	Manifest #	Kgs Reported	Waste Code(s)
09/11/2018	018911930 JJK	9,026	90071101, 90081051, 90071101
02/11/2019	001142442VES	1,597	D001
12/21/2020	001180882VES	1,887	D001, 5225219H

Section III – AREAS OF CONCERN

I provided a Notice of Potential Violation and Opportunity to Confer (NOPVOC) letter to Mr. Hazelton. The NOPVOC identified the following concerns:

- Notification – Failure to notify the EPA or authorized state adequately describing the hazardous waste generating activity at the Facility pursuant to Section 3010(a) of RCRA, 42 U.S.C. § 6930(a), and the regulation at 30 TAC 335.6.
- Hazardous Waste Determination – Failure to conduct a hazardous waste determination pursuant to 40 C.F.R. § 262.11 and 30 TAC 335.62.

EPA requested information specific to facility operations and hazardous waste management as part of the NOPVOC letter.

Section IV – FOLLOW UP

EPA extended Danone 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 potential violations of the RCRA and the implementing regulations.

Danone has 14 days to notify EPA if interested in participating in an opportunity to confer with the Agency.