

RCRA Inspection Report

1) Inspectors and Authors of Report

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RCRA Enforcement Section
Chemical Safety and Land Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 4
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2) Facility Information

Amazon.com Services LLC – AGS2/PGA1
429 Toy Ward Road
Pendergrass, Georgia 30567
EPA ID GAR000088138

3) Responsible Officials

Lindsey Rebholz
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Marion Boggs
AGS2 Site Lead
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4) Inspection Participants

Brooke York, RCRA Enforcement Section Region 4 EPA (RES)
Mark Anthony Relon, RES
Sara Porter, Georgia Environmental Protection Division (GAEPD)
Dan Daska, AGS2 Outbound Sr Ops Leader
Lindsey Rebholz, PGA1 Site Lead
Travis Trowler, Onsite Medical Representative
Joshua Dawson, PGA1 Safety Specialist
Jesse Edgar, AGS2 Workplace Health and Safety Manager
Chris Jones, PGA1 Workplace Health and Safety Manager
Melissa Skilling/Cummings, PGA1 Hazardous Waste Coordinator
Marceda Kegler, AGS2 Hazardous Waste Coordinator
Blake Powers, Maintenance Contractor to Amazon
Kwane Osei Owusu, AGS2 Safety Specialist
Shannon Cash, PGA1 Tier 1 Associate
Darby Knuckles, AGS2 Safety Specialist

5) **Date and Time of Inspection**

April 20, 2022, 9:45 am

6) **Applicable Regulations**

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; Georgia Hazardous Waste Management Act, Ga. Code Ann. § 12-8-60 *et seq.*, and Georgia Hazardous Waste Management Rules, Ga. Comp. R. and Regs. 391-3-11.01 to 391-3-11.18 (2016 and 2018)

As the State’s authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions alleged herein will be to the authorized State program; however, for ease of reference, the federal citations will follow in brackets.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.02(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 Ga. Comp. R. and Regs. 391-3-11-.08(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 Section 12-8-66 of the GHWMA, Ga. Code Ann. § 12-8-66 [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(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 Section 12-8-66 of the GHWMA, Ga. Code Ann. § 12-8-66 [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [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 the facility's compliance with the applicable requirements of RCRA and the corresponding Georgia regulations. This was an EPA lead inspection.

8) **Previous Inspection History**

No hazardous waste inspections have been conducted at the facility.

9) **Facility Description**

The Amazon.com Services LLC – AGS2/PGA1 (Amazon) in Pendergrass, Georgia began operations in November 2020. The 1.1 million square foot building houses two (2) separate branches of Amazon, PGA1 and AGS2. AGS2 is a fulfillment center. PGA1 is a returns center. At the time of the CEI, AGS2 employed approximately 650 people, but may employ up to 800 employees at different times of the year. PGA1 employs 1,000 people. The facility operates 24 hours a day seven (7) days a week. Access to the facility is controlled by security and a badge system.

Amazon notified as a large quantity generator of hazardous waste on June 29, 2021, after having previously notified as a small quantity generator of hazardous waste on September 25 and November 8, 2020. The most recent notification received on February 17, 2022 from Amazon indicated that the facility is a large quantity generator of hazardous waste bearing waste codes: D001-011, D016, D018, D027, D030, D035, F002, U002, U122, U154, U159, and U249. The NAICS code identified by Amazon on its most recent notification is 493110 – General Warehousing and Storage.

10) **Opening Conference**

On April 20, 2022, EPA inspectors Brooke York and Mark Anthony Relon, accompanied by GAEPD inspector Sara Porter, arrived at Amazon at approximately 9:45 am. Travis Trowler, onsite Medical Representative, immediately received the inspectors. Mr. Trowler, and the inspectors were joined by Dan Daska, Lindsey Rebholz, Joshua Dawson, Jesse Edgar, and Melissa Skilling, for the opening conference. The inspectors introduced themselves, showed their credentials to Mr. Trowler, and explained the purpose of the visit. The inspectors described the anticipated use of equipment (FLIR camera, PID, FID, digital camera) during the inspection, and provided a request for records. The inspectors discussed the company's ability, pursuant to 40 C.F.R. §2.203, to assert a business confidentiality claim for information submitted to the EPA. The company asserted a business confidentiality claim on all documents and photographs. The inspection participants also discussed health and safety protocols and required personal protective equipment before Mr. Trowler and Mr. Chris Jones led the inspectors on a tour of the Facility operations. Amazon provided documentation following the inspection, which they claimed confidential business information. At that time, Amazon was provided the general CBI notice and asked to complete the notice within 10 days. The notice was not completed or returned.

Mr. Trowler and other facility representatives provided an overview of the facility's history and current operations during the opening conference. The company does not appear to meet the Small Business Regulatory Enforcement Fairness Act's classification of a "small business," which is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. Therefore, the EPA inspectors did not provide a copy of the agency's information sheet for small businesses, which can be found at <https://www.epa.gov/compliance/small-business-resources-information-sheet>.

11) **Findings**

AGS2

AGS2 is a robotics fulfillment facility. The facility uses robotic pods to fulfill internet orders. The pods bring the items to operators where bins are sorted and then sent to packaging and shipping.

Waste is generated when items are broken or damaged. Operators work in lanes and use a light system to indicate if issues arise, including damaged items. Upon notification from the light system the area manager responds. In the instance of damaged goods that would be considered hazardous waste the area manager takes them to the AGS2 Hazardous Waste Cage (Figures 1-9).

Inspectors observed the AGS2 Hazardous Waste Cage to have four (4) rows of spill pallets.

1. The first row held three (3) black 55-gallon containers;
 - a. One of the containers was unlabeled upon arrival, and was labeled in the presence of the inspectors.
 - b. The other two were labeled but not dated. The operator indicated that additional waste may be added to these containers.
2. The second row held six (6) white 5-gallon containers and two (2) black 55-gallon containers;
 - a. Three of the 5-gallon containers were labeled drain solids, which Amazon had characterized as a nonhazardous waste.
 - b. One 5-gallon container which was unlabeled contained stormwater drain cleanout.
 - c. One of the 5-gallon containers was labeled "human waste" and was awaiting determination.
 - d. One 5-gallon container of universal waste batteries, was labeled but not dated.
 - e. The two closed labeled 55-gallon containers were still accumulating waste.
3. The third row held two (2) black 55-gallon containers;
 - a. One was empty.
 - b. One was labeled nonhazardous waste oils and lubricants.
4. The fourth row held five 55-gallon containers (three (3) metal and two (2) poly).
 - a. One closed 55-gallon container labeled hazardous waste aerosols UN1950 dated March 2, 2022 with a flammable indication of hazard.
 - b. One closed 55-gallon container labeled hazardous waste flammable liquids UN1993 still accumulating waste, with a flammable indication of hazard.
 - c. One closed 55-gallon container labeled hazardous waste flammable liquids loose pack

- UN1263 still accumulating waste, with a flammable indication of hazard.
- d. Two of the containers were empty.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: the words “Hazardous Waste.”

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [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.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.17(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.”

PGA1

PGA1 is a returns center. Any returns that are damaged or otherwise unsalable are placed individually in plastic containers by the inbound operators. These are marked with information relating to the returnee and the product. They are then sent to Products Awaiting Determination where the Tier 1 Associate determines the appropriate waste classification (based on information provided by Amazon’s system) and sorts the material in containers. These containers are then transferred to the staging area outside the PGA1 Central Accumulation Area (CAA) where the Hazardous Waste Coordinator consolidates them further into the appropriate super sack for offsite treatment, disposal or recycling. Amazon Representatives told the inspectors that the entire process from the inbound operator to the final sorting in the CAA would not take longer than 72 hours.

In the CAA inspectors observed ten (10) gaylord boxes/supersack containers, nine (9) hazardous waste, one supersack container of universal waste, nine (9) 55-gallon containers (one empty, one of nonhazardous waste, two of universal waste and five (5) of hazardous waste), and two 5-gallon containers of hazardous waste. A pallet of lead acid batteries was observed. The inspectors discussed with the operator of the CAA the options for managing lead acid batteries. All containers in the CAA appeared closed, labeled, marked, and in good condition. (Figures 10-14)

Inspectors observed that containers in the CAA are dated when they initially begin to accumulate waste and when they are full, beginning the 90-day clock. Containers are distinguished using in progress and full signs. Additionally, the dates are in separate locations.

Contingency Plan: PGA1 and AGS2 maintained separate Contingency Plans. Inspectors reviewed both plans. The actions that AGS2 facility personnel should take in response to an emergency are described in the facility’s Contingency Plan, which was last updated on March 22, 2022. The actions that PGA1 facility personnel should take in response to an emergency are described in the facility’s Contingency Plan, which was last updated on January 14, 2022. When both plans are considered together, they describe 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; 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 names and emergency telephone numbers for persons identified as emergency coordinators; 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; an evacuation plan for personnel.; and a quick reference guide. Inspectors expressed concern about the facility maintaining two separate contingency plans.

Training Records: PGA1 and AGS2 maintain separate training records. The inspectors requested both on the job and ongoing training records, job titles, job descriptions for individuals listed as emergency contacts in the Contingency Plan, individuals who signed manifests, and team members managing hazardous waste, and start and leave dates as appropriate since the facility began operation. These training records could not be pulled together in a meaningful way at the time of the inspection. The inspectors suggested that the records be compiled and provided to them following the inspection. Facility personnel informed the inspectors that all records requests must be directed to a separate records manager. The inspectors agreed to send a request, even though the records are required to be available for inspection. The inspector emailed the records manager on April 21, 2022 to request the training records be provided by April 29, 2022. The records manager requested an extension to the deadline provided. The records were provided on May 4, 2022. The records were claimed to be CBI. The EPA inspector requested additional information regarding the specific CBI claim, to which Amazon did not respond. The records were found to be insufficient to meet the requirements.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(7)(iv)], which is a condition of the LQG Permit Exemption, (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 Records: The inspectors reviewed available hazardous waste manifest records and land disposal restriction forms for shipments of hazardous waste sent since its opening in November 2020. Hazardous waste manifest records show that hazardous wastes are routinely shipped to US Ecology Sulligent (ALD983177015) and US Ecology Tampa Inc. (FLD981932494), and the most recent shipment was made on April 13, 2022.

The records included signed return copies of manifests for shipments sent during this timeframe.

Inspection Records: The inspectors reviewed Amazon's available records of inspections of the hazardous waste central accumulation area (CAA) beginning October 6, 2020. No inspection records were provided for the week between December 22, 2021, and January 5, 2022.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.16(b)(2)(iv)], which is a condition of the SQG Permit Exemption, a generator is required to, at least weekly, inspect central accumulation areas looking for leaking containers and for deterioration of containers caused by corrosion or other factors.

12) **Closing Conference**

A closing conference was held at the conclusion of the inspection. Attendees included the inspectors, Darby Knuckles Amazon Safety Specialist AGS2, Jesse Edgar, AGS2 Workplace Health and Safety Manager, Chris Jones, PGA1 Workplace Health and Safety Manager, Lindsey Rebholz, PGA1 Site Lead, Joshua Dawson, PGA1 Safety Specialist, Dan Daska, AGS2 Outbound Sr Ops Leader, Melissa Skilling/Cummings, PGA1 Hazardous Waste Coordinator, and Kwane Osei Owusu, AGS2 Safety Specialist. The preliminary findings of the inspection were discussed. Inspectors discussed the need for additional training records and the follow up.

13) **List of Appendices**

Appendix 1 – Photo Log:
21 Photos taken on: April 20, 2022
Photos taken by: Brooke York
Photos taken with: iPhone XR

14) **Signed**

BROOKE YORK

Digitally signed by BROOKE YORK
Date: 2022.07.07 11:24:37 -04'00'

Brooke York
Environmental Engineer

Date

Concurrence

ARACELI CHAVEZ

Digitally signed by ARACELI CHAVEZ
Date: 2022.07.07 11:27:28 -04'00'

Araceli B. Chavez
Chief
RCRA Enforcement Section

Date



Figure 1: IMG_4328.JPEG – Board outside the AGS2 CAA

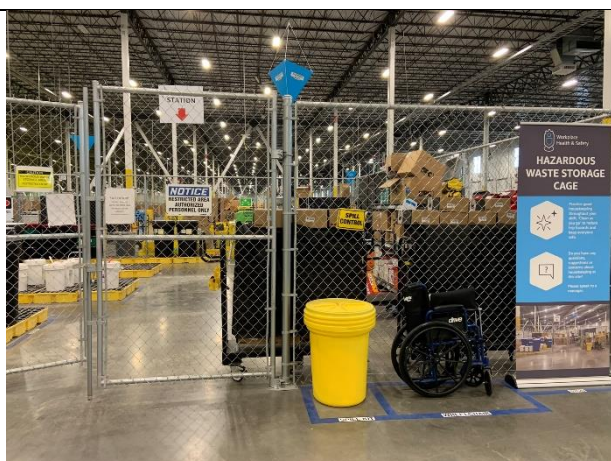


Figure 2: IMG_4329.JPEG – Additional signage at gate of AGS2 CAA

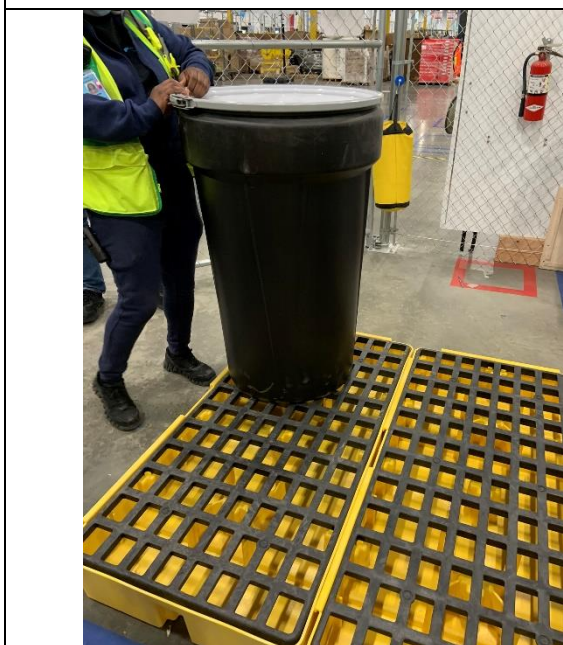


Figure 3: IMG_4329.JPEG – Container labeled while inspectors were present



Figure 4: IMG_4331.JPEG – Containers in
AGS2 CAA



Figure 5: IMG_4332.JPEG – Containers in
AGS2 CAA



Figure 6: IMG_4333.JPEG – Drain solids and
human waste



Figure 7: IMG_4334.JPEG – Containers in
AGS2 CAA



Figure 8: IMG_4335.JPEG - Containers in AGS2 CAA



Figure 9: IMG_4336.JPEG – Container in AGS2 CAA



Figure 10: IMG_4344.JPEG – Super sack container in PGA1 CAA



Figure 11: IMG_4345.JPEG– Super sack container in PGA1 CAA



Figure 12: IMG_4346.JPEG– Super sack container in PGA1 CAA



Figure 13: IMG_4347.JPEG – Containers in PGA1 CAA



Figure 14: IMG_4348.JPEG– Containers in PGA1 CAA