

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
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2) Facility Information

Ascend Elements Discharge and
Disassembly Facility (AEDDF)
10157 Industrial Drive, NE
Covington, GA 30014
Newton County

EPA ID#: GAR000096420
NAICS #: 562920 - Material Recovery Facility

3) Responsible Official

Tracy Ellis
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4) Inspection Participants

Tracy Ellis, Ascend Elements, Inc.
Mike Maupin, Ascend Elements, Inc.
Jasmine McCommons, AEDDF
Corey Sweat, AEDDF
Darnell Blackwell, Ascend Elements, Inc
Ian C. Steele, Ascend Elements, Inc

Sharon Priyadarshini, GAEPD
Andrea Kemberling, GAEPD
Tarin Tischler, USEPA
Kayla Acosta, USEPA
William Kappler, USEPA

5) Date of Inspection

January 18, 2024, at 10:00 a.m.

6) Applicable Authority¹

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).

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-.18 [40 C.F.R. § 273.9], a large quantity handler of universal waste (LQHUW) means a universal waste handler who accumulates 5,000 kilograms or more total of universal waste (batteries, pesticides, mercury-containing equipment, lamps, or aerosol cans, calculated collectively) at any time. This designation as a large quantity handler of universal waste is retained through the end of the calendar year in which the 5,000-kilogram limit is met or exceeded.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 261.4(a)(24)], hazardous secondary material that is generated and then transferred to another person for the purpose of reclamation is not a solid waste, and may be accumulated 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 material complies with conditions listed in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 261.4(a)(24)(i-v)] (hereinafter referred to as the “Hazardous Secondary Materials Exclusion”).

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-.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

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.

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”).

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Ascend Elements Discharge and Disassembly Facility (hereinafter AEDDF or facility) compliance with the applicable requirements of RCRA and the corresponding Georgia Environmental Protection Division regulations. This was an EPA lead inspection.

8) Facility Description

AEDDF is located at 10157 Industrial Drive NE, Covington, Newton County, Georgia at Latitude: 33.613953 and Longitude: 83.836447. The facility has been operating at this location since May 15, 2023. The facility is located on 1.5 acres of property. The property is owned by J. Hart Properties. The facility employs approximately 3 people and operates seven days per week, 24 hours per day on several shifts. The future operations may be reduced to five days per week if operating seven days per week, 24 hours per day is not needed. The facility consists of one large building with approximately 35,000 square feet of warehouse space. The City of Covington provides potable water and sanitary sewer services.

AEDDF submitted a RCRA site notification form (EPA Form 8700-12) of its regulated waste activity to the Georgia Environmental Protection Division (GAEPD) on April 19, 2023, notifying as a large quantity handler of universal waste (LQHUW) and a dedicated battery discharge and disassembly facility. The facility did not notify as a hazardous secondary material (HSM) handler and has not submitted a variance application for the storage of unused lithium-ion batteries as hazardous secondary materials.

Corey Sweat, the warehouse supervisor, indicated that AEDDF does not currently discharge and disassemble the battery and that installation of a fire suppression system, and the addition of equipment is needed prior to conducting battery discharge and disassembly operations.

Pursuant to 40 C.F.R. § 273.33 LQHUW activities conducted may consist of sorting by type; mixing battery types in one container; discharging batteries to remove the electric charge; regenerating used batteries; disassembling batteries or battery packs into individual batteries or cells; removing batteries from consumer products; or removing electrolyte (D001, D003) from batteries, as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but must be immediately closed after removal).

AEDDF receives dry unused lithium-ion batteries in the form of “waste jelly rolls” (part number RM-SK-JR-811) and wet unused non-charged lithium-ion batteries in the form of “waste cells” (RM-SK-CELL-811 and RM-ML-CELL), and “waste modules” (RM-SK-MDL-811) from SK Battery America (SKBA) that are end-of-life, off-specification, recalled and scrap lithium-ion batteries (battery(ies)) for storage prior to recycling at Ascend Elements, Inc. (GAR000094110).

Ascend Elements, Inc.’s (AEI’s) incoming battery standard operating procedure (SOP) requires SKBA to provide the product identification, packaging photographs, and safety data sheets (SDS), prior to AEDDF receiving the battery. The AEI account manager verifies the incoming battery on the identification form is correct and complete. The identification form is next reviewed by manufacturing to accept for processing. The battery identification form must be completed and compliant with the AEI SOP requirements prior to SKBA shipping the battery. If a battery shipment arrives without proper documents the facility holds the shipment for up to six hours, until the account manager obtains proper documents for the shipment. If the proper documents are not received on time AEI may reject the shipment.

AEDDF receives the battery by transport truck in white collapsible one cubic yard bags (supersacks), 250-gallon open top totes, and cardboard boxes (battery). The battery is unloaded from the loading dock and visually and manually inspected. The battery is compared to the paperwork/bill of lading. The battery is next moved to the battery staging area for inventory. The battery is labeled or marked with the weight, attached with a tag, and barcoded. The tag is marked with the date received, storage location, quantity (lbs/kgs), marked with the type of battery (dry or wet), marked as raw, processed, or finished, and marked with the initials of the person conducting the inventory. If needed, the battery is wiped with a rag to remove dirt or residue prior to storage. The battery is next stored in a four-foot by four-foot space within racks constructed of heavy-duty steel columns and rows, three levels high (racks). The racks are labeled with bar codes to scan for information on the battery. The battery is either stored on pallets on the floor or stored on the storage rack. The batteries are transported to AEI on a first in/first out storage basis. Dry and wet batteries are not separated and are stored in the same storage location depending on available space. Corey Sweat indicated AEDDF currently stores the battery for approximately 30 days prior to transferring to AEI. AEDDF has not developed an official policy on how long the battery is stored in the warehouse. AEDDF next self-transport the battery to AEI located at 9176 Industrial Drive NE, Covington, Georgia for recycling. AEDDF does not use a shipping paper/manifest to document the transportation of the battery to AEI. AEDDF records the battery storage information in an online database and the transport of the battery using an internal transport log in the online database. The transport log records the type of battery, the load number, the quantity of battery, and descriptors.

Dry batteries that are received in cardboard boxes are unload at the battery transfer/consolidation area. The battery is unloaded into a large funnel constructed on a metal frame. A supersack connected under the funnel accumulates the battery.

Wet batteries received as a sealed cell are assumed to be charged and are segregated from the remaining wet batteries. AEDDF uses a voltage meter to determine the voltage. AEDDF documents the voltage reading, the battery serial number, pallet number, and a photograph of the battery in a log. AEDDF representatives indicated they hold the voltage meter over a few of the sealed cells to determine if they are charged.

Corey Sweat indicated if AEDDF receives a charged battery the procedure is to document the receipt of the charged battery and to contact Tracy Ellis, the Environmental Health Safety (EHS) Manager for AEI. AEI decides whether to transport the charged battery to its facility for storage or to return the charged battery to the customer.

A transport record accompanying a mislabeled battery shipment from the customer is changed by the shipper to correctly document the battery shipment. If the battery shipment cannot be accepted the AEDDF supervisor has the authority to reject it.

Hazardous waste generated at AEDDF may consist of waste battery electrolyte (D001/D003) and waste from the cleanup of a spill or release of a battery. Facility and vehicle maintenance is not conducted at AEDDF.

9) Previous Inspection History

AEDDF has never previously been inspected by the GAEPD or by the EPA for compliance with the federal and the State of Georgia hazardous waste regulations.

10) Opening Conference

On January 18, 2024, EPA inspectors William Kappler, Tarin Tischler and Kayla Acosta accompanied by GAEPD inspectors Sharon Priyadarshini and Andrea Kemberling (inspectors), arrived at AEDDF at approximately 10:00 AM. Jasmine McCommons shipping and receiving clerk provided the inspectors with access into the building. The inspectors identified themselves and explained the purpose of the visit to Jasmine McCommons. The inspectors were escorted to a small conference room while Jasmine McCommons contacted her supervisor. Corey Sweat warehouse supervisor received the inspectors, escorted the inspectors to a larger conference room and contacted AEI personnel. The inspectors were joined in the conference room by Darnell Blackwell, the Materials, Planning, and Logistics Manager, Mike Maupin, the Director of Operations, Tracy Ellis, EHS Manager, and Ian C. Steele, the Quality Manager (AEDDF representatives) for the opening conference. The inspectors introduced themselves, showed their credentials to the AEDDF representatives and explained the purpose of the visit.

The inspectors described the anticipated use of a digital camera and the use of an iPad to conduct and document the inspection electronically as well as by logbook. The EPA provided a list of the records needed for review. The facility did not appear to meet the classification of a “small business” as 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 facility's ability, pursuant to 40 C.F.R. § 2.203, to assert a business confidentiality claim for information submitted to EPA. AEDDF did not assert a business confidentiality claim.

Inspectors requested a diagram or a site map that identifies the areas in the building, storage units, sources, and processes relevant to battery storage, waste generation and management (SAAs, CAAs, UW). A diagram or site map was not available.

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

11) Inspection Observations

Warehouse

The warehouse consists of a loading dock area, a battery staging area, a battery transfer and consolidation area, and a battery storage area. The battery storage area is constructed with racks. The racks are constructed in rows identified with the letters A through L. Inspectors observed instructions on how to access chemical information and a diagram of the warehouse area posted on the wall (Attachment 1 Photograph 28 and Attachment 2 Photograph 24). The diagram identified the procedure and the evacuation route from the building to a rally point outdoors. Posted next to the diagram were instructions on how to scan the marked code with a cell phone camera to access the AEDDF website for material safety data sheets (MSDS).

Row L

The inspectors observed several supersacks on pallets storing dry battery ("jelly rolls") and wet non-charged battery ("cells") in all three rows of racks. The inspectors observed the supersacks were marked with its weight, were not closed, and not labeled or marked clearly with words identifying the content of the supersack (Attachment 1 Photographs 1, 2, and 4 and Attachment 2 Photograph 6). The inspectors observed the supersacks that could be inspected were attached with a tag and marked with the date November 9, 2023, or November 10, 2023, (Attachment 1 Photographs 3, 5, 7 and Attachment 2 Photographs 4 and 6).

Inspectors observed three large cardboard boxes on pallets on the floor labeled with the words "jelly roll". Two boxes were approximately three-feet high, and one box was approximately five-feet high. The inspectors observed that the three boxes were not closed and two boxes were damaged (Attachment 1 Photographs 4 and 6 and Attachment 2 Photograph 8).

Inspectors observed two 55-gallon containers labeled with the words non-hazardous waste on a pallet on the floor. The containers were marked with the words "battery water". One

container was marked with the words “graphite leach and wash – slightly acidic” (Attachment 1 Photograph 9 and Attachment 2 Photograph 7).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste following the methods articulated in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11].

Row K

The inspectors observed several supersacks on pallets storing “jelly rolls” and “cells” in all the racks. The inspectors observed the supersacks were marked with the weight. The inspectors observed the supersacks were not closed and not labeled or marked clearly with words identifying the content of the supersack (Attachment 1 Photographs 13, 14, and 15 and Attachment 2 Photographs 4 and 5). The inspectors observed the supersacks that could be inspected were attached with a tag (Attachment 1 Photograph 15).

The inspectors observed nine supersacks on pallets on the floor storing black mass in Row K. The inspectors observed the supersacks were not closed and were labeled with the words “black mass”, “black mass crude shred” or “crude shred” and labeled with a barcode. The inspectors did not observe a tag attached to the supersacks (Attachment 1 Photographs 10, 11, and 12). The inspectors also observed several supersacks of mixed metals.

Mike Maupin indicated AEDDF was holding the black mass for future rotary kiln trials upon completion of its construction. Mike Maupin indicated they need to stockpile 200,000 kilograms of black mass for the rotary kiln trials and although there is available space at AEI. Mike Maupin indicated the variance issued for AEI by the GAEPD allowed the storage of black mass at AEDDF. The inspectors explained that the variance was site specific for AEI (GAR000094110).

The inspectors asked the facility to consolidate the black mass, mixed metals, and plastic shred observed at AEDDF in one storage area for sampling and analysis. Tracy Ellis indicated they have tested the black mass, crude shred, and mixed metals for the RCRA metals.

The inspectors observed black material on the floor in the front area between Row K and Row L and observed tire tracks on the floor in several areas between Row K and Row L (Attachment 2 Photograph 1). The inspectors observed a layer of black material on the floor in the rear area of the row between Row K and Row L (Attachment 1 Photographs 16 and 17 and Attachment 2 Photograph 9). The inspectors asked the facility to clean up the black material on the floor.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous

waste following the methods articulated in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11].

Row H

The inspectors observed several supersacks on pallets storing dry battery and wet noncharged battery in all the racks. The inspectors observed the supersacks were marked with the weight. The inspectors observed the supersacks were not closed and not labeled or marked clearly with words identifying the content of the supersack (Attachment 1 Photographs 1, 2, and 4 and Attachment 2 Photograph 10).

The inspectors observed the supersacks that could be inspected were attached with a tag and observed the tags marked with a date in November 2023 (Attachment 1 Photographs 18, 19, and 20 and Attachment 2 Photograph 10).

Row B

The inspectors observed several supersacks on pallets storing dry battery and wet noncharged battery in several rows and racks. The inspectors also observed the wet batteries stored on the racks were not contained in a supersack or in a tote. AEDDF representatives indicated because it is an intact cell the battery is harder to process on the conveyer if it is in a supersack. The inspectors observed the supersacks and wet batteries were not labeled or marked clearly with words identifying the content of the supersack and the wet batteries (Attachment 1 Photographs 21 and 22) and (Attachment 2 Photographs 11 and 14).

The inspectors observed a 250-gallon tote covered with an orange lid on the top rack storing anode powder. AEDDF representatives indicated anode powder can be sold for reuse (Attachment 1 Photograph 25) and (Attachment 2 Photographs 15 and 16).

Row A

The inspectors observed several supersacks on pallets storing dry battery and wet noncharged battery in several rows and racks. The inspectors also observed the wet noncharged batteries stored on the racks were not contained in a supersack or in a tote. AEDDF representatives indicated because it is an intact cell the battery is harder to process on the conveyer if it is stored in a supersack. The inspectors observed the supersacks and wet batteries were not labeled or marked clearly with words identifying the content of the supersack and the wet batteries (Attachment 1 Photographs 23 and 24) and (Attachment 2 Photographs 12 and 13).

Rows C, D, E, F, I, and J

The inspectors observed the batteries were not labeled or marked clearly with words identifying the batteries.

The inspectors observed one rack labeled with the words “bad batches”. AEDDF representatives indicated the battery was waiting for the quality hold to sign off on the battery and not that the battery, cannot or will not be recycled.

The inspectors observed several supersacks of black mass, mixed metals, and plastic shred in other rows and on shelves around the warehouse.

Battery Staging Area

This area is located adjacent to the loading dock. The inspectors observed two rows of batteries on pallets for a total of approximately 24 pallets of supersacks and totes storing dry battery and wet battery. AEDDF representatives indicated the batteries were received on January 17, 2024. The inspectors observed the supersacks and totes were not closed, and not labeled or marked clearly with words identifying the content of the supersacks and totes (Attachment 1 Photographs 26 and 27) and (Attachment 2 Photographs 18, 19, 20, 21, and 23).

The inspectors observed one of the supersacks storing wet battery appeared to have a leak under the pallet. AEDDF representatives indicated the liquid was condensate or rainwater accumulated on the supersack. The inspectors asked AEDDF to inspect the wet battery and respond to the liquid release (Attachment 2 Photograph 17).

Battery Transfer and Consolidation Area

Process operations in this area were not active at the time of the inspection (Attachment 2 Photograph 22).

12) Records Review

RCRA site notification form (EPA Form 8700-12)

AEDDF submitted a RCRA site notification form (EPA Form 8700-12) of its regulated waste activity to the GAEPD on April 19, 2023, notifying as a large quantity handler of universal waste (LQHUW) batteries, a dedicated battery discharge and disassembly facility, and Not a Generator of Hazardous Waste. The inspectors asked AEDDF to submit a revised EPA Form 8700-12, to accurately identify their present activity of not conducting discharge and disassembly operations and to renotify if the facility begins these operations.

SOP for defective battery receipt

Inspectors reviewed the facility's standard operating procedure for the facility's onboarding screening process, and the procedure for rejecting defective batteries at the time of the inspection. This procedure documented that wet batteries that are received in Sealed (Mylar) Cells are assumed to be live, charged cells which AEDDF is not authorized to accept.

Facility representatives clarified the language in the SOP was referring to safety precautions taken when handling the incoming cells. Mike Maupin explained to inspectors that all sealed cells are treated as if they have the potential to be charged, but this is not an indication that the facility is accepting and handling live cells.

Inbound Shipping Documents of Batteries Received by AEDDF Warehouse

Following the inspection, inspectors reviewed documentation of shipments from customers to the AEDDF warehouse. AEI personnel submitted a response to the EPA's request for these records on January 24, 2024. In the response, AEI informed the EPA that AEDDF began receiving batteries from SKBA on August 14, 2023. AEDDF representatives indicated there are no inbound battery records before August 14, 2023, from SKBA.

Outbound Shipping Documents from AEDDF Warehouse to AEI

Inspectors requested documents tracking shipments from the AEDDF warehouse to the AEI process facility. At the time of the CEI, AEI representatives informed inspectors that transports from the AEDDF warehouse to the AEI processing facility are tracked via an internal electronic system and not documented on paper record (bill of lading) or other shipping receipt.

Documents submitted by AEI demonstrated shipments from SKBA to the AEI processing facility, not from AEDDF to the AEI processing facility. Based on the documentation reviewed at the time of the inspection and submitted by AEI personnel following the inspection, AEDDF could not demonstrate that the facility maintained the recordkeeping requirements for shipping and receiving batteries.

On January 29, 2024, AEI emailed the EPA an Excel Spreadsheet for the "Stock Transfer Orders Teahouse to Base 1" documenting the transfer of batteries from the AEDDF Warehouse to AEI. The document did not contain the stock transfer data.

On January 30, 2024, AEI emailed the EPA an Excel Spreadsheet for the "Teahouse to Base 1 Stock Transfers". It appears the spreadsheet was submitted to document the transfer of batteries from the AEDDF Warehouse to AEI for January 2024. The stock transfer of batteries from Teahouse to Base 1 for August to December 2023, appears not to have been submitted.

Waste Determination/Profiles/Safety Data Sheets (SDS) Records

The inspectors requested waste determinations, waste profiles, Safety Data Sheets (SDS) and laboratory report records.

Waste Determination - Black Mass Floor Sweepings

At the time of the CEI, the EPA requested the profiles for the Black Mass Floor Sweepings observed released to the AEDDF warehouse floor. On January 19, 2024, AEI submitted the waste profiles. All waste profiles made for waste generated at either AEDDF or AEI were addressed to the AEI facility located at 9176 Industrial Dr. NE Covington, GA., (GAR000094110).

Inspectors reviewed the waste profile record, completed by American Biomass dated January 22, 2024, and observed the Black Mass Floor Sweepings was signed by AEI's Charlemagne Apia. The waste profile determined the Black Mass Floor Sweepings has a chemical composition of 34-63% lithium manganese nickel cobalt, 37-66% graphite, and 5-10% dirt. The Black Mass Floor Sweepings did not exhibit the characteristic of ignitability.

Waste Determination - Black Mass Stored in AEDD Warehouse

Inspectors reviewed the waste profile record completed by American Biomass dated December 19, 2023, and observed the black mass was not signed. The waste profile determined the black mass has a chemical composition of 34-63% lithium manganese nickel cobalt and 37-66% graphite.

Waste Determination - Battery Water

At the time of the inspection, inspectors observed two 55-gallon containers in Row L of AEDDF labeled "Battery Water" and "Graphite Leach and Wash (battery water)." Inspectors requested a waste profile for the battery water.

Inspectors reviewed the waste profile record completed by Aqua Treat Incorporated dated September 23, 2022, and observed it was signed by signed by AEI's Tracy Ellis. The two 55-gallon containers of battery water were sampled, and laboratory tested for RCRA metals, VOC's, SVOCs, pH and flash point. The waste profile determined the battery water has a chemical composition of 95-99% water and 1-5% impurities. The battery water has a pH of 7 and a flash point greater than 200 degrees Fahrenheit.

Personnel Training

Inspectors reviewed the syllabus for mandatory hazardous waste management training required for AEDDF personnel and the hazardous waste regulatory training given by Heritage Group Safety. The training did not include universal waste and hazardous secondary material training. Inspectors requested hazardous waste and universal waste training records for AEDDF personnel following the inspection.

The inspectors reviewed the 24-hour HAZWOPER training record listing 19 personnel that were given training in March and October 2023. The training record included the person's name, work shift, date trained, and position title consisting of nine people in production, one in environmental health and safety, one in quality, two in shipping and receiving, one in engineering, one in maintenance, and four in material handling. Jasmine McCommons, Shipping and Receiving Clerk was given HAZWOPER training on October 12, 2023. Corey Sweat, Warehouse Supervisor, Jacinta Coley, Warehouse Supervisor, and Tyre Cody, Warehouse Associate were not identified on the 24-hour HAZWOPER training record.

The inspectors reviewed sign-in sheets that identified a list of 38 people given training in the Emergency Action Plan (EAP) on November 28, 2023, and November 30, 2023. The sign-in sheets included the person's name, department, shift, and person's signature. The departments listed on the sign-in sheet included people in production, warehouse, office, quality, maintenance, discharge, and in engineering. Personnel in environmental health and safety were not identified on the sign-in sheet. Corey Sweat, Jacinta Coley, Jasmine McCommons, and Tyre Cody, were not identified on the sign-in sheet.

The inspectors reviewed a sign-in sheet that identified a list of 31 people given training in the Roles and Responsibilities of the EAP on October 30, 2023, October 31, 2023, and on several dates in November 2023. The sign-in sheet included the person's name, date completed, and employee initials. The sign-in sheet did not identify the person's position title or department. Corey Sweat, Jacinta Coley, Jasmine McCommons, and Tyre Cody, were not identified on the sign-in sheet.

At the time of the inspection AEI did not provide documentation that HSM training had been given to personnel.

On January 29, 2024, AEI emailed the EPA a "Hazardous Secondary Materials Annual Training Plan, 2024" for HSM training to be given to employees. The training plan was dated June 11 and 12, 2024. Corey Sweat and Jacinta Coley are identified on the HSM Annual Training Plan to be given training. It is not clear from review of the HSM Annual Training Plan if all emergency coordinators and all environmental health and safety personnel will be given HSM training.

On January 29, 2024, AEI emailed the EPA the Environmental Training Excel Spreadsheet listing 100 active personnel given training in various courses. The spreadsheet identified training given to personnel titled as production operators, production supervisors, production operator team leads, laboratory technicians, warehouse associates, warehouse team leads, warehouse supervisors, shipping receiving, mechanical and electrical maintenance techs, engineers, EHS coordinators, construction program, program, material planning, maintenance, plant, quality, EHS managers and other miscellaneous technical, human resources, and administrative positions. The training consisted of training courses.

Training courses consisted of emergency evacuation, emergency preparedness, emergency response, environmental regulations, personal protective equipment micro course, spill prevention & control, emergency action plan, waste management training, various OSHA related courses, hazard communications, and laboratory specific courses. The course agenda for environmental regulations and waste management training was not identified in the submittal. The inspectors reviewed the training for the following AEDDF personnel:

- Jasmine McCommons, Shipping and Receiving Clerk. Jasmine McCommons was given HAZWOPER training on October 12, 2023. Jasmine McCommons was given training on emergency evacuation maps on November 13, 2023. Jasmine McCommons most recent training on environmental regulations and waste management was given on January 25, 2024, and January 28, 2024;
- Corey Sweat, Warehouse Supervisor. Corey Sweat was given training on personal protective equipment micro course on May 30, 2023. Corey Sweat's most recent training on waste management was given on January 21, 2024;
- Jacinta Coley, Warehouse Supervisor. Jacinta Coley was given training on personal protective equipment micro course on June 15, 2022. Jacinta Coley most recent training on environmental regulations was given on January 21, 2024;

- and it appears Tyre Cody, Warehouse Associate was not given training in environmental or RCRA regulations, prior to the most recent training given on waste management on January 28, 2024.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(7)(i)(A)], which is a condition of the LQG Permit Exemption, 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.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(7)(iii)], which is a condition of the LQG Permit Exemption, facility personnel must take part in an annual review of the initial training required in paragraph (a)(7)(i) of this section.

Personnel Training Records

The inspectors reviewed the training records and observed the name of the person given training, the position title or the department was documented. Documentation of each trained person's position description should be prepared and maintained as a record.

13) Closing Conference

The inspectors conducted a closing conference with AEDDF representatives. During this meeting, the inspectors stated their preliminary conclusions of the inspection.

14) Summary of Observations

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste following the methods articulated in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11].

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(7)(i)(A)], which is a condition of the LQG Permit Exemption, 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.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(7)(iii)], which is a condition of the LQG Permit Exemption, facility personnel must take part in an annual review of the initial training required in paragraph (a)(7)(i) of this section.

15) **Sampling Overview**

Sampling was not conducted.

16) **List of Attachments**

Attachment 1 – Photograph Log

Attachment 2 – Photograph Log

17) **Signed**

**WILLIAM
KAPPLER**

Digitally signed by
WILLIAM KAPPLER
Date: 2024.07.19
17:57:43 -04'00'

William Kappler
Physical Scientist

**TARIN
TISCHLER**

Digitally signed by TARIN
TISCHLER
Date: 2024.07.22
07:57:34 -04'00'

Tarin Tischler
Life Scientist

**KAYLA
ACOSTA**

Digitally signed by
KAYLA ACOSTA
Date: 2024.07.22
08:23:08 -04'00'

Kayla Acosta
Physical Scientist

18) **Concurrence**

**ALAN
NEWMAN**

Digitally signed by ALAN
NEWMAN
Date: 2024.07.22
08:43:57 -04'00'

Alan Newman
Acting Chief
RCRA Enforcement Section

ATTACHMENT 1 – PHOTOGRAPH LOG

ASCEND ELEMENTS DISCHARGE AND DISASSEMBLY FACILITY

COVINGTON, GEORGIA

COMPLIANCE EVALUATION INSPECTION PHOTOGRAPHS

JANUARY 18, 2024

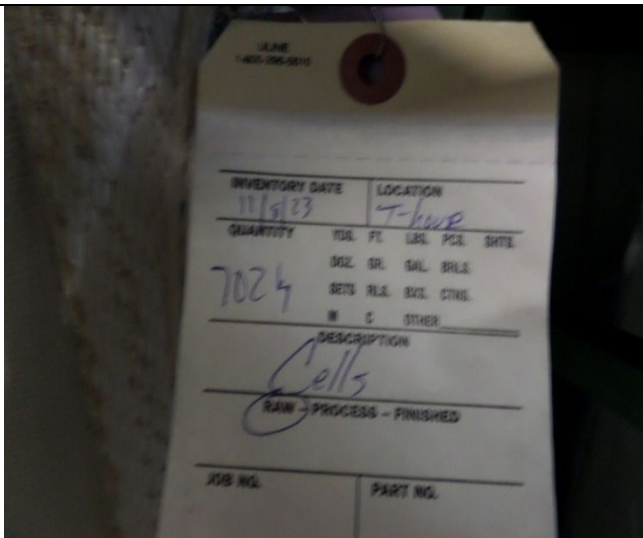
**Photographs taken by William Kappler
Samsung Camera (Model WB250F)
EPA Property Tag# S75917**



Ascend Elements Discharge and Disassembly Facility (AEDDF). Warehouse. Storage Area Row L. The inspectors observed dry and wet battery in white one cubic yard bags and in large cardboard boxes. Inspectors observed the bags and boxes were not closed, were not labeled, or not marked as universal waste. Photograph 1 taken at 11:29 a.m.



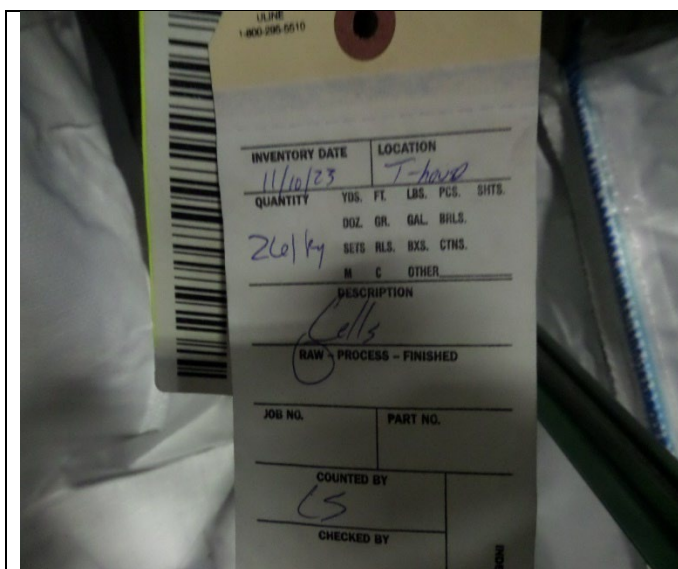
AEDDF. Warehouse. Storage Area Row L. The inspectors observed dry and wet battery in white one cubic yard bags and in large cardboard boxes. Inspectors observed the bags and boxes were not closed, were not labeled, or not marked as universal waste. Photograph 2 taken at 11:29 a.m.



AEDDF. Warehouse. Storage Area Row L. The inspectors observed the tag attached to the bags is marked with a date, the location, quantity (lbs/kgs) description of the battery, a raw/processed/ finished battery, and the initials of the person counting the battery. A wet battery is described as ("cells" or "module"). Photograph 3 taken at 11:29 a.m.



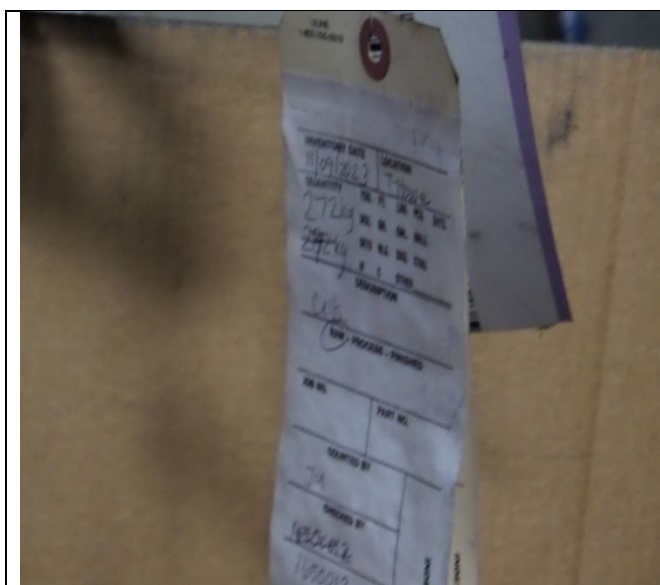
AEDDF. Warehouse. Storage Area Row L. The inspectors observed dry and wet battery in white one cubic yard bags and in large cardboard boxes. Inspectors observed the bags and boxes were not closed, were not labeled, or not marked as universal waste and not marked with a date. Photograph 4 taken at 11:29 a.m.



AEDDF. Warehouse. Storage Area Row L. The inspectors observed the tag attached to the bags is marked with a date, the location, quantity (lbs/kgs) description of the battery, a raw/processed/finished battery, and the initials of the person counting the battery. A wet battery is described as ("cells" or "module"). Photograph 5 taken at 11:29 a.m.



AEDDF. Warehouse. Storage Area Row L. The inspectors observed the tag attached to the large cardboard boxes is marked with the quantity (lbs/kgs) description of the battery, and a bar code. A dry battery is described as ("jelly roll"). Photograph 6 taken at 11:32 a.m.



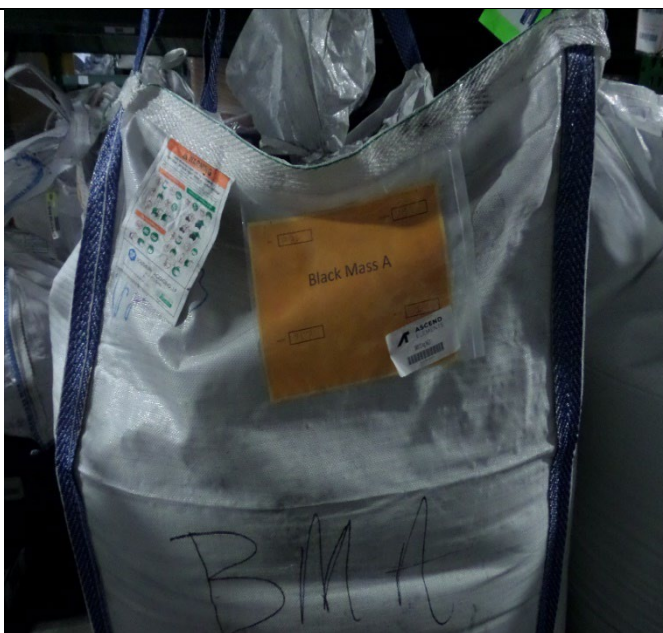
AEDDF. Warehouse. Storage Area Row L. The inspectors observed the tag attached to the bags is marked with a date, the location, quantity (lbs/kgs) description of the battery, a raw/processed/finished battery, and the initials of the person counting the battery. Photograph 7 taken at 11:32 a.m.



AEDDF. Warehouse. Storage Area Row L. Inspectors observed three boxes in Row L. storing dry battery. Inspectors observed the three boxes were not closed and two boxes were not structurally sound and were damaged. Inspectors observed the boxes were not labeled or marked clearly with the phrase Universal Waste. Photograph 8 taken at 11:32 a.m.



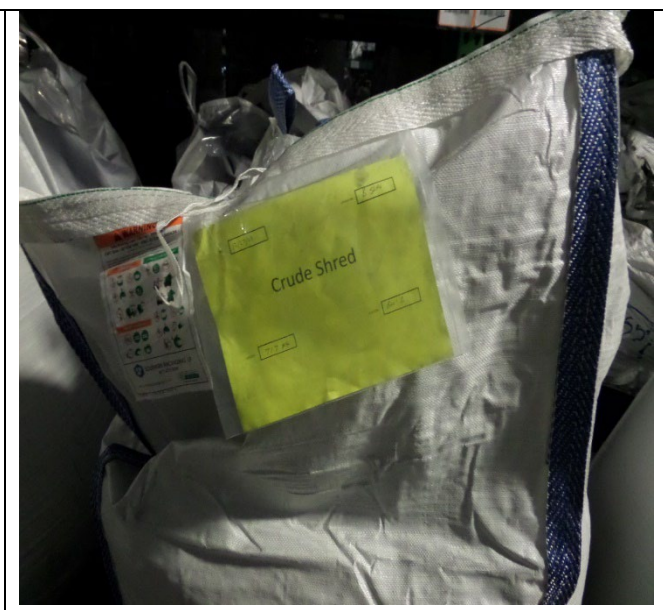
AEDDF. Warehouse. Storage Area Row L. Inspectors observed two 55-gallon containers labeled with words non-hazardous waste on a pallet on the floor. The containers were marked with words “battery water”. A container was marked with the words graphite leach (lead)? and wash – slightly acidic” Photograph 9 taken at 11:38 a.m.



AEDDF. Warehouse. Storage Area Row K. Photograph 10 taken at 11:41 a.m.



AEDDF. Warehouse. Storage Area Row K. Photograph 11 taken at 11:41 a.m.



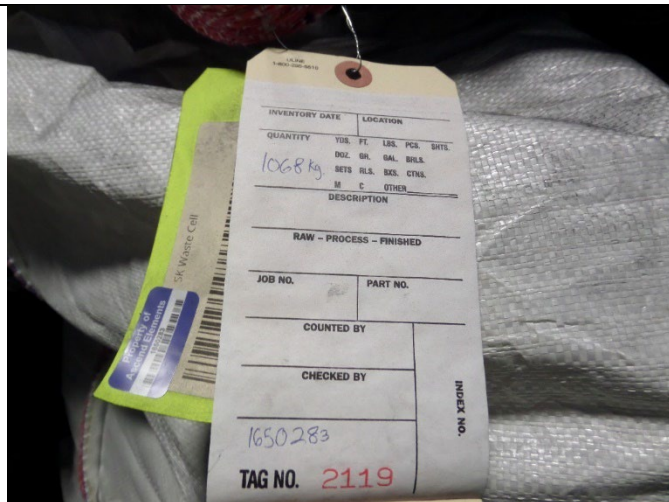
AEDDF. Warehouse. Storage Area Row K. Photograph 12 taken at 11:41 a.m.



AEDDF. Warehouse. Storage Area Row K. Photograph 13 taken at 11:43 a.m.



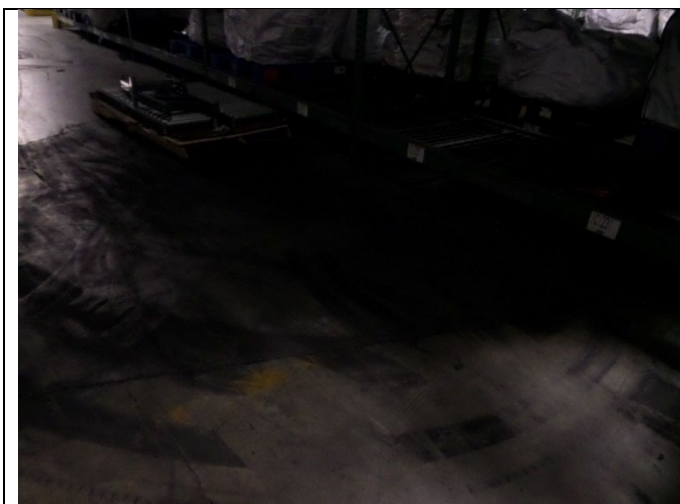
AEDDF. Warehouse. Storage Area Row K. Photograph 14 taken at 11:43 a.m.



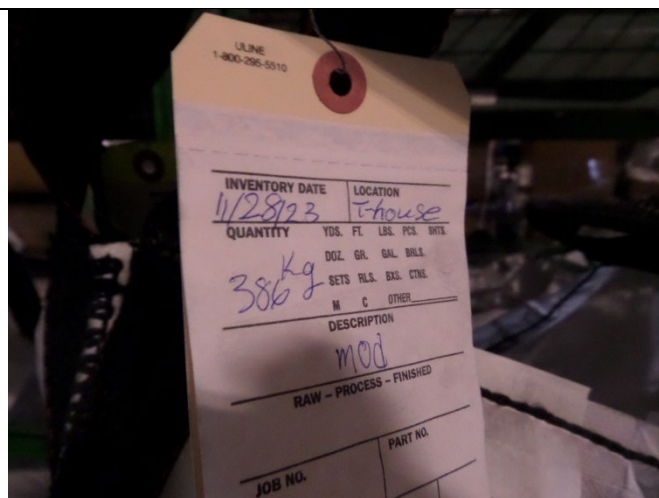
AEDDF. Warehouse. Storage Area Row K. Photograph 15 taken at 11:43 a.m.



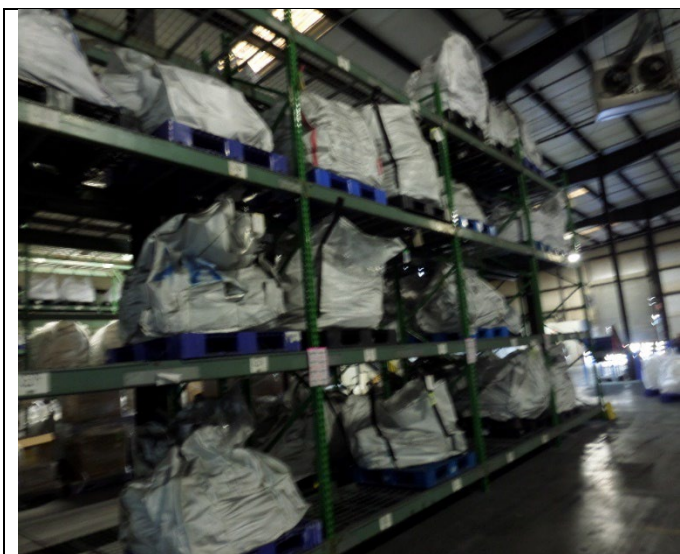
AEDDF. Warehouse. Storage Area Between Row L and Row K. Photograph 16 taken at 11:48 a.m.



AEDDF. Warehouse. Storage Area Between Row L and Row K. Photograph 17 taken at 11:48 a.m.



AEDDF. Warehouse. Storage Area Row H. Photograph 18 taken at 11:52 a.m.



AEDDF. Warehouse. Storage Area Row H. Photograph 19 taken at 11:52 a.m.



AEDDF. Warehouse. Storage Area Row H. Photograph 20 taken at 11:52 a.m.



AEDDF. Warehouse. Storage Area Row B. Photograph 21 taken at 11:55 a.m.



AEDDF. Warehouse. Storage Area Row B. Photograph 22 taken at 11:55 a.m.



AEDDF. Warehouse. Storage Area Row A. Photograph 23 taken at 11:56 a.m.



AEDDF. Warehouse. Storage Area Row A. Photograph 24 taken at 11:56 a.m.



AEDDF. Warehouse. Storage Area Row B. Photograph 25 taken at 12:04 p.m.



AEDDF. Warehouse. Battery Staging Area. Photograph 26 taken at 12:23 p.m.



AEDDF. Warehouse. Battery Staging Area. Photograph 27 taken at 12:23 p.m.



AEDDF. Warehouse. Posting of Emergency Information. Electronic access to MSDS and diagram of emergency evacuation routes. Photograph 28 taken at 12:27 p.m.

ATTACHMENT 2 – PHOTOGRAPH LOG

ASCEND ELEMENTS DISCHARGE AND DISASSEMBLY FACILITY

COVINGTON, GEORGIA

COMPLIANCE EVALUATION INSPECTION PHOTOGRAPHS

JANUARY 18, 2024

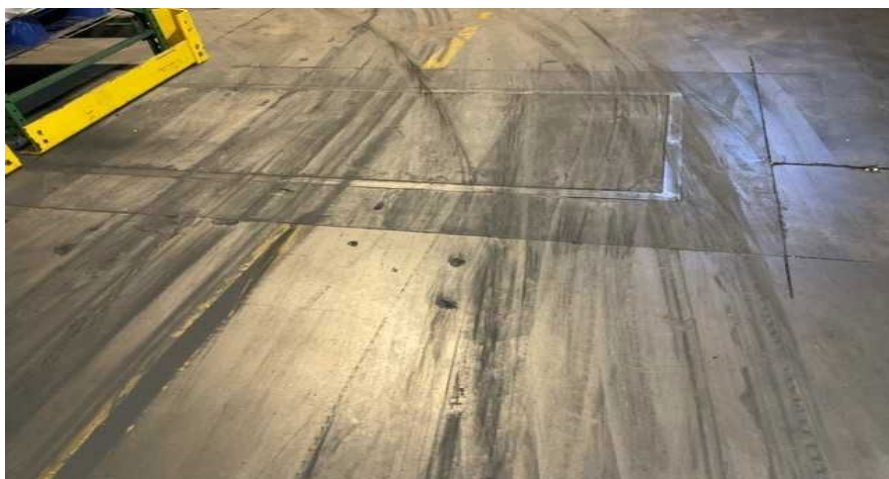
Photographs taken by Tarin Tischler



AEDDF			IMG-20240118111949194963582.jpg
01/18/2024 11:19 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 1 Warehouse Floor.			33.61423402, -83.83638379
The inspectors observed black material on the floor adjacent to the break room and near the overhead door.			



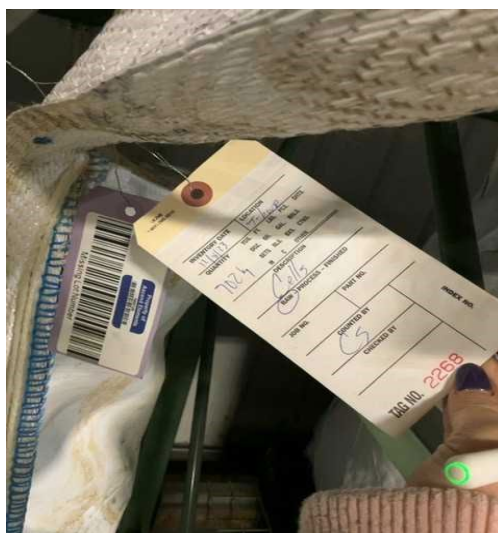
AEDDF			IMG-20240118111953195386745.jpg
01/18/2024 11:19 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 2 Warehouse Battery Staging Area.			33.61427509, -83.83640075
The inspectors observed black material on floor in the battery staging area.			



AEDDF			IMG-2024011811200320383421.jpg
01/18/2024 11:20 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 3 Warehouse Battery Transfer/ Consolidation Area			33.61425059, -83.83661434
The inspectors observed black material on the floor adjacent to the battery transfer/consolidation area.			



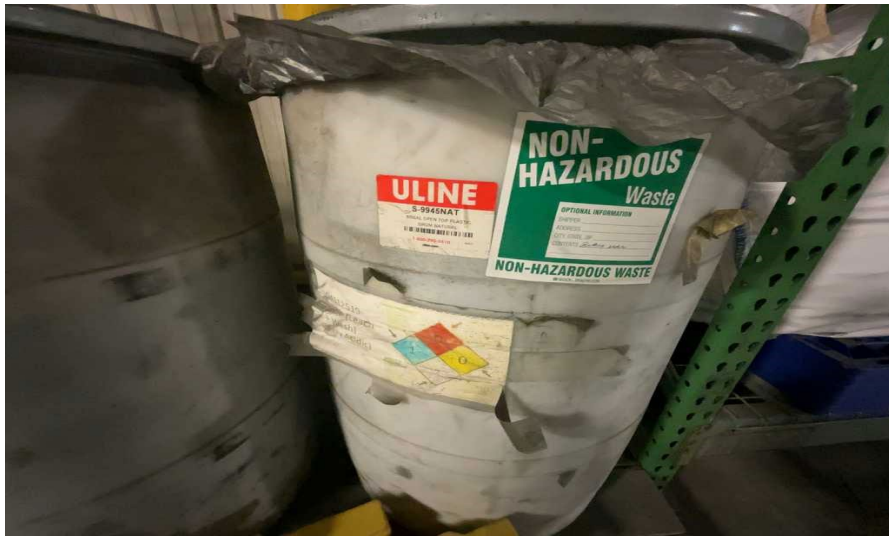
AEDDF			IMG-20240118112958295877579.jpg
01/18/2024 11:29 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 4 Warehouse Storage Racks - Row L			33.61420433, -83.83632844
			The inspectors observed the supersack of wet battery was marked with its weight, was not closed, and was not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".



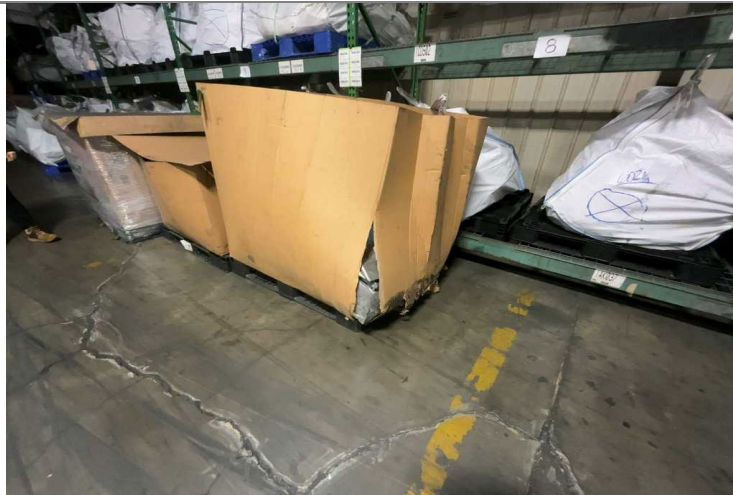
AEDDF			IMG-2024011811300830881946.jpg
01/18/2024 11:30 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 5 Warehouse Storage Racks - Row L			33.61418204, -83.83641833
The inspectors observed the supersack of wet battery was marked with its weight and a date on the tag. The supersack was not closed and was not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".			



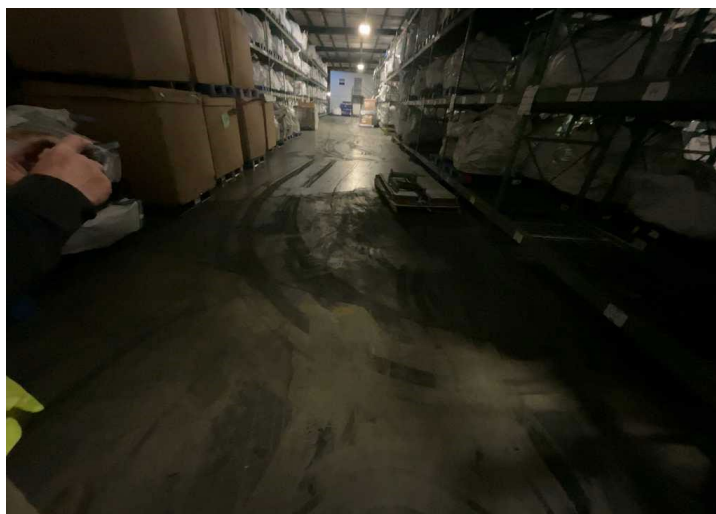
AEDDF			IMG-2024011811303030302087488.jpg
01/18/2024 11:30 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 6 Warehouse Storage Racks - Row L			33.61418302, -83.83641947
The inspectors observed the supersack of dry and wet battery was marked with its weight, was not closed and was not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".			



AEDDF			IMG-2024011811304830481894054.jpg
01/18/2024 11:30 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 7 Warehouse Storage Racks - Row L			33.61416786, -83.83643334
The inspectors observed two 55-gallon containers labeled with the words non-hazardous waste on a pallet on the floor. The containers were marked with words “battery water”. One container was marked with the words “graphite leach and wash – slightly acidic”.			



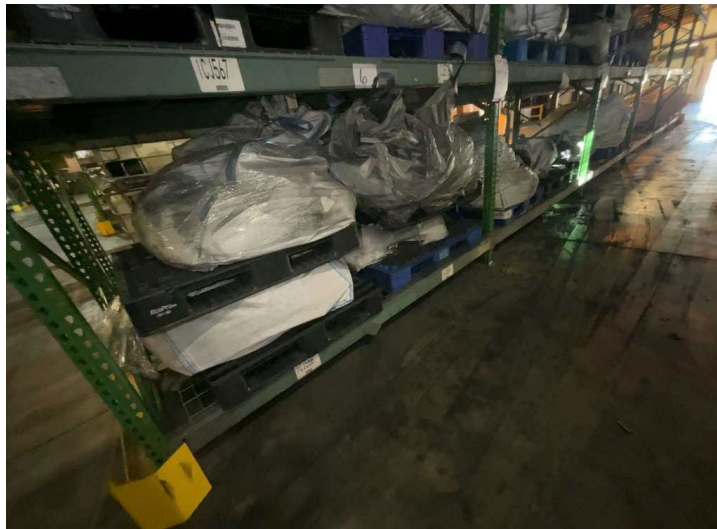
AEDDF			IMG-202401181132083281856849.jpg
01/18/2024 11:32 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 8 Warehouse Storage Racks - Row L			33.61417836, -83.8364347
The inspectors observed three large cardboard boxes (boxes) on pallets on the floor storing dry battery. Inspectors observed the three boxes were not closed and two boxes were damaged or not structurally sound. The inspectors observed the boxes were not labeled or marked clearly with one of the following phrases: “Universal Waste Battery(ies)”, or “Waste Battery(ies)”, or “Used Battery(ies)”.			



AEDDF			IMG-2024011811484448441757146.jpg
01/18/2024 11:48 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 9 Warehouse Storage Racks - Row K and L			33.61419719, -83.83645544
The inspectors observed black material on the floor in the battery storage area between Rows K and L adjacent to supersacks storing battery.			



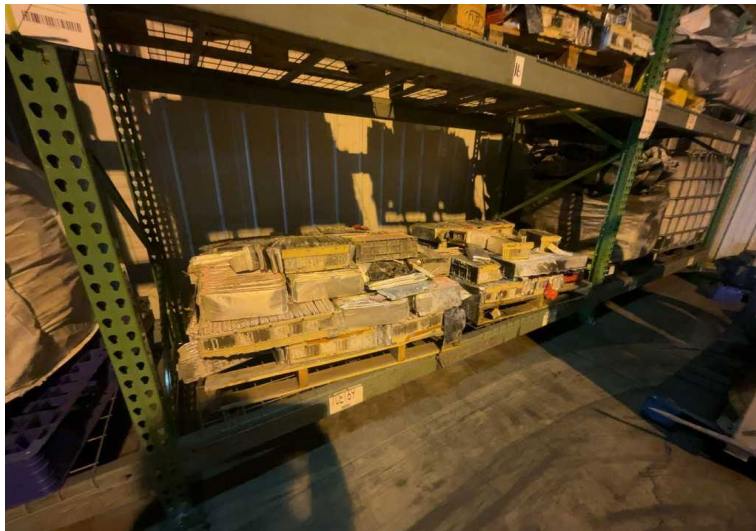
AEDDF			IMG-2024011811564856481948036.jpg
01/18/2024 11:56 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 10 Warehouse Storage Racks - Row H			33.61421668, -83.83639974
The inspectors observed the supersacks of dry and wet battery were not closed and not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".			



AEDDF			IMG-2024011811571657161962085.jpg
01/18/2024 11:57 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 11 Warehouse Storage Racks - Row B			33.61418517, -83.83641137
The inspectors observed the supersacks of dry and wet battery were not marked with dates, and not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".			



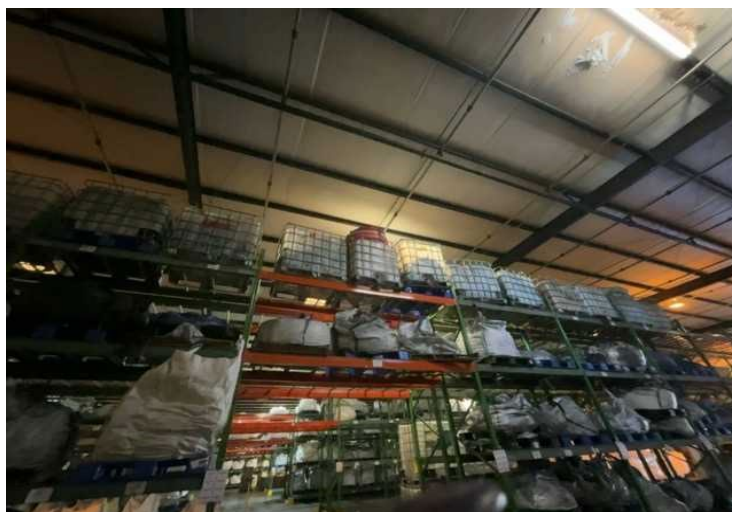
AEDDF			IMG-2024011811575157512025793.jpg
01/18/2024 11:57 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 12 Warehouse Storage Racks - Row A			33.6141675, -83.83641867
The inspectors observed the dry and wet battery were not marked with dates, and not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".			



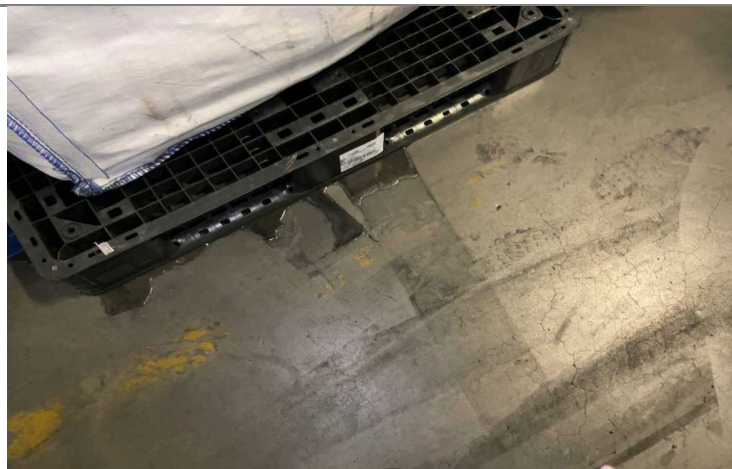
AEDDF			IMG-2024011811584958492131015.jpg
01/18/2024 11:58 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 13 Warehouse Storage Racks - Row A			33.61415227, -83.83644787
The inspectors observed the supersacks of dry and wet battery were not marked with dates, and not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".			



AEDDF			IMG-202401181159035932050842.jpg
01/18/2024 11:59 AM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 14 Warehouse Storage Racks - Row B			33.61415238, -83.83644775
The inspectors observed the supersacks of dry and wet battery were not marked with dates and not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".			



AEDDF			IMG-2024011812045445490379.jpg
01/18/2024 12:04 PM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 15 Warehouse Storage Racks - Row B			33.61417585, -83.83641819
The inspectors observed an orange container on the third rack storing anode powder. AEDDF representatives indicated this was anode powder, a by-product from the process. AEDDF representatives indicated they are waiting for a customer to purchase.			



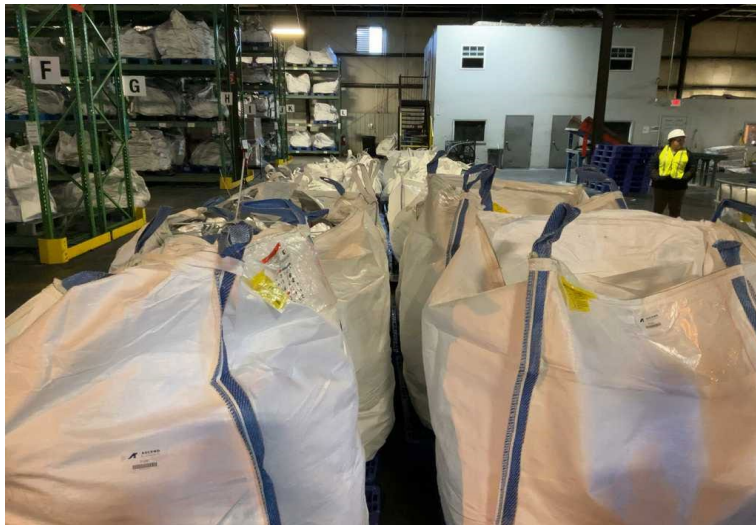
AEDDF			IMG-2024011812153015302167893.jpg
01/18/2024 12:15 PM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 17 Warehouse Battery Staging Area			33.61419512, -83.83637934
The inspectors observed supersacks and totes of wet battery staged in this area. AEDDF indicated the battery was received on January 17, 2024. Inspectors observed liquid on the floor under a white supersack storing wet battery. AEDDF representatives indicated it was rainwater.			



AEDDF			IMG-2024011812153715372304218.jpg
01/18/2024 12:15 PM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 18 Warehouse Battery Staging Area			33.61419105, -83.83639459
The inspectors observed supersacks and totes of dry and wet battery (mylar cells) staged in this area. AEDDF indicated the battery was received on January 17, 2024. The inspectors observed the dry and wet battery were not marked with dates and not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".			



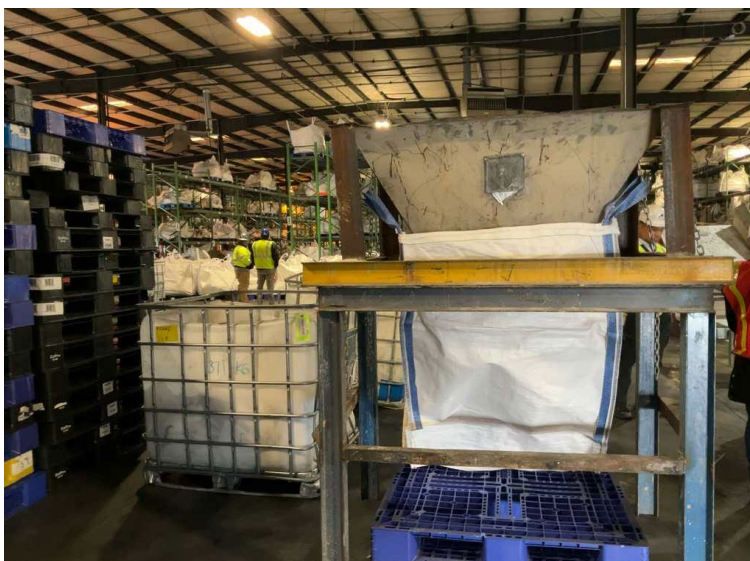
AEDDF			IMG-2024011812182518252775363.jpg
01/18/2024 12:18 PM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 19 Warehouse Battery Staging Area			33.61418615, -83.83640216
The inspectors observed supersacks and totes of dry and wet battery (mylar cells) staged in this area. The inspectors observed the dry and wet battery were not marked with dates and not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".			



AEDDF			IMG-2024011812183718372620435.jpg
01/18/2024 12:18 PM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 20 Warehouse Battery Staging Area			33.61418615, -83.83640213
The inspectors observed supersacks and totes of dry and wet battery (mylar cells) staged in this area. The inspectors observed the dry and wet battery were not marked with dates and not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".			



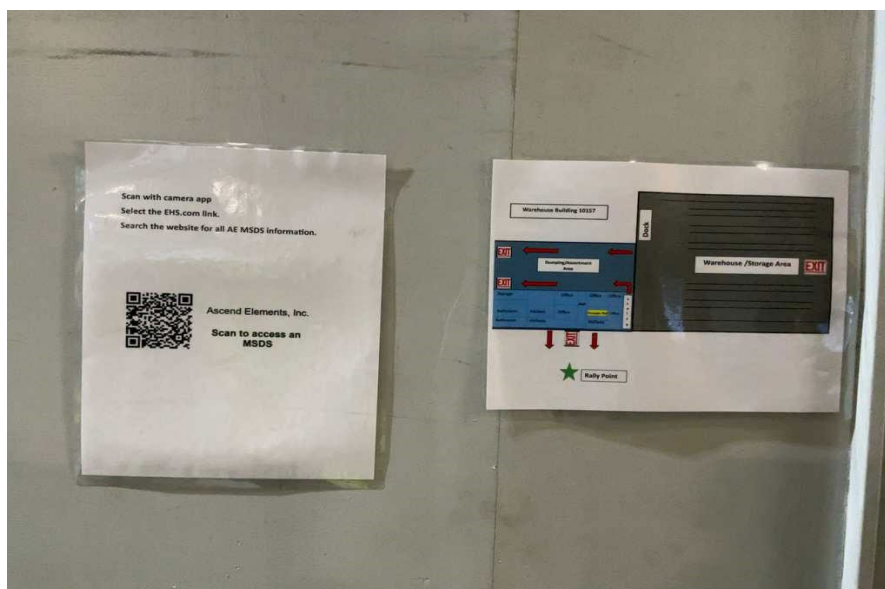
AEDDF			IMG-2024011812184618462593973.jpg
01/18/2024 12:18 PM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 21 Warehouse Battery Staging Area			33.61418697, -83.83640342
The inspectors observed supersacks and totes of dry and wet battery (mylar cells) staged in this area. The inspectors observed the dry and wet battery were not marked with dates and not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".			



AEDDF			IMG-2024011812212121212600872.jpg
01/18/2024 12:21 PM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 22 Warehouse Battery Transfer/ Consolidation Area			33.61420818, -83.83636942
The inspectors observed a white supersack positioned under the chute.			



AEDDF			IMG-2024011812245124512928816.jpg
01/18/2024 12:24 PM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 23 Warehouse Battery Staging Area			33.61424045, -83.83633903
			The inspectors observed supersacks and totes of dry and wet battery (mylar cells) staged in this area. The inspectors observed the dry and wet battery were not marked with dates and not labeled or marked clearly with one of the following phrases: "Universal Waste Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".



AEDDF			IMG-2024011812281028102758094.jpg
01/18/2024 12:28 PM (ET)	No CBI	No PII	Photographer: Tarin Tischler
Photograph 24 Warehouse Next to Break Room			33.61421708, -83.83640455
The inspectors observed the posting of emergency information. Also, electronic access to MSDS and a diagram of the routes for emergency evacuation.			