



P2 Quarterly

The Newsletter of Lee
County's Pollution
Prevention Program

Fall 2005

Program Staff

Dale L. Nottingham Program Manager
Dorian Cauceglia Sr. Environ. Specialist
Jaqueline Saiya Sr. Environ. Specialist
Jayne Coles Planning Technician

www.lee-county.com/pollution

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P² Program
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902
Phone: 239/479-8126
Fax: 239/479-8108

Do you need a speaker for an upcoming event? Would you like a specialized presentation for your next trade association meeting? Give us a call to schedule a time for your next educational needs. Lee County's Pollution Prevention Program has performed presentations in several parts of the country as well as Canada and Mexico. We are here to serve our business community. Just call (239) 479-8126.

Trash to ...

When you throw something into a trashcan or a dumpster do you know where it goes? Have you ever thought about it? Don't feel bad most people never consider where their waste goes. If you are a business owner, knowing what types of waste can be thrown away at work is required by law! The state of Florida and Lee County in particular have grown tremendously in the last decade. In 1990 Florida had a population of 12.9 million, by the year 2000, Florida's population had grown to over 15.9 million people. Lee County has followed this trend and with an increase in population comes an increase in the amount of trash produced. In 1994 construction was completed on Lee County's Waste to Energy (WTE) Plant. The WTE was intended to take all of Lee County's trash and burn it for fuel to produce energy. In the beginning of the plant's operation, it was acceptable to place into the dumpster oily waste such as oil filters, oily rags, and absorbents because it was a guarantee that all waste would be burned and converted to electrical power. However, by the year 2000 the population had grown so large so quickly that Lee County could no longer guarantee all the waste was going to the WTE. Currently, depending on your zip code, Lee County has different haulers hauling trash to the Hendry County Landfill or the WTE. This landfill is not allowed to accept oily waste of any kind. These types of waste leach contamination into the soil and potentially into the leachate collection system. This not only has the potential to pollute the environment, but also in many cases causes additional treatment of the leachate to comply with the landfill's operational permit. So you ask "Where is my trash going today?" and the simple answer is "There is no way to know". When the trash collector picks up your trash, they will take it to the next available site whether it is the WTE or the landfill.

The most commonly thrown out hazardous wastes are contaminated rags, mercury containing lights, oil filters, and electronics. These things are disposed of improperly because the generating facility's management either doesn't realize they are regulated hazardous waste and harmful to the collection system and environment or simply ignore the law. Rags utilized as solvent applicators, are one of the most commonly overlooked hazardous waste and one of the most widely produced. Nearly every manufacturing or repair business uses rags. Rags are typically contaminated with oil, solvent or both. Many people say "the rag just dries out", the act of the rag drying is actually polluting the atmosphere. When the rag dries the solvent is evaporating and becoming part of the air you breath. A rag on average can hold approximately 1.38 ounces of liquid. With Lee County having over 40 thousand businesses the potential to generate large amounts of hazardous waste exist. If every business throws out 1 solvent or oil contaminated rag a day 863 gallons of pollution would be emitted into the environment. That means that 863 gallons of hazardous waste could end up in the air you breath, the food you eat, and the water you drink. Oil filters are also commonly mishandled. These filters no matter how much they may be drained will always contain a small amount of oil. If these filters end up in the landfill and the oil they contain ends up in the water supply it will only take 1 gal of oil to contaminate 1,000,000 gallons of fresh water, which is a year supply for 50 people. Fluorescent bulbs contain mercury and when disposed of in the trash the mercury evaporates and releases into the environment. When the mercury enters local waters it begins to bio-accumulate in the sea life. When the bioaccumulation of mercury occurs in the fish and they become toxic, the result with Lee County being a coastal county that has a large commercial and recreational fishing community is devastating. At the current levels of mercury, it is advisable on average not to eat more than 6 ounces of fish at a time. If steps aren't taken to reduce the amount of mercury entering the water, the harvestable sea life will become inedible. Where would you get your seafood then?

Used Oil Management Regulations Have Changed

Effective June 1 2005, the Department of Environmental Protection (DEP) changed Chapter 62-710 known as the Used Oil Management Regulations. The changes affect facility's that generate used oil, the transporters of used oil and the used oil processing facilities.

Since most of the P2 Quarterly recipients that are affected by these changes are facilities that generate used oil, this notification will report the changes that affect these particular facilities. The biggest change is found in 62-710.401 Prohibitions, paragraph (6). It states: No person may store used oil in tanks or containers unless they are clearly labeled with the words "used oil" and are in good condition (no severe rusting, apparent structural defects or deterioration) with no visible oil leakage. If tanks or containers are not stored inside a structure, the contents shall be closed, covered or otherwise protected from the weather. If tanks or containers are not double-walled, they shall be stored on an oil-impermeable surface such as sealed concrete or asphalt, and must have secondary containment which has the capacity to hold 110% of the volume of the largest tank or container within the containment system.

Other changes that will affect some facilities are those that collect used oil from the general public. Under 62-710.500 Registration and Notification, paragraph (5) states: Each public used oil collection center shall notify the Department no later than 30 days after first accepting used oil from the public on DEP Form 62-710.901(5). The Department shall acknowledge filing of the notification within 30 days of receipt. Then under 62-710.510 Record Keeping paragraph (6) states: No later than July 1 of each year, each public used oil collection center shall submit to the Department an estimate of the quantity of used oil accepted from the public during the previous calendar year. The Department shall advise each public used oil collection center of this requirement by June 1 of each year.

An additional change affecting generators is found in 62-710.850 Management of Used Oil Filters. This entire section is based on operational procedures. Make sure you comply with the storage and disposal portions if you are the generator of the used oil filters. Even though it does not require containers to be placed within secondary containment, it is always advised by the P2 Program to place all storage containers within a weather protected containment system.

Some of you may have received a previous letter alerting you of these changes from the P2 Program. If you need a copy of these regulations and you have Internet ability, please refer to the P2 webpage @ www.lee-county.com/pollution. The regulations as well as additional information on the types of storage containment systems are available on our web page. If you need further assistance, please do not hesitate to contact us @ (239) 479-8126.

Changes to Process of Occupational Licenses

The exemption process for the surcharge attached to occupational licenses will end on January 1, 2006. This change was made to streamline the occupational license process. Those businesses that received the exemption from the \$20.00 surcharge will have the fee reinstated for the occupational license renewal period beginning in 2006, unless you are a multiple licensed facility such as Doctor's, Attorney's or Engineer's. These professionals will receive a blanket exemption and the firm itself will be surcharged if they have an occupational license. The changes require an expansion of the Pollution Prevention Program to meet the State mandate under a no exemption process. Lee County will be able to assess and now enforce regulations against violators and help limit some of the negative impacts from the tremendous growth of our area. The need to have more educational assistance and enforcement ability on businesses is apparent from the growth and non-compliance noted in the past years facility assessments.

With these changes comes a little enforcement too! Lee County is in the process of drafting language that will allow for the enforcement of existing hazardous waste regulations and monetary penalties on non-compliant businesses that simply refuse to comply with Federal and State laws. These laws pertain to the proper management of waste that negatively impact our natural resources. When these wastes are not properly stored and/or disposed of, they tend to find their way into our environment. There are many factors that contribute to the frequency and duration of the red tides, blue-green algae, and the black water in the Gulf of Mexico that can be connected to the contaminants within our stormwater. The results of these stormwater discharges is finally reaching levels of contamination where mother nature can no longer absorb nor dilute the problem. Population growth has several negative impacts on the environment. The amount of fertilizers, pesticides, herbicides, used oil, paint thinners, mercury containing lamps/devices and household cleaners sold and used are all contributing to the negative impact on the environment. And these are one's that are legally sold and used. Now, calculate in those businesses where some are licensed and others are not, that contribute to the witches brew within our stormwater from the improper storage and disposal of their hazardous waste. These non-compliant businesses are the same ones that compete with you.

The fee inclusion to all occupational license except for those mentioned above, will allow Lee County to take a larger proactive role in educating our business community with the proper management tools needed to insure environmental protection. It will also allow Lee County to motivate non-compliant businesses (your competitor) with the requirement of the laws that are designed to protect us and our shared environment. It gives them a choice to prevent pollution based on their operational choices or pay substantial penalties for their total disregard to regulations. Government has the responsibility to protect the environment and insure a level playing field with regard to regulatory compliance. If businesses that disregard the regulations are allowed to operate and compete with businesses of character that invest resources into compliance activities, financially who is going to last the longest? With educational outreach along with some degree of enforcement should help to ensure a required level field of compliance and protection.

Want to Save Money...and Reduce Liability?

We would like to help you with Stormwater permit compliance using simple step-by-step methods. Topics Include:

- NPDES Construction Permit
- Best Management Practices (BMP's)
- Lee County Land Development Code
- Cost Effective Techniques
- Liability Reduction
- Information from Other Permitting Agencies

Some businesses and construction activity may qualify for State and Federal NPDES Stormwater Permits. Lee County offers assistance in completing the required forms, providing sources for Best Management Practices and compliance pointers related to water quality management.

All construction activities disturbing more than one acre or industrial activities which having stormwater runoff discharging to municipal stormwater management systems may be required to obtain a NPDES permit, prepare a Stormwater Pollution Prevention Plan or both.

There are instances where the business may apply for a "No Exposure" exemption from the permit. There is a form to complete and the exemption does not relieve the business from proper materials management. However, it does eliminate reporting and testing requirements contained in the permit.

Currently, the program conducts two classes related to these subjects. One is the Florida Stormwater inspector Certification Class and the second class is Lee County's Advanced Best Management Practices and Compliance Class.

For more information you may access the Lee County NPDES program's web site at:

<http://www.lee-county.com/npdes/> or contact our office directly:

Leigh Simmons 239-479-8135

Tony Pellicer 239-479-8129

Do You Know What You Are Paying For?

When was the last time you looked at an invoice from an automotive/tire repair shop? All automotive related repair shop invoices must be approved by the Department of Agriculture and cannot include unspecified fees or "EPA" charges. Florida law requires shops to charge a disposal fee for tires and lead acid batteries! Did you know that tires and lead acid batteries are the only two fees mandated by State laws that a automotive repair shop can charge? Well it's true! Below are some interesting facts about each one.

Tires

- Under Florida State Statute 403.718 when you purchase a new or used vehicle you pay a disposal fee of \$1.00 per tire, which also includes the spare tire. The tire/automotive repair shop is required under this law to properly dispose of all waste tires.
- The disposal fee that is collected for the tires goes to a fund called Solid Waste Management Trust Fund. The money is set aside to help with the clean up of waste within the State of Florida.
- When tires are illegally dumped in our wooded areas or along our highways, they become a health hazard because they can hold water making it ideal breeding grounds for mosquitoes.

Lead Acid Batteries

- Under Florida State Statute 403.7185 there is disposal fee for batteries, which is \$1.50 each just like the tires this fee is collected by the automotive repair facility at the time of purchasing the vehicle.
- This fee goes to a fund named Water Quality Assurance Trust Fund for clean up of the environment
- Lead acid batteries are also a hazardous waste when they are dumped because they contain sulfuric acid and lead.
- Lead acid batteries fall under the Universal Waste Rule 40 CFR part 273.2 and can be recycled. When spent lead acid batteries are recycled, they are not counted towards your facility's hazardous waste totals and do not increase your generator status.

Jacqueline Saiya Joins P2 Program

Jacqueline Saiya has worked for Lee County the past year in the Pollutant Storage Tank Program as an Environmental Specialist. She was promoted to a Senior Environmental Specialist with her move to the Pollution Prevention Program. After graduating college from St. Thomas Aquinas with a degree in Natural Science, she worked for an environmental consulting firm in New York State. She relocated to southwest Florida in 1991 due to her interests in conservation and restoration of the states unique ecosystem. With her knowledge in storage tank requirements and on impacts of contaminants in the environment, we welcome her to the Pollution Prevention Program team, and look forward to her educating the business community on negative operational impacts!

New Electronic Waste Collection Site in Lee County

Attention to all businesses that have old electronics such as computers, monitors, keyboards, copy machines, printers, radios, phones, typewriters, scanners, fax machines televisions, VCR's, disc players and the list goes on. Lee County has opened a new facility for disposing of these types of waste. The Electronics Recycling Facility located at 2451 Arcadia St. in the City of Fort Myers is now open Monday through Friday from 8:00am to 5:00pm. The way to get there is from Dr Martin Luther King Blvd, turn south onto Rockfill Road and proceed to the end where it turns east and into Canal Street. Canal St will take you to 2451 Arcadia St. There is a fee for electronic disposals, so please contact Lee County's Division of Solid Waste at 239-338-3302 for the correct amount for whatever type of electronics you may have. Remember that any electronics that are not properly recycled by a business as a "Universal Waste" must be added to the facility's monthly total of generated hazardous waste to calculate the facility's generator status.

Illegal Operations

If you see illegal operations with regard to hazardous waste management occurring, please contact the Pollution Prevention Program to report the location. The drinking water you save may be your own! (239) 479-8126.

Compliance Assistance

There are so many regulatory compliance issues for a business it is sometimes hard for them to know which ones they need to worry about. Most regulations are specific to the operations at a facility. They all have applicability sections that attempt to state what they are about and who must comply. They all usually have threshold standards that a business must have before the regulation applies to them. These are the areas of the regulations that once a business owner/manager knows, can help them determine to what extent if any the regulation applies to their business. It also may help them plan strategy to stay out of the thresholds and therefore keep them from worrying about cost associated with compliance.

One example of how to stay below thresholds and away from the regulations is in the painting industry. The P2

Program performed a phone survey with the larger suppliers of paint thinner to the professional painters in Lee County. We found that licensed painting contractors purchase about 30,000 gallons of paint thinner from these suppliers on an annual basis. This news was not what we had hoped for because disposal records from painters that we have reviewed do not reflect this amount of thinner being disposed. If the industry would decant and recycle thinner for brush cleaning procedures, the amount of purchased thinner could be reduced by approximately 64%. This would save in the cost of new thinner, the disposal of waste thinner, and the cost associated with manufacturing, transporting, and storage of thinner throughout the State. There are several other areas in industries that have the same potential for savings. The ideas usually come from the employees that deal with the process on a daily basis. Ask them, you may be surprised what you hear.

**The CESQG Business
Collection Day Schedule
Sponsored by :
Lee County's
Department of Solid Waste
(Disposal Fee Involved)**

**January 26, 2006
April 13, 2006
July 20, 2006
September 21, 2006**

Collection times for the CESQG scheduled events are from 8:00 a.m. to 3:00 p.m. Location of the CESQG collection day is North Airport Road at Page Field. Scheduled collection days and times are subject to change and/or cancelations, depending on inclement weather. *There is a fee involved for disposal.* If you have any questions regarding the associated fees, please contact Jan Daniels of EQ Florida, Inc. at 1-800-624-5302 ext.231

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P² Program
1500 Monroe Street
P.O. Box 398
Ft. Myers, FL 33902