

Florida Department of  
**Environmental Protection**

**Memorandum**

**TO:** District Waste Program Administrators

**THROUGH:** Satish Kastury, Environmental Administrator  
Hazardous Waste Regulation Section, Tallahassee

**FROM:** Michael Redig, Environmental Manager  
Hazardous Waste Regulation Section, Tallahassee

**DATE:** June 11, 1999

**SUBJECT:** Guidance on the Management of Mercury-Contaminated Wastes Generated from a Broken Mercury-Containing Lamp or Device Spill Cleanup



The purpose of this memorandum is to provide statewide guidance on the management of mercury-contaminated hazardous wastes generated from a broken mercury-containing lamp or device spill cleanup.

When a cleanup is performed after the accidental breakage of a Mercury-containing lamp Or device, three kinds of contaminated wastes may be generated. The first type, **Mercury-contaminated lamp or device materials**, includes pieces (e.g., broken glass, metal, and plastics) of a Mercury lamp or device, and collected free-flowing liquid Mercury. The second type, **Mercury-contaminated environmental media**, includes soils, water, etc., which have come into contact with the mercury from the broken lamp or device. Finally, **Mercury-contaminated debris** includes concrete, carpet, furniture, and materials like latex gloves, tyvex suits, breathing apparatus, goggles, shoes, helmets, and contaminated absorbents and rags, etc., that have come into contact with the mercury from the broken lamp or device as a result of the spill or cleanup activities.

Under Chapter 62-737, F.A.C., Mercury-containing lamps or devices, including those that have been unintentionally broken or damaged, may be sent to a Mercury recovery or reclamation facility permitted by these rules to receive these materials. A small amount (I.e. less than one pound according to CERCLA Reportable Quantity under SARA Section 313 toxic chemicals) of free-flowing liquid Mercury and parts of a Mercury-containing device collected during a spill cleanup may only be processed by a Mercury reclamation facility permitted to accept such materials. If unintentionally broken lamps or devices are being managed per these rules and are being shipped off for recycling, a DEP-registered Mercury-containing lamp or device transporter may, in lieu of a licensed hazardous waste transporter, be used for the transport of these broken lamps or devices to a Mercury recovery or reclamation facility. However, the broken lamps or devices and any free-flowing Mercury shall be stored in tightly closed containers that prevent the release of Mercury to the environment. In

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this situation, the broken lamps or devices, in any quantity, will not count towards the hazardous waste generator status of the generator of the lamps or devices.

However, when the cleanup waste includes a combined aggregate that has broken Mercury-containing lamps or devices and mercury-contaminated media and/or debris, this combined aggregate is subject to the hazardous waste requirements under Chapter 62-730, F.A.C. If the combined aggregate of cleanup wastes is less than or equal to 100 kilograms (kg), the generator may ship the combined lamp or device wastes, media and /or debris to a Mercury reclamation facility. The Mercury reclamation facility can accept this combined aggregate of cleanup wastes if the facility's permit allows for that, if the requirements of paragraph 62-737.860(3), F.A.C., are met, and if the facility complies with other applicable requirements of Chapter 62-737, F.A.C.

Consistent with 40 CFR §261.5, a conditionally exempt small quantity generator is not required to use a registered hazardous waste transporter. A hazardous waste manifest is also not required for shipping the combined aggregate of Mercury-contaminated cleanup wastes as long as no more than 100 kg of total hazardous waste is generated in a calendar month by the generator of this combined aggregate. But, the conditionally exempt small quantity generator is required to keep shipment documentation on file for at least three years as per Chapter 62-730.030(4), F.A.C. and 40 CFR §261.2(f).

For the purpose of determining the monthly hazardous waste generation status and in accordance with 40 CFR §273.17 for small quantity handlers (SQHs) and 40 CFR §273.37 for large quantity handlers (LQHs), the combined aggregate will count towards the generator's monthly hazardous waste accumulation amount. If the combined aggregate puts the generator into a regulated SQG or LQG category, or if the generator already is a regulated SQG or LQG, then the spilled universal waste and contaminated debris and media must be characterized, and if hazardous waste, be managed according to the standards in 40 CFR §§260-272 (e.g., use of a hazardous waste transporter, etc.).

This guidance applies only to mercury-contaminated wastes generated from Mercury-containing lamp or device cleanups and not to any other spill cleanup situations. If you have any questions please do not hesitate to call Michael Redig or Jack Price at (850) 488-0300.

SK/mm

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Reading File