

RCRA Inspection Report

1) Inspector and Author of Report

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U.S. Environmental Protection Agency, Region 4
Enforcement and Compliance Assurance Division
Chemical Safety and Land Enforcement Branch
RCRA Enforcement Section
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

2) Facility Information

Century Aluminum of Kentucky
1627 State Route 3543
Hawesville, Kentucky 42348
Hancock County

EPA ID#: KYD049062375
NAICS #: 331313 – Alumina refining and
primary Aluminum production

3) Responsible Officials

Derek Smith
Environmental Manager
Derek.Smith@centuryaluminum.com

4) Inspection Participants

Derek Smith, Century Aluminum
Garett Helm, Century Aluminum

Curtis Scott, KDEP
Scott Gerstner, KDEP
Alan Newman, USEPA

5) Date of Inspection

May 2, 2023; 8:30 am – 4:00 pm

6) Applicable Regulations¹

Resource Conservation and Recovery Act (RCRA) Sections 3002 (42 U.S. Code – Annotated U.S.C.A. 6925 and 6927), and 40 Code of Federal Regulation (C.F.R.) Parts 260 - 270, 273, 278, & 279; Rules Governing Hazardous Waste Management Title 401 of Kentucky Administrative Regulations (401 K.A.R.) Chapters 30 through 40 and 44 Kentucky Department for Environmental Protection.

¹ As the State's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions will be to the authorized State program. However, for ease of reference, the federal citations will follow in brackets.

Kentucky Revised Statutes Title XVIII, Chapter 224, Subchapter 46-Hazardous Waste et seq. (2006), and Title 401 of the Kentucky Administrative Regulations (K.A.R.) Chapters 30 through 38, 43 and 44 (2006).

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 260.10], a large quantity generator of hazardous waste (LQG) is a generator who generates greater than or equal to 1,000 kilograms (2,200 pounds) of non-acute hazardous waste in a calendar month.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.17], an LQG may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by KRS 224.46-520(1) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in 401 KAR 39:080 Section 1 [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or without having interim status, as required by KRS 224.46-520(1) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 401 KAR 39:080 Section 1 [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in 401 KAR 39:080 Section 1 [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area (SAA) conditions listed in 401 KAR 39:080 Section 1 [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to 401 KAR 39:080 Section 3(1) [40 C.F.R. § 273.9], a small quantity handler of universal waste (SQHUW) is a universal waste handler who does not accumulate 5,000 kilograms or more of universal waste (batteries, pesticides, mercury-containing equipment, lamps, or aerosol cans, calculated collectively) at any time.

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Century Aluminum of Kentucky’s compliance with the applicable requirements of RCRA and the corresponding Kentucky regulations. This was an EPA lead inspection.

8) Facility Description

Century Aluminum of Kentucky, LLC (Century Aluminum) is a primary aluminum smelter. Aluminum is produced by dissolving alumina (aluminum oxide) in a bath of cryolite (sodium aluminum fluoride), sodium fluoride and lithium carbonate in a reduction cell while passing a strong electric current through the solution (electrolytic reduction). Aluminum precipitates out of the solution and settles on the bottom of the cell or pot. The reduction cell is tapped to remove the precipitated aluminum. The molten aluminum is either transported off-site for use in molten form or it is transported to the casting operation to be poured into molds.

Century Aluminum began operations at this location in 1969. Century Aluminum operates 24 hours a day, seven days a week, 365 days a year. Century Aluminum most recently registered as a large quantity generator (LQG) of hazardous waste on February 23, 2022. Century Aluminum is also a small quantity handler of universal waste (SQHUW) and a generator of used oil. The facility is surrounded by a fence and access is controlled by a security contractor.

The waste streams below are listed on the 2022 annual registration submitted to KDEP:

Waste Stream	EPA Waste Number	Maximum Amount of Waste present at one time (T-tons; G-gallons; P-pounds)	Estimated Annually Quantity of Waste Generated
Aluminum Smelter Spent Pot lining	K088	550 (T)	4500 (T)
Water from Pollution Control Device	D002, D007, D008	400 (G)	1000 (G)
Mixed Laboratory Waste Solvent	D001, D019, F003, F005	3.5 (G)	55 (G)
Acidic Mixed Laboratory Waste	D002, D006, D007	10 (G)	50 (G)
Miscellaneous Petroleum-based Waste	D001, D018	200 (G)	640 (G)
Lab Pack Waste - Solid	P-Code, D-Code, U-Code	100 (P)	100 (P)
Lab Pack Waste - Liquid	P-Code, D-Code, U-Code	50 (G)	50 (G)
Waste Mercury contained in manufactured articles	D009	150 (P)	150 (P)
Waste Aerosols Resin	D001, D035	100 (P)	200 (P)
Waste Paint and Waste Paint related material – Liquid	D001	20 (P)	40 (P)
Waste Paint and Waste Paint related material – Solid	D001	20 (P)	40 (P)
Waste Paint Related Material	D001, D005, D007, D008, D018, D035, F003, F005	650 (P)	1300 (P)

9) **Previous Inspection History**

KDEP has conducted two RCRA CEIs at the subject facility between 2017 and 2020 and found 13 violations during those inspections. On September 14, 2020, KDEP conducted the most recent RCRA CEI at the subject facility and found four apparent violations of RCRA's requirements for failure to label used oil containers, failure to maintain a quick reference guide, failure to include wastes on current registration that are generated and stored, and failure to label SAA containers. As a result, KDEP issued an informal enforcement action to Century Aluminum on September

24, 2020, and later verified that the facility had returned to compliance during a follow up inspection on October 22, 2020.

10) Opening Conference

On May 2, 2023, EPA inspector Alan Newman, accompanied by KDEP inspectors Curtis Scott and Scott Gerstner, arrived at Century Aluminum at approximately 9:00 am. Derek Smith, Environmental Manager, immediately received the inspectors. During the opening conference, the inspectors introduced themselves, showed their credentials to Derek Smith, and explained the purpose of the visit.

The inspectors described the anticipated use of equipment (digital camera) during the inspection and provided a request for records. The EPA inspector explained that the Small Business Regulatory Enforcement Fairness Act's classification of a "small business" is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. A copy of the EPA's information sheet for small businesses can be found at <https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf>. The EPA inspector also discussed the company's ability, pursuant to 40 C.F.R. § 2.203, to assert a business confidentiality claim for information submitted to EPA. The company did not assert a business confidentiality claim.

Derek Smith provided an overview of the facility's history and current operations during the opening conference. The inspection participants also discussed health and safety protocols and required personal protective equipment before Derek Smith led the inspectors on a tour of the facility operations.

11) Inspection Observations

The facility has five pot lines, and each line has 112 pots for a total of 560 pots. Spent Pot Liner (K088) is the bulk of the hazardous waste generated at this facility. Spent Pot Liner is generated when pots fail to function properly or have tap out (the pot structure fails). During 2022, the facility shut down production activities and approximately only 20 staff remain employed, the facility has called this a curtailment and not a closure. Facility personnel are refurbishing each pot line so that production activities can restart if the company decides to end the curtailment. At the time of the inspection, Century Aluminum had prepared lines #1 and #3 with consumables and is currently working on line #4. Should the facility not return to production, the consumables may be sold or transferred to the other Century Aluminum facility nearby in Sebree, Kentucky. Since the pots are not being rebuilt, there is no K088 waste being generated.

Prior to the curtailment, Century Aluminum generated aluminum smelting potliner (K088) and small amounts of corrosive water from the pollution control device, waste paint related material, spent aerosol cans, laboratory hazardous waste, and petroleum-based wastes. During the inspection, the inspectors observed multiple locations where waste determinations had not been conducted.

Riverfront:

Barges travel on the Ohio River to deliver alumina and coke material to the facility. The material is vacuumed from the barges into a conveyor belt system and transferred into silos for storage. No RCRA waste was generated in this area at the time of the inspection. The inspection team noted a 300-gallon white tank in this area (Photograph 1). It was unclear if the tank held material or not. Facility representatives stated they would investigate and let the inspection team know the results. Subsequent to the inspection, the tank was determined to be empty and was sold.

Aerosol Can Piercing Station:

The inspection team noted a one-gallon container of paint material at the aerosol can piercing station (Photographs 2-3). This container appeared to have been stored outside in the weather in this area for some time, but Century Aluminum had not made a hazardous waste determination on the contents of this container. An active can puncturing device was affixed to the top of a blue 55-gallon container which was marked as hazardous waste (Photograph 2). This container was not labeled with an indication of the hazards of its contents. The “Danger Flammable Material” sign among others in this area were faded or partially painted over. The walls of this location showed signs of previous spills of paint likely associated with the puncturing operations (Photograph 2). Century Aluminum should ensure all relevant signs are clearly legible.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 401 KAR 39:080 Section 1 [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in 401 KAR 39:080 Section 1 [40 C.F.R. § 262.11].

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to mark or label its containers (ii) with an indication of the hazards of the contents.

Oil Building:

Century Aluminum was storing a 55-gallon container of gas diesel mix in the Oil Building. (Photograph 4). Century Aluminum has determined that this waste is a hazardous waste, but this container was not labeled as hazardous waste or with an indication of the hazards.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to mark or label its containers (i) with the words “Hazardous Waste” and (ii) with an indication of the hazards of the contents.

Rodding Area:

The inspection team noted a 30-gallon metal trash can labeled “Aerosol Can” in the rodding area next to a flammable cabinet. Although Century Aluminum has determined that this waste stream is a hazardous waste, this container was not labeled as “Hazardous Waste” or with the indication of the hazard (Photograph 5-7). Additionally, inside the adjacent flammable cabinet, there was a small container and a jug of unknown material that appeared to be discarded (Photograph 8).

Century Aluminum had not made a hazardous waste determination on the contents of the small container or the jug.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 401 KAR 39:080 Section 1 [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in 401 KAR 39:080 Section 1 [40 C.F.R. § 262.11].

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to mark or label its containers (i) with the words “Hazardous Waste” and (ii) with an indication of the hazards of the contents.

QC Lab:

Century Aluminum formerly operated a laboratory facility where laboratory technicians conducted analytical testing to determine quality of the material and determine levels of alumina/cryolite/fluoride. The inspection team noted three storage cabinets with small containers of chemicals. Facility representatives stated that the laboratory was closed in 2015. Some of these containers were expired (Photographs 9-11). A container of sulfuric acid was labeled with an expiration date of November 2017. Century Aluminum had not conducted hazardous waste determinations on these chemicals.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 401 KAR 39:080 Section 1 [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations articulated in 401 KAR 39:080 Section 1 [40 C.F.R. § 262.11].

Facility Area with Central Accumulation Area (CAA):

The designated CAA is comprised of a concrete pad which is used to store K088 waste in 30-cubic yard metal roll-offs. At the time of the inspection, the area was storing one empty roll-off (Photograph 12). There was no other hazardous waste stored in this area on the day of the inspection.

Scrubber Tower:

Century Aluminum generates waste liquids in the scrubber tower. On the day of the inspection there was a tote with about 5-10 gallons of clear liquid (Photograph 14). Facility personnel had not made a hazardous waste determination on this liquid. Additionally, adjacent to the scrubber tower, Century Aluminum was storing a 55-gallon container of paint. The paint container appeared to be in poor condition (rusted and dented) and weathered (Photograph 13). The inspection team determined that a waste determination was necessary for this container.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 401 KAR 39:080 Section 1 [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are

properly managed according to applicable RCRA regulations articulated in 401 KAR 39:080 Section 1 [40 C.F.R. § 262.11].

Mobile Garage:

Century Aluminum utilizes the Mobile Garage to conduct maintenance on vehicles. The inspection team noted two 30-gallon metal trash cans that were accumulating hazardous waste spent aerosol cans (Photograph 22). Both containers were full. Century Aluminum was storing greater than 55 gallons of hazardous waste at this SAA.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.15(a)(6)], a generator who accumulates hazardous waste in excess of 55 gallons must, with respect to that amount of excess waste, comply with 401 KAR 39:080 Section 1 [40 C.F.R. § 262.17(a)] or remove the excess waste from the SAA within three consecutive calendar days.

Facility Areas for Universal Waste Management:

Century Aluminum manages universal waste lamps and batteries in multiple locations at the site. According to the records provided during the inspection, the facility sent no shipments of universal waste offsite during calendar year 2023. The most recent shipment of universal waste lamps and batteries was sent on September 12, 2022.

The inspectors observed two cylindrical cardboard containers of universal waste lamps in the former environmental office and laboratory during the inspection (Photographs 15-19). Both containers of universal waste lamps were closed and labeled as universal waste. One container was marked with an accumulation start date of March 30, 2023; but the other container was not labeled with an accumulation start date. Facility personnel stated that the date on the container in combination with the most recent ship date is how universal waste is tracked to ensure they are not stored for longer than a year.

The inspection team noted two black plastic containers storing lead acid batteries outside of the Mobile Garage building (Photographs 20-22). These two containers were storing multiple lead acid batteries destined for reclamation under 40 CFR 266 Subpart G.

Century Aluminum was accumulating universal waste batteries in a 5-gallon black plastic container (Photograph 23-24). This container was in good condition and labeled as universal waste batteries. The accumulation start date on the label of this container was September 8, 2016. This date well exceeds a year for storage. Facility representatives stated that this will be gathered with other waste onsite and shipped off site for disposal and or reclamation.

Pursuant to 401 KAR 39:080, Section 3(1) [40 C.F.R. § 273.15(a) and (c)], a SQHUW may accumulate universal waste no longer than one year and must be able to demonstrate the length of time that the universal waste has accumulated from the date that it became a waste or was received.

Facility Areas for Used Oil:

Century Aluminum was accumulating used oil in multiple locations across the site (Photographs 25-33). The Oil building housed containers of product oil and used oil. The inspection team noted one 55-gallon blue container labeled as “Used AW46” (Photograph 28) in the Oil Building. This container was not labeled with the words “Used Oil.” The inspection team noted trays and secondary containment pallets used to collect oil drippage from product containers (Photograph 30). At the time of the inspection these trays and one secondary containment pallet were full of used oil. Subsequent to the inspection, Facility representatives stated that the used oil had been pumped into a used oil accumulation container.

Century Aluminum was storing used oil in a large tank at the Mobile Garage area (Photograph 33). This tank was in good condition and labeled with the words “Used Oil.” At the Mobile Garage, Century Aluminum was also storing used oil in a 55-gallon black metal container that was not labeled as to its contents (Photograph 32). This container was used to accumulate drained used oil from the funnel on top of the container.

Pursuant to 401 KAR 39:080 Section 4(1) [40 C.F.R. § 279.22(c)(1)], containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words “Used Oil.”

Pursuant to KRS 224.1-405(1) and 401 KAR 39:080 Section 4(1) [40 C.F.R. § 279.22(d)], upon detection of a release of used oil to the environment, the facility must clean up and manage properly the released used oil and other materials.

Clinic:

Century Aluminum operated a clinic on site for its employees (Photograph 34). If the curtailment is ended and production begins and the clinic is reopened, Century Aluminum will need to determine if they will operate as a healthcare facility and potentially be subject to RCRA Subpart P. The inspection team toured the clinic and did not observe any waste being accumulated.

Production Pot Lines:

The inspection team toured the production lines and observed piles of materials. Facility representatives stated that they were raw materials for the pot lines (Photographs 35-39). Should the decision be made to not bring the facility back into production, the facility has the potential to generate multiple million pounds of spent pot liner waste and must ensure the timely management of the pot liner that is currently in the pots.

12) Records Review

Contingency Plan and Quick Reference Guide (QRG):

The actions that facility personnel should take in response to an emergency are described in the facility’s Contingency Plan, which was last updated in 2017. The plan describes actions facility personnel must take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.

The plan describes arrangements agreed to with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers, local hospitals or the Local Emergency Planning Committee.

The plan does not list the names and emergency telephone numbers for persons identified as emergency coordinators. Garrett Helm is the primary emergency coordinator. The emergency coordinator list in the contingency plan and the quick reference guide has not been updated to the current employees (Photograph 40).

The plan includes a list of all emergency equipment at the facility. The list includes fire extinguishing systems, spill control equipment, communications and alarm systems, and decontamination equipment. The list appears to be up to date. The plan includes the location and a physical description of each item on the list, and a brief outline of its capabilities. The plan includes an evacuation plan for personnel. This plan describes signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

A copy of the Contingency Plan (and its quick reference guide) was most recently submitted to the police department, fire department, hospital, State and local emergency response teams and the Local Emergency Planning Committee in 2023.

The quick reference guide includes the types/names of hazardous waste in layman's terms and the associated hazard associated with each hazardous waste present at any one time; the estimated maximum amount of each hazardous waste that may be present at any one time; the identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff; accumulated and treated and routes for accessing these wastes; a street map of the facility in relation to surrounding businesses, schools and residential areas; the locations of water supply; and the identification of on-site notification systems. The quick reference guide did not include a map of the facility showing where hazardous wastes are generated or the name of the current emergency coordinators (Photograph 41).

Century Aluminum is responsible for updating the contingency plan and the quick reference guide when the operations at the facility substantially change which may change the response necessary in an emergency and when the emergency coordinators change.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.17(a)(6)], which incorporates 401 KAR 39:080 Section 1 [40 C.F.R. § 262.261 (d)], and is a condition of the LQG Permit Exemption, (d) the contingency plan must list names and emergency telephone numbers of all persons qualified to act as emergency coordinator, and this list must be kept up to date.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.17(a)(6)], which incorporates 401 KAR 39:080 Section 1 [40 C.F.R. § 262.262(b) (4, 8)], and is a condition of the LQG Permit Exemption, a generator's quick reference guide to the contingency plan must include the following elements: (4) a map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes and (8) the name of the emergency coordinator(s) and 7/24-hour emergency telephone number(s) or, in the

case of a facility where an emergency coordinator is continuously on duty, the emergency telephone number for the emergency coordinator.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.17(a)(6)], which incorporates [401 KAR 39:080 Section 1] [40 C.F.R. § 262.263 (c and d)], and is a condition of the LQG Permit Exemption, a generator is required to review and immediately amend its contingency plane, if necessary, whenever (c) the generator facility changes—in its design, construction, operation, maintenance, or other circumstances—in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency and (d) the list of emergency coordinators changes.

Annual Report and Registration:

Century Aluminum manifested a D006 waste stream on September 9, 2022 (Photograph 42). This waste stream was not included in registration; therefore, the hazardous waste generation and on-site management of hazardous waste was not consistent with the registration as required by KDEP. Additionally, although Century Aluminum manifested hazardous waste to Tradebe Treatment and Recycling LLC (IND000646943), that facility was not included as a designated facility in the annual report. Upon review of the annual report, two manifests were omitted from the submitted report. The manifests' details are:

Waste Manifest	Date of shipment	Destination	Waste Code
001420226VES	February 11, 2022	Elemental Solutions (ARD006354161)	K088
017475639FLE	September 6, 2022	Tradebe Transportation (INR000123497)	D006

Century Aluminum had not revised and resubmitted the 2022 Annual Report and its registration to KDEP.

Pursuant to 401 KAR 39:080 Section 1(5), Hazardous waste generation and on-site management of hazardous waste shall be consistent with the registration submitted pursuant to subsection (2) of this section. (b) If any information submitted in accordance with subsection (2) of this section changes, the generator shall modify and resubmit the form that include the change to the cabinet no later than thirty (30) days following the change.

Pursuant to 401 KAR 39:080 Section 1(8)(a) [40 C.F.R. § 262.41(a)] generators, except for very small quantity generators, shall prepare a Hazardous Waste Annual Report for the cabinet annually by completing and submitting: (1) EPA form 8700-13 A/B as referenced in 40 CFR §§ 262.41(a), 264.75, 265.75 and 267.75; and (2) each generator, except for very small quantity generators, shall submit a copy of the hazardous waste annual report established in paragraph (a) of this subsection as established in KRS 224.46-510(1)(h).

Training Records:

The inspectors reviewed facility job descriptions and employee names that were provided for the Cell Liner Operator, Cell Lining Supervisor, Environmental Technician, Environmental

Engineer, and Environmental Manager positions. Each description failed to include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to that position. Century Aluminum did not provide a written description of the type and amount of both introductory and continuing training to be given to each person filling the positions listed above. The inspectors reviewed records of employee hazardous waste training completed in 2020-2023. The inspection team reviewed training records of employees who signed hazardous waste manifest records. Stacy Little, Kay Ray, and Kaylie Swaney were among the employees who were not up to date on their RCRA training while performing hazardous waste management duties for the facility (Photograph 42). A summary of the documented training is included below:

Worker Name	Type of training	Date of most recent Training
Stacy Little	RCRA DOT	April 0, 2020 May 9, 2021
Kay Ray	RCRA DOT	April 23, 2020 May 15, 2021
Kaylie Swaney	DOT	May 9, 2021
Tyler Lucas	RCRA DOT	August 4, 2021 August 3, 2022
Danny Carroll	RCRA DOT	May 31, 2020 May 14, 2020
Derek Smith	RCRA DOT	September 28, 2022 October 2, 2022
Sherman Jagers	RCRA	January 5, 2022
Dalton Melloy	RCRA DOT	January 4, 2022 January 7, 2022

The employees who did not receive hazardous waste training, as required over the past three years, included, but were not limited to: Stacy Little and Kay Ray, who did not receive annual hazardous waste training, and Kaylie Swaney, who did not receive initial or annual hazardous waste training. Other employees left the company prior to required annual updated training.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.17(a)(7)(i)-(iv)], which is a condition of the LQG Permit Exemption, (i)(A) facility personnel must successfully complete a program of classroom instruction, online training (e.g., computer-based or electronic), or on-the-job training that teaches them to perform their duties in a way that ensures compliance with this part. The large quantity generator must ensure that this program includes all the elements described in the document required under paragraph (a)(7)(iv) of this section. (ii) facility personnel must complete personnel training within six months of being hired or of being assigned to a new position at the Facility; (iii) facility personnel must take part in an annual review of the initial training required by this section; and/or (iv) the generator must maintain training records that include, among others: the job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job; a written job description for each position; a written description of the type and amount of both introductory and

continuing training that will be given to each person filling a position; and records documenting that the training required has been given to and completed by Facility personnel.

Waste Manifest and Land Disposal Restriction (LDR) Records:

The inspectors reviewed available hazardous waste manifest records and land disposal restriction forms for shipments of hazardous waste sent since 2020. During the review of the manifests, the inspection team noted that the facility's records did not include a signed return copy of hazardous waste manifest number 002177261VES for a shipment of K088 hazardous waste aluminum remelting by-products to Elemental Env Solutions (ARD006354161) on June 7, 2022 or a signed return copy of hazardous waste manifest 017475639FLE for a shipment of D006 hazardous waste environmentally hazardous substances, liquid, to Tradebe Treatment and Recycling LLC (IND000646943) on September 6, 2022 (Photographs 42-43). No records were provided to show that Century Aluminum contacted the transporter or the owner or operator of the designated facility to determine the status of this waste, and Century Aluminum did not submit exception reports for these missing manifests.

Pursuant to 401 KAR 39:080 Section 1 [40 C.F.R. § 262.42(a)(2)], a large quantity generator must submit an Exception Report to the EPA Regional Administrator for the Region in which the generator is located if he has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 45 days of the date the waste was accepted by the initial transporter. The Exception Report must include: (i) A legible copy of the manifest for which the generator does not have confirmation of delivery; (ii) A cover letter signed by the generator or his authorized representative explaining the efforts taken to locate the hazardous waste and the results of those efforts.

Weekly Inspection Records:

The inspectors reviewed Century Aluminum's available records of inspections of the hazardous waste CAA since 2020. The inspection log includes a checklist to record observations about leaking containers and for deterioration of containers caused by corrosion or other factors. The inspection log includes a checklist to record observations about damaged containers or in poor condition, dented crushed or punctured containers, evidence of leaks, evidence of corrosion, open or uncovered containers, missing or loose lid bolts, absence of proper container markings or not visible, absence of storage start date, absence of words "Hazardous Waste or Universal Waste" on each container, absence of or non-operable emergency equipment (fire extinguishers, hoses, alarms, spill response materials). The records include the date and time of the inspection and the name, signature and initials of the employee conducting the inspection. Employees do routinely record inspection observations and subsequent follow-up actions on the inspection log.

13) Closing Conference

The inspectors conducted the exit meeting at 3:30 pm with Derek Smith and Garrett Helm. During this meeting, the inspectors stated their preliminary conclusions of the inspection. Century Aluminum agreed to provide records, including training records, manifests, and LDR

forms, within two weeks. On May 11, and 17, 2023, Derek Smith provided numerous records addressing the issues noted through the inspection in an email to Alan Newman.

14) List of Attachments

Attachment 1 – Photo Log:
43 Photos taken on: May 2, 2023
Photos taken by: Alan Newman and Curtis Scott
Photos taken with: Lumix Digital
EPA Property Tag: S75870

15) Signed

ALAN NEWMAN

 Digitally signed by ALAN NEWMAN
Date: 2023.08.07 16:36:28 -04'00'

Alan Newman
Environmental Engineer

16) Concurrence

ARACELI CHAVEZ

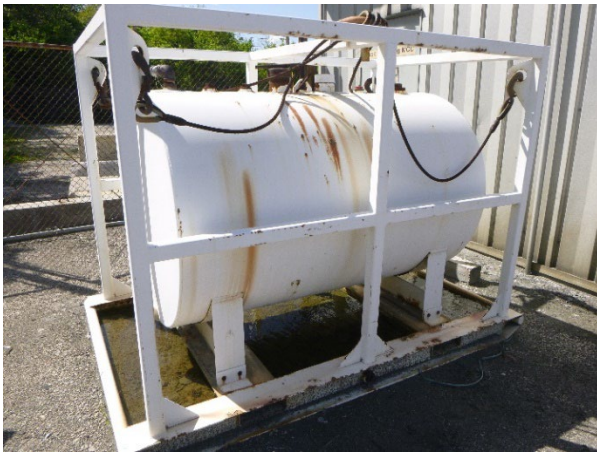
 Digitally signed by ARACELI CHAVEZ
Date: 2023.08.07 17:22:46 -04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Appendix 1

Photograph Log:

43 Photographs taken May 2, 2023.
Photographs taken by Alan Newman
Photographs taken with Lumix Digital
EPA Property Tag: S75870
And by Curtis Scott (KDEP)



Photograph 1: Barge Receiving Area. Tank of unknown contents or purpose.



Photograph 2: Aerosol Can Piercing Station.



Photograph 3: Container of waste paint with no hazardous waste determination at Aerosol Can piercing Station.



Photograph 4: Oil Building – Container without hazardous waste label and indication of the hazard.



Photograph 5: Rodding Department SAA for spent aerosol cans.



Photograph 6: Rodding Department SAA for spent aerosol cans – no hazardous waste liable or indication of hazard.



Photograph 9: Former Environmental Office and Laboratory – unknown waste material.



Photograph 7: Rodding Department SAA for spent aerosol cans.



Photograph 10: Former Environmental Office and Laboratory – unknown waste material.



Photograph 8: Rodding Department - unknown container and jug was waste material.



Photograph 11: Former Environmental Office and Laboratory – unknown waste material.



Photograph 12: Spent Pot Liner (K088) Central Accumulation Area Container.



Photograph 14: Former Environmental Office and laboratory universal waste storage.



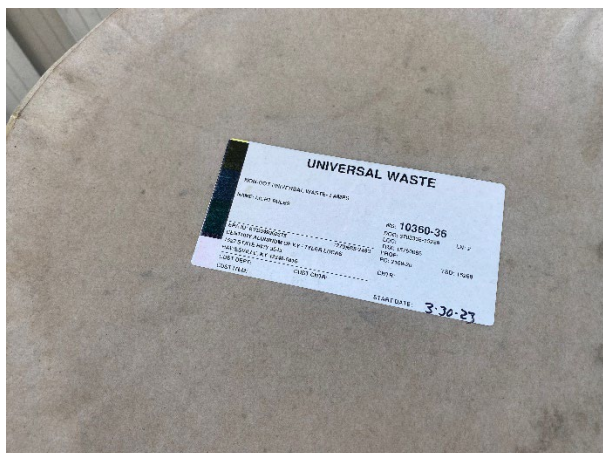
Photograph 13: Unknown contents in container at base of scrubber tower.



Photograph 15: Former Environmental Office and laboratory universal waste storage.



Photograph 16: Former Environmental Office and laboratory universal waste storage.



Photograph 17: Former Environmental Office and laboratory universal waste storage dated March 30, 2023.



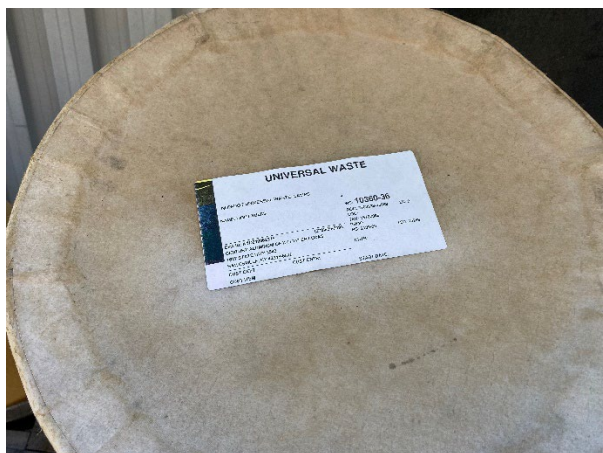
Photograph 20: Mobile Garage lead acid exchange accumulation totes.



Photograph 18: Former Environmental Office and laboratory universal waste storage for metal halide universal waste lamps.



Photograph 21: Mobile Garage lead acid exchange accumulation tote.



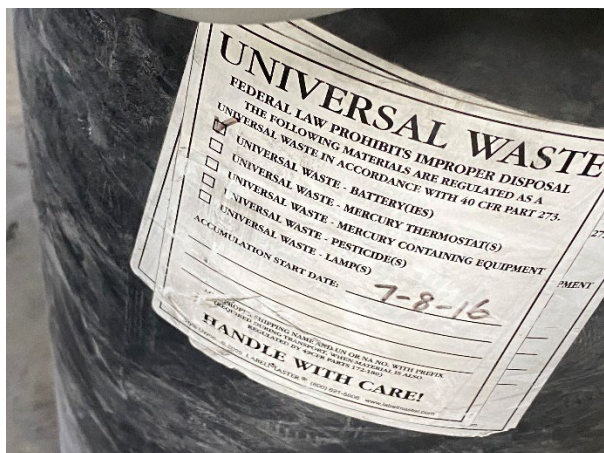
Photograph 19: Former Environmental Office and laboratory universal waste storage that was not dated.



Photograph 22: Spent Aerosol Can SAAs – exceeds 55 gallons.



Photograph 23: Stores Area – universal waste batteries that exceeded one year.



Photograph 24: Stores Area – universal waste batteries that exceeded one year.



Photograph 25: Oil Building.



Photograph 26: Oil Building.



Photograph 27: Oil Building.



Photograph 28: Oil Building – Container of used oil without Used Oil label.



Photograph 29: Oil Building – Tote of Used Oil.



Photograph 30: Oil Building with oil accumulated in floor drains.



Photograph 31: Mobile Garage.



Photograph 32: Mobile Garage – container of used oil without Used Oil label.



Photograph 33: Mobile Garage Used Oil Tank.



Photograph 36: Production lines.



Photograph 34: Clinic.



Photograph 37: Production lines.



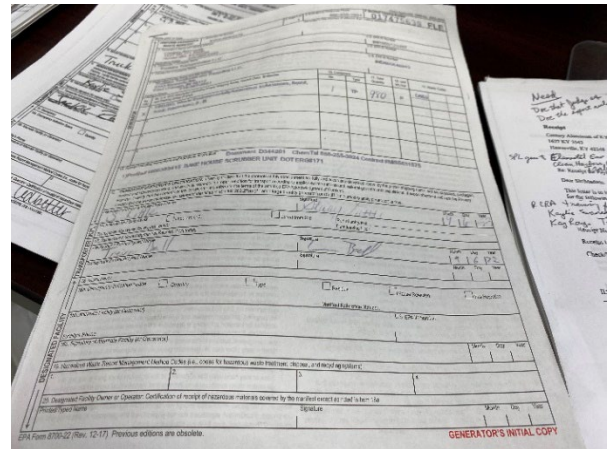
Photograph 35: Production Lines.



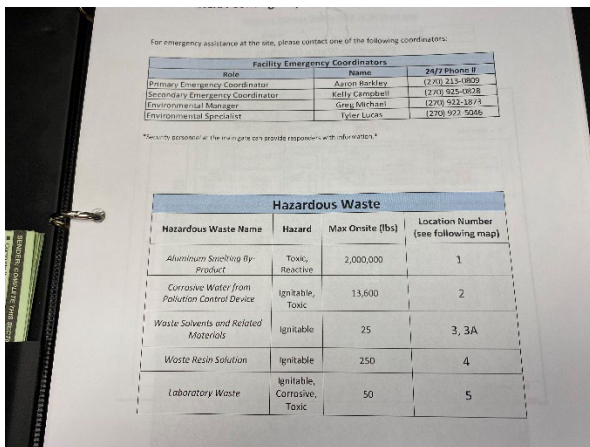
Photograph 38: Production lines.



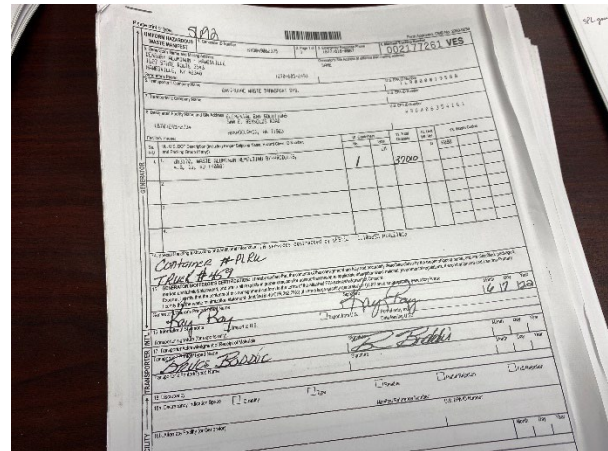
Photograph 39: Laydown Yard for production parts.



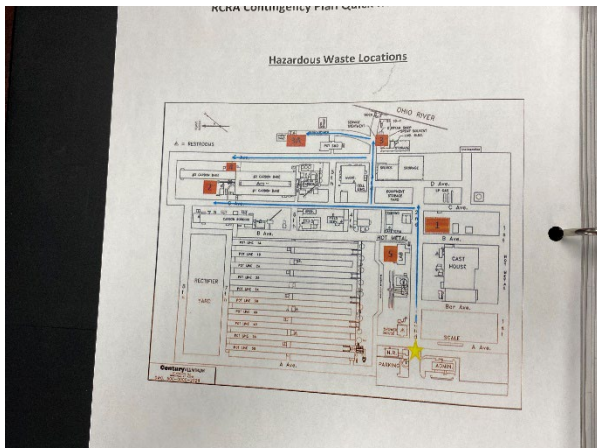
Photograph 42: Records – Manifest without final signed copy that was not included in 2022 annual report and was signed by an employee that had not maintained current RCRA training.



Photograph 40: Records – Registration does not list D006 waste code.



Photograph 43: Records – Manifest without transporter or final signature.



Photograph 41: Records – Map of QRG does not include all SAAs.