

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

AMAZON.COM SERVICES LLC-DSM5

500 32nd Street SW
Bondurant, Iowa 50035
561-814-7220

EPA ID Number: IAR000526178

On

January 22, 2024

By

TOEROEK ASSOCIATES, INC.

For

U. S. ENVIRONMENTAL PROTECTION AGENCY

Region 7

Enforcement and Compliance Assurance Division

INTRODUCTION

At the request of the Enforcement and Compliance Assurance Division/Chemical Branch/RCRA Section (ECAD/CB/RCRA) of the U. S. Environmental Protection Agency (EPA) Region 7, Toeroek Associates, Inc., and its subcontractor CLAENE Group (Toeroek team) conducted a hazardous waste compliance evaluation inspection (CEI) at Amazon.com Services LLC-DSM5 (Amazon) at 500 32nd Street SW in Bondurant, Iowa. The CEI was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA), as amended. The CEI covered hazardous waste generator requirements, used oil management, and universal waste requirements, as applicable. This report and its attachments present the results of the CEI.

PARTICIPANTS

Amazon:

Martha Struve – Safety Manager
Charisse Karpan – Regulator Waste Coordinator
Steve Austin – WHS Specialist
Doug Martin – General Manager (Entry and Exit briefing only)

Toeroek Team:

Clifford Nelles, Inspector, 816-213-5192

INSPECTION PROCEDURES

Prior to the CEI at Amazon on January 22, 2024, I conducted a drive-by visual inspection. I did not observe any areas of concern during the drive-by. At approximately 0750 hours, I approached the main entry, and explained the purpose of the CEI to the security guard. The security guard contacted Mr. Austin to inform him of my arrival. Approximately 10 minutes later, Mr. Austin met me in the main office lobby. I introduced myself and explained the purpose of the CEI. Mr. Austin and I adjourned to a conference room where we were met by Ms. Struve and Mr. Martin. After brief introductions, I conducted an entry briefing with Ms. Struve and Messrs. Austin and Martin.

During the entry briefing, I presented my business card and EPA credentials to Ms. Struve and Messrs. Austin and Martin. I explained the scope and procedures for the CEI. I explained the facility's right to make confidentiality claims for any or all the information obtained and provided a Notice Regarding Proprietary/Confidential Business Information. I stated that at the conclusion of the CEI, Ms. Struve would be presented with a Confidentiality Notice (Notice) with which she could make or not make a claim of confidentiality for the facility. I also provided Ms. Struve and Messrs. Austin and Martin a copy of U. S. Federal Codes 1001 and 1002, concerning communication of false statements and documents to federal inspectors, and RCRA Section 3007, explaining EPA's inspection authority, both of which they read.

A copy of each of the following documents was left with Ms. Struve during the inspection:

- RCRA Facility Access Information Sheet
- RCRA Section 3007
- U.S. Federal Codes 1001 and 1002
- Instructions for Responding to a Notice of Preliminary Findings
- Notice Regarding Proprietary/Confidential Business Information

The following documents were emailed to Ms. Struve after the inspection:

- E-Manifest Fact Sheet: Generators
- Managing your Hazardous Waste: A Guide for Small Businesses
- U.S. EPA Small Business Resources Information Sheet
- Solvent-Contaminated Wipes Final Rule Summary Chart
- IDNR Excluded Solvent-Contaminated Wipes Rule: Management Practices for Wipes, Rags, and Shop Towels
- Recycling Electronics: A Guide for Businesses
- Lead-Based Paint Activities: Handling and Disposal
- Battery Recycling/Disposal
- Management of Fluorescent Lamps for Businesses
- Incompatible Chemicals
- Universal Wastes – Including Aerosol Cans
- TCLP – Toxicity Characteristic Leaching Procedure
- Part 279 Requirements: Used Oil Management Standards
- EPA Region 7 Emergency Response Program
- Chemical Facility Anti-Terrorism Standards

- Iowa Environmental Guide for Businesses

I reviewed the Hazardous Waste Site Info Verification Report (Verification Report) with Ms. Struve (Attachment 1). Based on this review, I added Ms. Struve's name and contact information to the Site Contact Information section of the Verification Report and Altus Group's name and information to the Owner section of the report. I also changed the hazardous waste generator status from large quantity generator to small quantity generator.

I conducted the visual inspection of the facility, accompanied by Ms. Struve. Following the visual inspection, I reviewed facility records, including hazardous waste manifests with land disposal restriction (LDR) notifications, contingency plan, inspection records, and training documentation. I prepared and completed a site-specific inspection checklist to document my observations.

At the conclusion of the CEI, I conducted an exit briefing with Ms. Struve and Mr. Martin. During the exit briefing, I provided a Receipt for Documents and Samples, which Ms. Struve signed, acknowledging receipt (Attachment 2). I provided Ms. Struve the Notice, which she signed indicating no confidential business information had been provided (Attachment 3). I also provided Ms. Struve a Notice of Preliminary Findings (NOPF), which she signed to acknowledge receipt (Attachment 4).

A map of the facility obtained during the CEI is included as Attachment 5, and a Google Earth aerial photograph of the facility is included as Attachment 6. The 13 photographs taken during the CEI are included in Attachment 7, of which 12 are described in this report.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

Amazon operates as a warehouse and distribution center for consumer products distributed under the Amazon label. The facility receives packaged consumer products from various manufacturers world-wide. These products are warehoused and shipped to Amazon Regional Distribution Centers as needed.

Amazon has been operating at its current location since December 4, 2020, and consists of a single warehouse building with approximately 2,400,000 square feet under roof. The facility operates 24 hours per day, 7 days per week. Approximately 3,500 employees work one of three 8-hour shifts (6:00 a.m. to 2:00 p.m., 2:00 p.m. to 10:00 p.m., and 10:00 p.m. to 6:00 a.m.). Amazon's primary North American Industry Classification System (NAICS) code is 493110 (General Warehousing and Storage).

Most wastes generated by facility operations are waste consumer commodities. Ms. Struve explained that waste consumer commodities are damaged or unwanted products. Examples include expired products and products with damaged packaging. Waste consumer commodities can be hazardous or nonhazardous waste, with hazardous waste determinations based on product knowledge. Nonhazardous waste consumer commodities are primarily stored on warehouse racks and shipped off site for nonhazardous waste disposal. Hazardous waste consumer

commodities are accumulated in the hazardous waste container accumulation area (HWCAA) and shipped off site for hazardous waste disposal.

Single or small-volume damaged products that cannot be accumulated as waste in their original packaging are containerized upon generation and accumulated in the HWCAA. The wastes are separated into hazardous and nonhazardous wastes, with hazardous waste determinations based on product knowledge. Containerized wastes are shipped off site for hazardous or nonhazardous waste disposal as appropriate.

Nonhazardous wastes generated during routine facility operations include used oil. Used oil generated during routine equipment maintenance is accumulated in a 55-gallon used oil storage container. Used oil is managed according to Title 40 *Code of Federal Regulations* (40 CFR) Part 279 and is shipped off site for recycling.

Equipment and facility maintenance generate waste batteries and general trash. Waste batteries are primarily waste consumer commodities but may also include waste batteries generated at the facility. All waste batteries are considered universal waste and managed according to 40 CFR Part 273, and are shipped off site for recycling. General trash is considered nonhazardous and is accumulated in various containers and a compactor. General trash is collected for landfill disposal.

The facility had not been inspected by the EPA or an EPA contractor.

2. RCRA Status

Amazon is identified on the Notification Acknowledgement/Verification Report provided by EPA (Attachment 1) as a large quantity generator (LQG) of hazardous waste (generating more than 1,000 kg of hazardous waste per month). According to Ms. Struve, Amazon is currently operating as a LQG of hazardous waste. Based on this statement and on the Verification Report, I initially inspected Amazon as a LQG. However, after the CEI, I reviewed their shipments of hazardous waste more thoroughly and determined that they were a SQG who has the capability of moving into LQG status at any time depending upon the amount of damaged or expired goods. During the CEI, I reviewed all hazardous waste manifests from calendar year 2021 through 2024 to date. For the purpose of this CEI, I determined Amazon's hazardous waste generator status from the December 2023 and January 2024 manifests as well as the 2021 Biennial Report summary provided by the EPA prior to the inspection (Attachment 8).

The primary hazardous wastes generated at Amazon are hazardous waste consumer commodities that are damaged, expired, or otherwise unwanted. Types and quantities of hazardous waste consumer commodities vary significantly from month to month. For example, the 2021 Biennial Report shows a total of 11,040 pounds (5,018 kg) of hazardous waste shipped off site in 2021. However, Amazon has the capability to generate more than 2,200 pounds (1,000 kg) per month depending on how much hazardous waste consumer commodities require disposal.

To determine the facility's hazardous waste generator status at the time of inspection, I focused on the hazardous waste generation rate during December 2023. The last shipment before

December 2023 was on November 30, 2023. During the month of December 2023 Amazon generated the following shipments:

- December 6, 2023, manifest number 018633657, total hazardous waste weight 741 pounds (337 kg) (Attachment 9, page 1)
- December 13, 2023, manifest number 018633528, total hazardous waste weight 458 pounds (208 kg) (Attachment 9, page 2)
- December 20, 2023, manifest number 018766734, total hazardous waste weight 280 pounds (127 kg) (Attachment 9, page 3)
- January 3, 2024, manifest number 018766736, total hazardous waste weight 400 pounds (182 kg) (Attachment 9, page 4)

I initially considered the facility to be a LQG of hazardous waste. However, based on manifest records, Amazon generated and shipped a total of 1,879 pounds (854 kg) of hazardous waste during the month of December 2023. Therefore, I determined that Amazon is operating as a small quantity generator (SQG) of hazardous waste (generating between 100 kg and 1,000 kg of hazardous waste per month) and inspected the facility as such. I also determined during the CEI that Amazon is operating as a small quantity handler (SQH) of universal waste (accumulating less than 5,000 kg of universal waste at any time) and a used oil generator.

Amazon does not have any satellite accumulation areas (SAA) for accumulation of hazardous waste. All hazardous wastes are accumulated in the HWCAA. I inspected the HWCAA during the CEI.

3. Waste Streams

This section of the CEI report describes the waste streams generated by the facility, including the facility's waste determination and waste codes, generation process and rate, management at the facility, and ultimate disposition. The following discussion of waste streams is based on conversations with facility representatives, the visual inspection, and my review of waste shipping documents. Ms. Struve accompanied me during the visual inspection. Ms. Karpan joined the CEI during the visual inspection of the HWCAA. All inspection participants were provided a copy of U.S. Federal Codes 1001 and 1002, which they read.

Hazardous waste consumer commodities include damaged, expired, or otherwise unwanted consumer products that are considered hazardous waste. Ms. Struve makes hazardous waste determinations for all waste consumer commodities based on product knowledge. Hazardous waste consumer commodities are typically D001, D002, D003, and/or other hazardous waste codes as applicable. The monthly generation rate varies significantly. The waste is collected by Clean Harbors Environmental Services (Clean Harbors) and transported to Clean Harbors in LaPorte, Texas, or Clean Harbors in Kimball, Nebraska, for incineration or bulking and transfer to another site. Hazardous waste consumer commodities were most recently collected on January 19, 2024.

I asked Ms. Struve how the hazardous waste determinations are made. She explained that waste profiles have been established based on product knowledge (for example, information from the

Safety Data Sheet [SDS] or discussions with Clean Harbors personnel). Ms. Struve maintains waste profile information and other related information (such as example container labels for each waste stream) in a binder at the HWCAA. I reviewed the binder during the CEI and noted no concerns with the profiled waste streams.

Hazardous waste consumer commodities are accumulated in the HWCAA upon generation. During the CEI, I observed 16 HWACs in the HWCAA (Attachment 7, Photographs 1 through 6, 8, and 12). All HWACs were structurally sound, closed, labeled with the words “hazardous waste” and an indication of the nature of the hazard, and dated. The earliest accumulation start date was November 15, 2023. I noted no deficiencies with accumulation of hazardous waste consumer commodities.

Nonhazardous waste consumer commodities include damaged, expired, or otherwise unwanted consumer products within original packaging that are considered nonhazardous waste based on product knowledge. A generation rate was not determined during the CEI, as quantities generated and shipped off site vary significantly from month to month. However, the rate is much higher than the generation rate for hazardous waste consumer commodities. The waste is collected by Clean Harbors and transported to Clean Harbors in LaPorte, Texas, or Clean Harbors in Kimball, Nebraska. Nonhazardous waste consumer commodities were most recently collected on January 11, 2024. Generation of damaged or expired goods is unpredictable, and Amazon has procedures to minimize waste. As a result, Amazon had not generated any nonhazardous waste consumer commodities from January 12, 2024 through January 22, 2024. Nonhazardous waste consumer commodities are accumulated on warehouse shelving or in the HWCAA prior to shipment off site for disposal. I did not observe nonhazardous waste consumer commodities in the HWCAA at the time of the CEI, and did not inspect nonhazardous waste consumer commodities on warehouse shelving during the CEI.

Used oil is generated during routine maintenance of facility machinery. The facility manages used oil according to requirements of 40 CFR Part 279. The facility accumulates used oil in a 55-gallon used oil storage container in the HWCAA. Approximately 55 gallons of used oil are generated each year. Used oil is collected by Clean Harbors and transported to Clean Harbors in Kimball, Nebraska, for recycling.

During the CEI, I observed a 55-gallon used oil storage container in the HWCAA (Attachment 7, Photograph 7). The used oil storage container appeared to be in good shape without any apparent leaks or damage, was labeled with the words “used oil,” and held approximately 15 gallons of used oil. I noted no deficiencies with accumulation of used oil during the CEI.

Waste batteries are primarily waste consumer commodities and are unused. All waste batteries are managed as universal waste according to requirements of 40 CFR Part 273. Waste batteries are accumulated in universal waste accumulation containers in the HWCAA. The generation rate varies significantly and was not determined during the CEI. Universal waste batteries are collected by Clean Harbors and transported to Clean Harbors in Kimball, Nebraska, for recycling.

During the CEI, I observed three universal waste batteries (UWB) containers in the HWCAA (Attachment 7, Photographs 9 through 11). One container held waste nickel-cadmium (Ni-Cad) and lithium batteries, and two held waste alkaline batteries. Each UWB accumulation container was labeled with the words “universal waste batteries,” held approximately 20 gallons of waste batteries, and was dated October 19, 2023. I noted no deficiencies with accumulation of waste batteries during the CEI.

General trash consists of office-type refuse, such as waste packaging materials and food containers. Waste consumer commodities are not considered general trash. The facility has determined that general trash is nonhazardous based on product knowledge. General trash is accumulated in several containers throughout the facility and transferred to a 4-cubic-yard roll-off container or compactor. General trash is collected by Republic Services and transported to the Polk County Landfill for disposal. I observed accumulation of general trash during the CEI and noted no deficiencies.

4. Required Response Equipment and Hazard Management

Per 40 CFR 262.15(a)(8) and 262.16(b), a SQG must operate to minimize the possibility of a fire, explosion, or spill, and must maintain emergency response equipment. During the visual inspection, I observed spill response equipment consisting of mats, absorbent materials, shovels, and brooms, as well as the presence and availability of fire extinguishers. I determined that the spill and fire response equipment was adequate for the hazardous wastes generated and accumulated at the facility.

5. Container Accumulation Areas

Amazon maintains one HWCAA in the shipping area. During the CEI, I observed 16 HWACs in the HWCAA (Attachment 7, Photographs 1 through 6, 8, and 12). Fifteen of the HWACs were 55-gallon containers and one was a 20-gallon container. All of the HWACs were labeled with the words “hazardous waste” and an indication of the nature of the hazard, closed, and dated. The accumulation start dates ranged from November 15, 2023, to January 22, 2024. The HWCAA was maintained with adequate aisle space. I asked Ms. Karpan if inspections were performed and how often. She stated that she conducts inspections on a weekly basis and that she maintains an inspection log. I reviewed three years of inspection logs and noted no missed inspections. Copies of the logs for the last four inspections are included in Attachment 10.

I asked Ms. Struve how a worker would summon emergency assistance. She stated that all of the workers who handled hazardous waste carry a two-way radio. In addition, a telephone is present in the HWCAA.

Manifests and Biennial Report

Amazon generated manifests for 141 hazardous waste shipments from January 22, 2021, to January 22, 2024. Most of the containers shipped are not full containers. During the CEI, I reviewed manifests and LDR notifications for five shipments in 2021, five in 2022, five in 2023, and five in 2024. Copies of the manifests for hazardous wastes shipped from December 6, 2023 through January 3, 2024, are included in Attachment 9 as examples. I noted no deficiencies during my review of manifests.

The Hazardous Waste Biennial Report for 2021 was submitted on February 18, 2022 (Attachment 8).

6. Preparedness and Prevention Plan

SQG facilities are required by 40 CFR 262.16(b) to meet the emergency preparedness, prevention, and procedures requirements including documented arrangements with response agencies. According to Ms. Struve, Amazon is the subject of a regular inspection by the Bondurant Fire Department hazardous materials team. During those inspections, she said the fire department is shown the layout of the facility, the location of the hazardous waste HWCAA, and other facility features. Mr. Doug Martin (General Manager) is the Emergency Coordinator.

During the inspection I did not see a posting of the emergency coordinator's name and phone number, fire department's phone number, and locations of fire extinguishers and spill control equipment near the phone as required by 40 CFR 262.16(b)(9)(ii) (**NOPF No. 2**). NOPF No. 2 was not initially left with the facility, but was added on February 2, 2024. Ms. Struve was notified by email on February 2, 2024.

Although Amazon is a SQG, they manage themselves as a LQG. During the CEI, I reviewed the facility's 68-page contingency plan. I noted that Amazon last updated their contingency plan on October 25, 2023. Copies of eight pages of the contingency plan, addressing emergency response procedures, contacts, and evacuation, are included in Attachment 11.

I noted that Amazon did not have a Quick Reference Guide and initially left a preliminary finding with the facility for failure to have a Quick Reference Guide (**NOPF No. 1**). However, as a SQG, a contingency plan and QRG are not required. NOPF #1 was rescinded on February 2, 2024, and Ms. Struve was notified by email at that time.

7. Personnel Training Requirements

Personnel training is required by SQG regulations specified in 40 CFR 262.16(b)(9)(iii) to ensure that employees are thoroughly familiar with proper waste handling procedures relevant to their responsibilities. Amazon provides annual training to personnel who handle and manage hazardous waste. Copies of the training records for Doug Martin, Martha Struve, Charisse Karpan, and Ben Miller are included in Attachment 12.

8. Summary of Preliminary Findings

In summary, as part of the CEI, I made the following preliminary findings:

- (1) NOPF No. 1 Rescinded
- (2) Failure to post emergency coordinator's name and phone number, fire department's phone number, and locations of fire extinguishers and spill control equipment near the phone as required by 40 CFR 262.16(b)(9)(ii) (**NOPF No.2**).

NOPF #2 was not initially left with the facility but was added on February 2, 2024. Ms. Struve was notified of its addition by email on February 2, 2024.

Other than items specifically noted in the narrative, I observed no additional issues. However, further review by EPA may change or add to my findings.

Clifford A.
Nelles

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A. Nelles
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Clifford A. Nelles, Inspector
CLAENE Group

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Amber Whisnant, Section Chief
ECAD/CB/RCRA, EPA Region 7

Attachments:

1. Hazardous Waste Site Info Verification Report for Inspector (2 pages)
2. Receipt for Documents and Samples (1 page)
3. Confidentiality Notice (1 page)
4. Notice of Preliminary Findings (1 page)
5. Site Map (1 page)
6. Google Earth Photograph of Facility (1 page)
7. Photographic Documentation (Photolog and 13 Photographs) (9 pages)
8. Copy of 2021 Biennial Report Summary (9 pages)
9. Copies of Manifests from December 6, 2023 through January 3, 2024 (5 pages)
10. Copy of Weekly Inspection Logs (12 pages)
11. Copy of Contingency Plan Pages (8 pages)
12. Copies of Training Records for Doug Martin, Martha Struve, Charisse Karpan, and Ben Miller (5 pages)