
From: Posner, Augusta
Sent: Friday, April 14, 2006 2:16 PM
To: Erickson, John; Winston, Kathy; Barbaccia, Phil; Burson, Lu; Emery, Charles; Fitzsimmons, Michael; Goddard, Charles; Kutash, William; Lubozynski, Tom; Patel, Ashwin; Dregne, James; Valade, Vicky; White, John; Outlaw, Douglas; Baker, Bryan; Bahr, Tim; Holmes, Georgiana; Gaynor, Kathy; White, Kirk; Erickson, John; Byer, James; Bradner, James; Kothur, Bheem; Moncrief, Alik; Ray, Steve; Chisolm, Jack; Minhaj, Ghousuddin; Price, John L.; Neves, Richard; Clarke, Raoul; Perrigan, Glen; Tenace, Laurie; Knauss, Elizabeth; London, Lisa; Kantor, Karen E.; Abcarian, Julie; Brown, Stephen E.; Farrell, Jennifer A.; Kelley, Lisa; Bayly, Karen; Kraemer, Janine
Subject: CESQG authorization
Attachments: Co HHW Req Auth Ltr.doc

This language is now in Chapter 62-730, FAC, effective as of January 29, 2006:

62-730.220 Applications for Permits and Other Authorizations.

(5) 40 CFR 261.5(f)(3)(iii) and 40 CFR 261.5(g)(3)(iii) [as adopted in subsection 62-730.030(1), F.A.C.] provide that waste generated by conditionally exempt small quantity generators ("CESQG waste") must be delivered to certain specified facilities, including a facility "authorized to manage hazardous waste by a State with a hazardous waste management program approved under Part 271 of this chapter." Florida is such a state. The Department's authorization to manage CESQG waste shall include facility-specific operating conditions, including location, generator responsibilities, amount and type of wastes, time limits, and recordkeeping, as appropriate to the request and generator status of the authorized person.

The language was added to give notice to organizations such as school districts and utility companies with many conditionally exempt generating locations that they can be authorized to collect and manage that waste at a central location. It could also apply, for example, to painting contractors that transport CESQG amounts of hazardous waste from the job site to a central location.

A question has come up as to how to apply the new language to municipal Household Hazardous Waste (HHW) collection programs that also accept CESQG waste.

County HHW programs were started with DEP grants that required CESQG waste collection at the HHW facility for the first five years. The initial grant requirement provides CESQGs with affordable and convenient options for proper hazardous waste disposal. After the grant expires, the county can decide whether or not to continue to accept the waste. DEP's HHW program strongly encourages county HHW facilities to accept CESQG waste through other HHW grants, annual workshops, and training.

To ensure that the new language does not discourage HHW programs from voluntarily accepting CESQG waste, the interpretation of 62-730.220 (5) as it applies to municipally operated HHW collection facilities is as follows.

If an HHW program wishes to continue accepting CESQG waste they can submit a letter (see attached template) to the district showing that they have met these three criteria.

- 1) Has received or is receiving a DEP HHW grant**
- 2) Has obtained an EPA ID #**
- 3) Has CESQG waste acceptance procedures**

The new language does not apply to county HHW programs that allow CESQGs to bring waste when a hazardous waste management contractor is on-site because the waste is being delivered directly to a registered hazardous waste transporter.

Suggested Format for HHW Program CESQG Letter:

< county letterhead >

< date >

< DEP district waste management program administrator >

< DEP district address >

< DEP district address >

Dear Ms./Mr. < DEP district waste management administrator >:

< county name > County operates a Household Hazardous Waste (HHW) Program that started in < year > with DEP grant < grant number > requiring Conditionally Exempt Small Quantity Generator (CESQG) waste collection for five years. The county has continued this service to assist small businesses in properly managing their hazardous waste, and we understand that DEP encourages this effort.

The type, amount and origin of CESQG waste collected through our HHW facility can not be predicted due to the nature of these very small businesses. But to ensure the HHW facility receives hazardous waste only from CESQGs, the county < insert all waste acceptance procedures used, see examples below >.

We request that your office authorize the following facility(ies) to accept CESQG waste per 62-730.030(1), F.A.C.

< insert county facility(ies) name, physical address AND EPA ID NUMBER >

Please contact me if further information is needed.

Sincerely,

< your name >

< title >

Waste acceptance procedures used by county HHW programs:

- Has a standard operating procedure for accepting business waste
- Conducts a verbal survey identifying the participant as a CESQG
- Conducts a written survey identifying the participant as a CESQG
- Requires a signed statement identifying the participant as a CESQG
- Requires an appointment for a CESQG waste drop-off
- Requires a visual inspection of the type and amount of waste by HAZWOPER trained technicians
- Schedules CESQG waste collections with the hazardous waste contractor on-site
- Charges fees and provides receipts to CESQGs
- Limits the amount of waste per customer
- Limits the amount of waste that can be accepted from a business each year

Be prepared to document and submit the procedures if asked.