



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

April 25, 2012

Mr. Gabriel Maldonado  
Environmental Compliance Specialist  
Collier County Solid Waste Management Department  
3339 Tamiami Trail E. Suite 302  
Naples, Florida 34112-5361

SUBJECT: Authorization to Accept waste from Conditionally Exempt Small Quantity Generators (CESQG) customers as part of the Household Hazardous Waste Collection Program Facility EPA IDs FLR000185728, FLR000184697, FLR000184705, FLR0000147165, FLR000010991

Dear Mr. Maldonado:

On March 15, 2012, the Department received your March 1, 2012 letter requesting formal authorization to manage hazardous waste from conditionally exempt small quantity generators (CESQGs) pursuant to Florida Administrative Code Rule 62-730.220(5).

The Department has reviewed your submitted standard operating procedures for accepting business waste and hereby approves your request with the understanding that your facility has specific standard operating procedures for accepting business waste approved by the Department 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.

In particular, the Department expects that your facility will:

1. Provide CESQGs with written disposal records that document the type and amount of hazardous waste delivered, the date of delivery, the name and address of both the generator and the Household Hazardous Waste Collection Center. The center must maintain copies of these records.
2. Label all waste that arrives at the facility in unlabeled containers with the identity of the material and/or appropriate hazard class information. If the visual inspection of incoming waste finds that the container label does not match the waste, the container must either be rejected or re-labeled. Re-labeling is allowed only if the identity of the waste can be confirmed.

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3. Continue its current management practices and ensure that the waste is:
  - a. Separated from incompatible materials. DEP issues authorization to manage CESQG waste and classifies the facility as a non-handler unless the facility generates its own waste from other operations.
  - b. Stored in closed containers that are in good condition and appropriate to the nature of the waste.
  - c. Provided with adequate aisle space to allow for periodic inspections and access for emergency fire control and spill control equipment.
  - d. Managed only by persons with appropriate HAZWOPER and HAZMAT training.
4. Comply with all USDOT shipping requirements when preparing waste for shipment off site.
5. Dispose of hazardous wastes to facilities authorized to manage hazardous waste by the USEPA in accordance with FAC Rule 62-730.030(2). Copies of disposal records must be maintained.

Additional information on hazardous waste compliance assistance can be found on the DEP website at

<http://www.dep.state.fl.us/waste/categories/hwRegulation/default.htm>.

We appreciate your efforts to ensure proper management of hazardous waste. Your efforts will help protect human health and Florida's fragile ground water resources. Please contact Glen Perrigan of my staff at 850-245-8749 for additional questions or comments.

Sincerely,



John A. Coates, P.E.  
Bureau Chief  
Bureau of Solid and Hazardous Waste

cc: Charles Emery, FDEP South District

## **NOTICE OF RIGHTS**

1. A person whose substantial interests are determined by this authorization (order) has the right to a formal or informal administrative proceeding (hearing) pursuant to Sections 120.569 and 120.57(1), Florida Statutes (F.S.). A formal hearing is held where the substantially affected person disputes any issue of material fact.
2. At a formal hearing, the substantially affected person will have the opportunity to be represented by counsel, to present evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order. At an informal proceeding, where no material fact is in dispute, the substantially affected person will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Department's action, or to present a written statement challenging the grounds upon which the Department is justifying its action.
3. A formal or an informal proceeding is commenced by filing a written "Petition for Administrative Proceeding" within 21 days of receipt of this authorization. The petition must be in the form required by Rule 28-106.201(2) Florida Administrative Code (F.A.C.) A petition is "filed" when it is received by the Department of Environmental Protection, Agency Clerk, Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000.
4. The right to a formal or an informal proceeding will be waived if a petition is not filed with the Department within 21 days of the date the substantially affected person receives notice of this authorization. These time limits may be varied only by written order of the Department in response to a motion that complies with the requirements of Rule 28-106.111(3), F.A.C.
5. Mediation is not available in the context of this authorization.
6. A party who is adversely affected by this authorization when it becomes final is entitled to judicial review pursuant to Section 120.68, F.S. Review proceedings are governed by the Florida Rules of Appellate Procedure and are commenced by filing one copy of a Notice of Appeal with the Agency Clerk, Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, and a second copy, accompanied by filing fees prescribed by law, with the First District Court of Appeal or with the District Court of Appeal in the Appellate District where the party resides. The Notice of Appeal must be filed within 30 days of the date the authorization becomes Final. The authorization becomes Final on September 20, 2011, unless a timely petition for formal hearing or informal proceeding is filed as outlined in this notice.