

Laws and Penalties Associated with Disposal of Hazardous Waste Electronics

Some electronic equipment, notably computer monitors and other cathode ray tubes (CRTs) exhibit the hazardous characteristic of toxicity for metals. Sections 403.708 and 403.727, Florida Statutes (FS) prohibit disposal of hazardous waste in any way that violates state rules. Florida's hazardous waste rules are in Chapter 62-730, Florida Administrative Code (FAC). All rules from the Code of Federal Regulations (CFR) cited in this summary have been adopted by reference as state law in Chapter 62-730, FAC.

40 (CFR) 262.11 requires every person who generates a solid waste to determine whether the waste meets the definition of hazardous waste.

40 CFR 262.12(c) prohibits hazardous waste generators from sending hazardous waste to any location that does not have an EPA identification number.

40 CFR 262.20 requires use of the manifest system to transport hazardous waste.

40 CFR 261.5(g)(3) requires conditionally exempt small quantity generators to "ensure delivery" of their hazardous waste to a permitted facility or recycler.

Rule 62-701.300(4), FAC prohibits disposal of hazardous waste in any landfill in Florida unless the landfill has a hazardous waste permit.

There are no commercial hazardous waste landfills in Florida. Waste to energy incinerators are prohibited by their air operating permits from accepting hazardous waste.

People recycling e-waste should keep records. See 40 CFR 261.2(f)

Violation of any hazardous waste rules can subject the violator to fines of up to \$50,000 per day, under s. 403.727(3)(a), FS. Knowing or reckless disposal of hazardous waste at any location except a facility permitted to dispose of hazardous waste is a third degree felony as provided in s. 403.727(3)(b), FS, punishable for the first conviction by a fine of not more than \$50,000 for each day of violation or imprisonment not to exceed 5 years, or both, and for any subsequent conviction by a fine of not more than \$100,000 per day of violation or imprisonment of not more than 10 years, or both.

More information about disposal and recycling of e-waste is available at the Florida Department of Environmental Protection website
<http://www.dep.state.fl.us/waste/categories/electronics/default.htm>