



**Florida Department of
Environmental Protection
Hazardous Waste Inspection Report**

FACILITY INFORMATION:

Facility Name: AERC Recycling Solutions A Clean Earth Company
On-Site Inspection Start Date: 12/19/2017 **On-Site Inspection End Date:** 12/19/2017
ME ID#: 43329 **EPA ID#:** FLD984262782
Facility Street Address: 4317 Fortune PI Ste J, West Melbourne, FL 32904-1509
Contact Mailing Address: 4317-J Fortune Place, West Melbourne, FL 32904
County Name: Brevard **Contact Phone:** (321) 952-1516

NOTIFIED AS:

LQG (>1000 kg/month)

TSD Facility

Transfer Facility

Transporter

INSPECTION TYPE:

Routine Inspection for TSD Facility facility

INSPECTION PARTICIPANTS:

Principal Inspector: John E. White, Inspector

Other Participants: Bryan Jones, Area EHS Manager; Christian SanMartin, Operations Manager

LATITUDE / LONGITUDE: Lat 28° 5' 39.5694" / Long 80° 41' 51.624"

SIC CODE: 4212 - Trans. & utilities - local trucking, without storage

TYPE OF OWNERSHIP: Private

Introduction:

On December 19, 2017, John White, Florida Department of Environmental Protection (FDEP), accompanied by Bryan Jones, Area EHS Manager Clean Earth, and Christian SanMartin, AERC Recycling Solutions (AERC) Facility Manager, inspected AERC for compliance with state and federal hazardous waste and universal waste regulations. AERC was inspected as a Large Quantity Generator (LQG), transporter, universal waste generator/handler, a hazardous waste transfer facility and a permitted mercury processing facility.

The facility has operated at this location since November 1993 and currently employs approximately 10 staff working two shifts, Monday through Friday, operating between 7:00 AM and 10:00 PM. The City of West Melbourne provides potable water and sewer. The facility owns and operates a small fleet of trucks for transportation of universal waste. On April 25 2017, the Department was notified the facility is now AERC Acquisition Corporation d/b/a AERC Recycling Solutions, A Clean Earth Company.

AERC operates a mercury containing lamp and device storage and recovery facility. The initial RCRA mercury recycling permit was issued for this site on December 30, 1996. The current permit, 0072959-HO-006, was issued February 23, 2017, and expires December 30, 2021. AERC most recently provided the Department a Florida Notification of Regulated Waste Activity form (8700-12FL) received on July 10, 2017. The facility originally notified the Department of its activities as a large quantity generator and hazardous waste treatment facility (TSD) on September 9, 1993, and received EPA identification number FLD984262782.

INSPECTION HISTORY (Past 5 Years):

AERC was last inspected on March 21, 2017, and was not in compliance at that time. Violations cited were as follows: Chapter 62-737.800(9), Florida Administrative Code (FAC), failure to keep a roll-off of processed glass closed; 40 CFR 262.34(a)(2), failure to mark containers with the accumulation start date; and 40 CFR

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264.31, maintenance and operation of the facility for particulates of phosphor powder in the air around the processing machine. The violations were corrected and the case was resolved with formal enforcement. A short form consent order, OGC case number 17-0859, was executed on June 26, 2017.

AERC was inspected on July 27, 2016, and was not in compliance at that time. Violations cited were Chapter 62-737.800(9), FAC, failure to keep a roll-off of processed glass closed, and 40 CFR 265.171, failure to transfer the contents of a failed drum. The violations were corrected and the case was resolved without formal enforcement.

AERC was inspected by the Department on December 17, 2013, and was not in compliance at that time. Violations cited included; failure to mark all hazardous waste accumulation containers with an accumulation start date; failure to mark one container of battery acid with the words "Hazardous Waste"; storing hazardous waste on-site for greater than 90 days; failure to properly label a satellite accumulation container of floor sweepings; failure to update the contingency plan with personnel changes; failure to inspect all 90-day accumulation areas weekly; failure to maintain a 12-week running average of mercury concentrations in glass waste as required by the permit; and failure to keep containers of mercury lamps closed. This was an EPA lead case and was closed without formal enforcement.

Process Description:

AERC is permitted to operate a mercury containing lamp and device storage and recovery facility. The storage of mercury containing lamps and devices is limited to 223,200 lamps or 968 55-gallon drums. The total storage of non-hazardous materials located outside in covered containers is a maximum of twenty-two tons. AERC also operates a 10-day transfer facility for hazardous waste destined for AERC's Pennsylvania facility, which is a permitted TSD. High Intensity Discharge (HID) lamps are dismantled in order to remove mercury containing ampoules from the bases. The consolidated ampoules are sent to the Pennsylvania facility. The facility is also a universal waste handler. All types of batteries are brought to the facility then sorted and consolidated into 55-gallon drums or onto pallets. The batteries are shipped off-site for reclamation. AERC accepts PCB and non-PCB lighting ballasts for sorting and shipment to other recycling facilities.

On March 30, 2017, AERC ceased operation of the lamp processing equipment. The facility is currently functioning as a universal waste handler (transfer facility), sorting and repackaging universal waste for management at an off-site destination facility.

Inspection of the facility began in the Receiving/Shipping area which consists of four bays with loading docks. The easternmost bay, identified as bay 1, is for incoming materials. The westernmost bay, identified as bay 4, is for outbound materials. The middle bays are for storage of outbound materials and supplies such as fiber drums. In the loading bay area were a spill kit, fire alarm pull station, three fire extinguishers (two type C and one D), and a first aid kit. Bay 1 was empty at the time of inspection. Empty boxes and drums were stored in the area.

The lamp processing equipment, LSS-1, was not operating at the time of the inspection. Outside, abutting the loading dock, is the storage area for the processed glass roll-off container. No roll-off containers were on site. The last processed glass roll-off container was shipped off-site following the cessation of the lamp processing operation.

Batteries are received as universal waste. AERC staff sort the batteries by type and ship them off-site for recycling. Batteries that are found to be leaking are managed in the battery processing area. Liquid waste is removed from damaged batteries and the batteries are then packaged for recycling. The battery processing area is located along the east wall of the warehouse. Located in the processing area was one 55-gallon drum for spent sodium hydroxide and one 55-gallon drum for sulfuric acid. Each drum was closed and labeled "Hazardous Waste" and staged on a containment pallet. Each drum was found to contain about ten gallons of corrosive waste. A drum for mineral oil was also located in this area.

As designated in the permit application, there are ten rows for storage of universal waste and recyclable materials in the warehouse storage area. One row contained PCB lamp ballasts. The containers were properly labeled and managed. One row contained universal waste batteries. The containers were properly labeled and managed. The remaining rows contained boxes of universal waste lamps that have been repackaged, labeled and shrink-wrapped for shipment to a destination facility. No issues were noted during the inspection of the containers.

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Located in the HID Lamp processing area where mercury ampoules are removed from lamps was one 55-gallon drum of ampoules from processed HID Lamps. The area is managed as a satellite accumulation area. The drum was labeled "Waste Mercury Contained in Manufactured Articles." The drum was also labeled "Hazardous Waste." The facility is not currently processing HID Lamps on a regular basis. The lamps can be processed more quickly and efficiently by other AERC locations in the country.

Records were not reviewed as part of this inspection. It was recommended the facility update the permit application to allow for more flexibility in the use of the warehouse storage space based on the current operating conditions.

Conclusion:

AERC was inspected as a large quantity generator of hazardous waste and as a RCRA permitted mercury recycling facility. No violations were identified during this inspection.

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1.0 - Pre-Inspection Checklist

Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.12	✓		
1.2	Has the facility notified of change of status? 62-730.150(2)(b)			✓
1.3	Did the facility conduct a waste determination on all wastes generated? 262.11	✓		

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Signed:

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62 -740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C.

John E. White

Principal Inspector Name

Inspector

Principal Inspector Title



Principal Inspector Signature

DEP

Organization 02/15/2018
Date

Bryan Jones

Representative Name

Area EHS Manager

Representative Title

Clean Earth

Organization

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

Christian SanMartin

Representative Name

Operations Manager

Representative Title

AERC

Organization

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

Report Approvers:

Approver: Christine Daniel

Inspection Approval Date: 02/15/2018
