



FLORIDA DEPARTMENT OF Environmental Protection

CENTRAL DISTRICT OFFICE
3319 MAGUIRE BLVD., SUITE 232
ORLANDO, FLORIDA 32803

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

November 13, 2020

Gerry Lanza, Plant Manager
AERC Recycling Solutions A Clean Earth Company
4317 Fortune Pl, Ste J
West Melbourne, Florida 32904
GLanza@stericycle.com

Re: AERC Recycling Solutions A Clean Earth Company
HW Facility ID # FLD984262782
Brevard County

Dear Mr. Lanza:

Department personnel conducted an inspection of the above-referenced facility on September 10, 2020. Based on the information provided during and following the inspection, the facility was determined to be in compliance with the Department's rules and regulations. A copy of the inspection report is attached for your records, and any non-compliance items which may have been identified at the time of the inspection have been corrected.

The Department appreciates your efforts to maintain this facility in compliance with state and federal rules. Should you have any questions or comments, please contact John White at 407-897-4305 or via e-mail at John.White@FloridaDEP.gov.

Sincerely,

A handwritten signature in black ink that reads "Daniel K. Hall".

Daniel K. Hall, Manager
Central District
Florida Department of Environmental Protection

Enclosure: AERC 2020 Rpt



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: 09/10/2020 **On-Site Inspection End Date:** 09/10/2020
ME ID#: 43329 **EPA ID#:** FLD984262782
Facility Street Address: 4317 Fortune Pl Ste J, West Melbourne, Florida 32904-1509
Contact Mailing Address: 4317 Fortune Pl Ste J, West Melbourne, Florida 32904-1509
County Name: Brevard **Contact Phone:** (321) 952-1516

NOTIFIED AS:

TSD Facility, Transfer Facility, Transporter, Used Oil, VSQG

WASTE ACTIVITIES:

Generator: VSQG **Transporter:** Commercial Waste, Transfer Facility **TSD:** Disposer **Used Oil:** Transporter, Oil Filters **Recycler:** Commercial, Stores Prior to Recycling **Universal Waste: Indicate types of UW generated and/or accumulated at the facility: Generate/Accumulate:** Batteries, Mercury Containing Lamps, Mercury Containing Devices **Transport:** Batteries, Mercury Containing Lamps, Mercury Containing Devices **Transfer Facility:** Mercury Containing Lamps, Mercury Containing Devices **Maximum quantity of UW handled or transported at any time:** 5000 kg or more; Large Quantity Handler (LQH) **Destination Facility for UW Mercury Recovery and/or Reclamation**

INSPECTION TYPE:

Routine Inspection for TSD Facility Facility

INSPECTION PARTICIPANTS:

Principal Inspector: John E. White, Inspector
Other Participants: Gerry Lanza, Facility Manager; Hector Rodriguez, Production Lead

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

NAIC: 562111 - Solid Waste Collection

TYPE OF OWNERSHIP: Private

Introduction:

On September 10, 2020, John White, Florida Department of Environmental Protection (FDEP, Department), accompanied by Gerry Lanza, Facility Manager, and Hector Rodriguez, Production Lead, inspected AERC Recycling Solutions A Clean Earth Company (AERC) for compliance with state and federal hazardous waste and universal waste regulations. AERC was inspected as a large quantity generator, a hazardous waste and universal waste transporter, 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 9 staff working 7:30 AM to 4:00 PM, Monday through Friday. Office hours are 8:00 AM to 4:30 PM, Monday through Friday. The City of West Melbourne provides potable water and sewer services. Covid-19 screening questions were posed to the inspector for safety reasons prior to inspection. Inspection of the facility required steel toed boots, safety glasses and a safety vest.

AERC is permitted to operate 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 February 23, 2022. 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. AERC owns and operates two trucks for transportation of hazardous and universal waste.

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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. AERC most recently provided the Department a Florida Notification of Regulated Waste Activity form (8700-12FL) on September 2, 2020.

INSPECTION HISTORY (Past 5 Years):

AERC was last inspected on December 19, 2017 as a large quantity generator of hazardous waste, a transporter/transfer facility, and RCRA permitted mercury processing facility and was in compliance at that time.

AERC was 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 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.

Process Description:

AERC operates as a hazardous and universal waste transporter and transfer facility and is permitted to operate a mercury containing lamp and device storage and recovery facility.

The inspection began in the processing bay. The lamp processing equipment has been removed from the facility and the area is currently being used for storage of electronic devices scheduled for recycling.

Within the permitted storage area, rows 5, 6, and 7 are being used for storage of empty containers. Row 8 is being used for storage of universal waste lamps to be shipped off-site for processing. Rows 9 through 12 are being used for storage of universal waste batteries. Rows 13 and 14 are being used for storage of lamp ballasts for recycling. Only one 55-gallon drum of PCB ballasts was on-site at the time of inspection.

Staged in the 10-day transfer area were 15 55-gallon drums and one 18-gallon container on containment pallets. All of the drums were properly labeled and managed. Half of the 10-day transfer area was being used for storage of universal waste mercury containing devices.

Located in a corner of the warehouse was a 55-gallon satellite accumulation container of plant sweepings. The drum was labeled "Hazardous Waste" and was marked as containing mercury and with the word "toxic."

Located along the southern side of the building are the loading docks with four bay doors. The eastern most bay, identified as Bay 1, is the unloading area. This side of the building is also used for storage of empty containers and supplies.

Located along the center bay doors were rows of containers storing electronics scheduled for off-site shipment.

Adjacent to the processing area were storage containers for scrap metal and aluminum cans.

Spill control material and fire extinguishers are located within the warehouse.

Review of the operating log noted there were currently 181 drums and two pallets of lamps in storage as of September 9, 2020.

The 10-day transfer facility log did not meet the requirements of chapter 62-730.171(6), Florida Administrative Code. The log failed to note the generator's EPA identification (ID) number, or address in the case of a very small quantity generator without an EPA ID number, and the waste codes associated with the shipment. Following the inspection, on September 10, 2020, an updated log was provided that contained all of the required elements.

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Review of training records found an 8-Hour refresher training was conducted on January 30, 2020. Items covered included facility emergency response procedures. Other training classes included Spill Prevention/Control/Countermeasures, Hazardous Waste Awareness, Used Oil Management, and Emergency Response. No issues were noted during review of the training documents.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	62-730.171(6)
Explanation:	The transfer facility shall maintain a written record of the items listed below. This recordkeeping requirement applies to all hazardous waste that enters and leaves the transfer facility, including hazardous waste generated by very small quantity generators (VSQGs).
Corrective Action:	The log maintained by AERC Recycling Solutions failed to note the generator's EPA identification (ID) number, or address in the case of a very small quantity generator without an EPA ID number, and the waste codes associated with the shipment. Following the inspection, on September 10, 2020, an updated log was provided that contained all of the required elements. No further action is required in response to this violation.

Conclusion:

AERC Recycling Solutions was inspected as a large quantity generator, a hazardous waste transporter/transfer facility, and as a permitted mercury recovery facility and was not in compliance at the time of this inspection. The 10-day log for tracking waste entering the transfer facility was found to be incomplete. The log was updated to include all required items and no further action is required.

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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.

Note: Checklist items with shaded boxes are for informational purposes only.

Item No.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.18(a)	✓		
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

Inspector

Principal Investigator Name**Principal Investigator Title**

JW

DEP

11/02/2020

Principal Investigator Signature**Organization****Date**

Gerry Lanza

Facility Manager

Representative Name**Representative Title**

AERC Recycling Solutions

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.

Hector Rodriguez

Production Lead

Representative Name**Representative Title**

AERC Recycling Solutions

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:** Daniel K. Hall**Inspection Approval Date:**

11/02/2020