

Fact Sheet, August 2009



DEPARTMENT OF
TOXIC SUBSTANCES
CONTROL

*The mission of the
Department of Toxic
Substances Control is
to provide the
highest level of safety,
and to protect public
health and the
environment from
toxic harm.*



State of California



Cal/EPA

HAZARDOUS WASTE FACILITY PERMIT RENEWAL PROPOSED FOR AERC.Com. INC.

The California Department of Toxic Substances Control (DTSC) invites public comments on the proposed renewal of the Draft Standardized Hazardous Waste Facility Permit, Series A, (Draft Permit) for AERC.Com, INC. (AERC) located at 30677 Huntwood Avenue, in Hayward, California. AERC is a lamp recycler that operates hazardous waste storage and treatment facility to de-manufacture/recycle spent fluorescent and High Intensity Discharge (HID) lamps. Glass and metals, including mercury, are recovered through this recycling process. In addition to the Draft Permit, DTSC also proposes to issue a Notice of Exemption under the California Environmental Quality Act (CEQA) which is available for review.

Why a Permit is Necessary

DTSC regulates the generation, storage, treatment and disposal of hazardous waste in California. A permit enables DTSC to effectively regulate the hazardous waste management activities at facilities. Permits are developed after DTSC's detailed technical review and are intended to ensure that the facility operates in a manner that protects human health and the environment.

Public Comment Period

The 45-day public comment period for the Draft Permit and begins on August 28, 2009 and ends on October 12, 2009. Copies of the Draft Permit, CEQA Notice of Exemption and supporting documents can be viewed at the information repositories listed on page 3 in this fact sheet. Written comments must be postmarked by October 12, 2009, and sent to:

**Alejandro Galdamez, DTSC Project Manager, 700 Heinz Avenue,
Berkeley, California 94710-2721.**

**Tel. 510.540.3933. E mail comments must be sent by October 12, 2009 to:
AGaldame@dtsc.ca.gov**

DTSC has not scheduled a public hearing at this time, but one will be considered if one is requested. Please send your comments or requests to Alejandro Galdamez, DTSC Project Manager at the address listed above.

For information on Public Participation, please contact Mr. Jesus Cruz toll-free at 1-866-495-5651 or 916-255-3315 or by e-mail to JCruz@dtsc.ca.gov.

En Español, llame a Jesus Cruz, sin cobro al 1 (866) 495-5651



Facility History and Description

Mercury Technology Inc (MTI), owned by AERC, started operating this facility in 1989 at this location and received a Standardized Hazardous Waste Facility Permit, Series A, which became effective on December 29, 1997. In February 2001, AERC changed MTI's name to AERC.Com. The Standardized Permit expired on December 29, 2007.

AERC submitted a timely application to renew their Standardized Permit and may continue operating under the terms of the expired permit until DTSC makes a final permit determination on AERC's renewal application pursuant to California Code of Regulations, title 22, section 66270.51.

Description of Facility Operations

This Standardized Hazardous Waste Facility Permit authorizes AERC to continue operating a hazardous waste storage and treatment facility in Hayward. AERC reclaims mercury from spent fluorescent and high intensity discharge (HID) lamps. The outer glass from disassembled spent HID lamps is also reclaimed or otherwise properly disposed.

The permitted treatment units in the renewal permit are the LSS1 Fluorescent Lamp Processing Machine and the HID Lamp De-manufacturing Process. The permitted storage units are Storage Area #1 (Aisles S1-S5) and Storage Area #2 (Aisles S6-S19). There is no storage of liquid hazardous waste. The maximum solid hazardous waste that may be stored in the two storage areas is 78,000 total lamps and 92 55-gallon drums. There are no proposed operational changes to the existing facility. Neither treatment nor storage capacity will increase.

In the spent fluorescent lamp treatment process (LSS1 Fluorescent Lamp Processing Machine), AERC crushes the spent lamps and separates the phosphor powder (containing mercury) from the lamp's non-hazardous components (i.e., the outer glass and metal end caps) and reclaims and recycles mercury at offsite permitted treatment, storage and disposal facilities (TSDFs).

In the spent HID Lamp De-manufacturing Process, AERC separates the inner HID capsule containing mercury from the outer glass and metal components and reclaims and recycles mercury at offsite permitted TSDFs.

In addition to lighting wastes, AERC also receives and stores other wastes whose management is governed by the Universal Waste regulations, which are not regulated by this Draft Permit. These universal wastes include batteries, Cathode Ray Tubes (CRTs), and electronic scrap such as printers or telephones.

Special Conditions

DTSC regulates the generation, storage, treatment, and disposal of hazardous waste in California. A permit enables DTSC to effectively regulate the hazardous waste management activities at facilities. DTSC is authorized to impose special conditions in this Permit pursuant to Health and Safety Code section 25200(a) and the regulations in California Code of Regulations, title 22, division 4.5, governing tanks, containers, and other facility and operation standards. Permits are developed after DTSC's technical review, and are intended to ensure that the facility operates in a manner that protects human health and the environment.

California Environmental Quality Act Notice of Exemption (CEQA)

DTSC evaluated possible environmental impacts associated with the proposed Permit Renewal of AERC, as required by CEQA. DTSC has prepared a Notice of Exemption which states that the Hazardous Waste Facility would not have significant impacts to human health and the environment. The findings are available for review, along with other supporting documents in the information repositories located on this fact sheet.

Fluorescent Lamps of the type processed at AERC.Com



Fluorescent Lamp Processing Machine in operation at AERC

Enforcement History

DTSC inspects AERC on a regular basis to ensure compliance with California laws, regulations, and the Permit conditions. The results of those inspections during the past five years are listed below:

- August 30, 2005: DTSC conducted a compliance evaluation inspection (CEI) and a Class II violation was noted. This Class II violation was for storage over 90 days and was corrected on September 22, 2005.
- April 25, 2004: DTSC conducted a review of financial assurance and no violations were found.
- February 25, 2004: DTSC conducted a CEI inspection and cited AERC for 2 Class II violations for a general violation and a deficiency in the contingency plan. AERC returned to compliance on February 27, 2004.

Inspection reports are available for review at DTSC, Berkeley Regional Office located at 700 Heinz Avenue, Berkeley, California 94710.

Information Repositories

The Draft Permit, Notice of Exemption, and other site-related documents are available for public review at the information repositories listed below:

- Hayward Public Library, Weekes Branch
27300 Patrick Avenue
Hayward, California 94544
(510) 782-2155
- DTSC Berkeley Office,
700 Heinz Avenue
Berkeley, California 94710
(510) 540-3800

The entire administrative record is available at the DTSC Berkeley office.

To view electronic versions of these documents, please visit DTSC's EnviroStor website: <http://www.envirostor.dtsc.ca.gov/public/>. Enter "Hayward" as the City. Click on the link "Report" AERC.Com for additional information.

For More Information please contact:

Mr. Alejandro Galdamez, DTSC Project Manager, regarding Technical questions (510) 540-3933 or by e-mail to AGaldame@dtsc.ca.gov

For questions regarding Public Participation, contact Jesus Cruz, toll-free at 866-495-5651 or 916-255-3315 or by e-mail-JCruz@dtsc.ca.gov.

For questions from the media, please contact Ms. Claudia Loomis, DTSC Public Information Officer, at 916-255-6578 or by e-mail to CLoomis@dtsc.ca.gov.