



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

August 12, 2009

Mr. Richard Benak
PestWest, Customer Service
4363 Independence Ct.
Sarasota, FL 34234

Re: Management of Intentionally Crushed Mercury-Containing Lamps

Dear Mr. Benak:

The Florida Department of Environmental Protection (department) has again received reports that drum top crusher sales representatives are telling users that drum top crushers remove the mercury from crushed lamps and that drums of crushed lamps can be disposed in Florida landfills. These reports have come from users who are purchasing these devices for use in Florida and from some department hazardous waste inspectors who find them being used illegally.

In a letter dated August 12, 2002, we discussed this same issue. The original letter is attached and is posted on our web site at

<http://www.dep.state.fl.us/waste/categories/mercury/pages/drum-top.htm>.

We must restate this concern. Florida is one of the few states allowing the use of drum top lamp crushers without a permit so long as certain regulatory requirements are followed. As you know, we have recently interpreted our regulation to allow for additional uses of drum top crushers by taking them to the generators' sites, lending crushers, or using them at Household Hazardous Waste programs for CESQG lamps (memo attached). The department has determined that there is a useful place for drum top crushing to help increase and encourage lamp recycling in Florida. However, if we continue to hear that drum top crusher users are being told they can dispose of crushed lamps in landfills, our regulatory stance may have to change to prohibit or restrict the use of drum top crushers.

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Please tell all your sales representatives and distributors to clearly inform customers that crushed lamps cannot simply “go to the landfill.” By making sure that your sales representatives and distributors clearly provide accurate information about Florida’s regulations you can ensure that your company will be able to continue to market this equipment in the State. As always, our staff is available to help your salespeople understand how these devices can be used in Florida. Please direct any questions to Laurie Tenace at Laurie.Tenace@dep.state.fl.us or 850-245-8759.

In summary, I am reiterating the final paragraph from our August 12, 2002 letter:

The materials that result from crushing mercury-containing lamps using a bulb crusher are not just “glass” but are “crushed mercury-containing lamps” (“crushed lamps”), i.e., a mixture of all the major components, including mercury, of the mercury-containing lamps that have been crushed. Florida law prohibits the disposal of “crushed lamps” in municipal solid waste landfills unless TCLP testing for mercury on each drum or container shows that they are not hazardous wastes. Florida law also prohibits the disposal of “crushed lamps” in either an unlined landfill or a waste combustor (incinerator) under any circumstances. We are asking that your company ensure that distributors and salespeople for your equipment are accurately and completely communicating this to Florida customers.

Thank you,

Raoul Clarke
Environmental Administrator

RC/lt
Attachments (2)
cc: Tim Bahr