



May 22, 2001

Ref: 2001-DAL-WL-25

WARNING LETTER

Certified Mail
Return Receipt Requested

Mr. Raul A. Besteiro
Port Director and CEO
Port of Brownsville Navigation District
1000 Foust Road
Brownsville, Texas 78523

Dear Mr. Besteiro:

During an inspection of your vessel watering point on May 9, 2001, our investigator documented deviations from Title 21, Code of Federal Regulations (CFR), Part 1250. Therefore, the referenced vessel watering point has been classified as "Provisional."

Our investigation revealed significant insanitary conditions, including:

1. The check valves on potable water outlets on docks 1 and 2 and oil docks 3 and 5 were not installed properly. The check valves on docks 1 and 2 were installed upside down and sideways on oil docks 3 and 5.
2. Potable water outlets were directed upwards and sideways on docks 15, 13, 10, 3, cargo docks 4, 1, 2 and oil dock 3.
3. Potable water outlets were less than 18 inches above the dock and not properly housed on docks 10 and 13.
4. Potable water outlets on docks 13, 10, 3, 4, 1 and oil dock 2 are not equipped with end caps and keeper chains.
5. The potable water outlet on the liquid cargo dock was on the same dock with non-potable hydrants and not identified.

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6. A water hose was attached to the potable water outlet on dock 10 and stored on the dock with the opening in the water. Water hoses connected to outlets on dock 10 are not properly stored on racks or reels when not being used.

This letter is not intended to be an all-inclusive list of deficiencies at your vessel watering point and it is your responsibility to ensure adherence to each requirement of the regulations. You should assure that all vessel watering points are in compliance with the regulations.

A List of Inspectional Observations (FDA-483) was issued to and discussed with a responsible individual at the firm. A copy of the FDA-483 is enclosed for your reference. Please review the observations noted by the investigator at the location inspected. You should take prompt action to correct these deviations and ensure that future violations do not recur. Failure to correct these critical violations can result in further action by FDA. Your vessel watering point may be placed on a "Not Approved" status if future similar violations occur.

You should notify this office in writing, within fifteen (15) days of receipt of this letter, stating the specific steps you have taken to correct the aforementioned violations. Your reply should be directed to Gwen Gilbreath, Compliance Officer, at the above letterhead address.

Sincerely,



Michael A. Chappell
Dallas District Director

MAC:gsg

Enclosure