

## CHAPTER 62-731 COUNTY AND REGIONAL HAZARDOUS WASTE MANAGEMENT PROGRAMS

62-731.001	Declaration and Intent. (Repealed)
62-731.020	Definitions.
62-731.030	Small Quantity Generator Assessment, Notification and Verification Program.
62-731.040	County Information Sent to the Department.
62-731.050	Grants; General Specifications.
62-731.060	Small Quantity Generator Assessment, Notification and Verification Program Grant Eligibility and Standards.
62-731.062	Expanded Local Hazardous Waste Management Program Grant Eligibility and Standards.
62-731.064	Award of Grant Funds.

### **62-731.020 Definitions.**

(1) Unless otherwise indicated herein, all words, phrases, or terms used in this chapter shall be defined as provided in Rule 62-730.020, F.A.C.

(2) "Administrative Costs" means those costs directly associated with the small quantity generator assessment, notification and verification grant program and the expanded local hazardous waste management grant program.

(3) "Department" means the Department of Environmental Protection.

(4) "Small Quantity Generator" means a generator who generates less than 1000 Kilograms (kg) of hazardous waste in a calendar month.

*Specific Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7225, 403.7226, 403.7234, 403.7236, 403.7238, 403.7265, 403.74 FS. History—New 2-9-84, Formerly 17-31.02, 17-31.020, Amended 8-8-94, Formerly 17-731.020.*

### **62-731.030 Small Quantity Generator Assessment, Notification and Verification Program.**

(1) Each county in the State shall conduct the small quantity generator assessment, notification and verification program to identify hazardous waste related problems within its jurisdictional boundaries. This program shall be renewed every five years.

(2) Each county small quantity generator assessment, notification and verification program shall be conducted as specified in the "Guidelines to Conduct the County Small Quantity Generator Assessment, Notification and Verification Program – February, 1994." This manual is hereby adopted and incorporated as part of this rule by reference.

(3) If a county declines to perform the small quantity generator assessment, notification and verification program, the county shall make arrangements with its regional planning council or other regional or state government agency to perform the program pursuant to the "Guidelines to Conduct the County Small Quantity Generator Assessment, Notification and Verification Program – February, 1994."

*Specific Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7225, 403.7226, 403.7234, 403.74 FS. History—New 2-9-84, Amended 1-27-85, Formerly 17-31.03, 17-31.030, Amended 8-8-94, Formerly 17-731.030.*

### **62-731.040 County Information Sent to the Department.**

A summary of information gathered during each county's small quantity generator assessment, notification and verification program shall be sent to the Department pursuant to the provisions of the "Guidelines to Conduct the County Small Quantity Generator Assessment, Notification and Verification Program February, 1994."

*Specific Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7225, 403.7226, 403.7236, 403.74 FS. History—New 2-9-84, Amended 1-27-85, Formerly 17-31.04, 17-31.06, 17-31.040, Amended 8-8-94, Formerly 17-731.040.*

### **62-731.050 Grants; General Specifications.**

(1) The primary purpose of grant funds shall be to cover costs incurred to establish the small quantity generator assessment, notification and verification program or the expanded local hazardous waste management program, including training for county personnel, materials and equipment necessary for education and compliance activities associated with these programs, and program administration.

(2) Grant funds shall be made available on a competitive basis to county governments. Grant funds are to be used by the county to carry out the small quantity generator assessment, notification and verification program or the expanded local hazardous waste management program. If grant requests exceed available funding, the Secretary of the Department will prioritize the award of available grants based on timeliness of the submittal of a complete grant request. A complete grant request submittal means that all information in Sections 62-731.040 and 62-731.060(2)(a)-(c), or 62-731.062(2)(a)-(e), F.A.C., has been submitted. If a grant request submittal does not contain sufficient detail, the Department will request additional information.

(3) The total one time grant amount available for the small quantity generator assessment, notification and verification program shall not exceed \$30,000 per eligible county.

(4) The total one time grant amount for a county establishing an expanded local hazardous waste management program shall not exceed \$50,000 per eligible county.

*Specific Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7225, 403.7234, 403.7238, 403.7265, 403.74 FS. History—New 2-9-84, Amended 1-27-85, Formerly 17-31.05, 17-31.050, Amended 8-8-94, Formerly 17-731.050, Amended 3-15-95.*

**62-731.060 Small Quantity Generator Assessment, Notification and Verification Program Grant Eligibility and Standards.**

(1) County applicants are to consult and discuss plans to conduct the small quantity generator assessment, notification and verification program with the Department prior to submitting a grant request. This discussion should pertain to the requirements of 62-731.060(2)(a), (b), and (c), and be held as early as possible in the planning process.

(2) County applicants must meet the following requirements:

(a) Development of a funding mechanism to directly support the small quantity generator assessment, notification and verification program.

(b) A legally binding agreement between the County and the Department that certifies the county will implement its small quantity generator assessment, notification and verification program as specified in the "Guidelines to Conduct the County Small Quantity Generator Assessment, Notification and Verification Program – February, 1994" for a five-year cycle.

(c) Demonstrate that the county is experiencing financial hardship and does not have a funding mechanism dedicated to the small quantity generator assessment, notification and verification program.

*Specific Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7225, 403.7234, 403.7265, 403.74 FS. History—New 2-9-84, Formerly 17-31.06, 17-31.060, Amended 8-8-94, Formerly 17-731.060.*

**62-731.062 Expanded Local Hazardous Waste Management Program Grant Eligibility and Standards.**

(1) County applicants are to consult and discuss plans to conduct the expanded local hazardous waste management program with the Department prior to submitting a grant request. This discussion should pertain to the requirements of 62-731.062(2)(a),(b), (c), and (d), and be held as early as possible in the planning process.

(2) County applicants must meet the following requirements:

(a) Establish a funding mechanism to support its small quantity generator assessment, notification and verification program and the expanded local hazardous waste management program.

(b) A plan to reduce the generation of hazardous waste and hazardous emissions from local governmental agencies and departments.

(c) A legally binding agreement between the County and the Department certifying that the county will continue to implement an expanded local hazardous waste management assessment program for a minimum of three years after the grant assistance ceases.

(d) Adoption of a local ordinance that grants the county authority to administer, including enforcement or compliance assistance, proper hazardous waste management practices for the generators of small quantities of hazardous waste. The Department will approve a county ordinance concerning the management of hazardous waste if the county ordinance incorporates provisions that are consistent with the regulatory provisions governing small quantity generators found in 40 C.F.R. Parts 260, 261, 262, and 266 as adopted by reference in Chapter 62-730, F.A.C.

(3) Total cost for administration shall not exceed 10 percent of the county's grant award.

*Specific Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7238, 403.74 FS. History—New 8-8-94, Formerly 17-731.062, Amended 3-15-95.*

**62-731.064 Award of Grant Funds.**

(1) Final grant requests must be submitted to the Department on or before November 1 of each State appropriation year.

(2) The Department shall notify county applicants of the status of their grant request by December 15.

(3) Grant funds remaining after the initial awards are made will be awarded to additional grant applicants on a competitive basis each month until grant funds are no longer available.

(4) Grant funds are not available to meet the costs associated with work done prior to the effective date of the grant award.

(5) Grant funds are subject to termination and refund if the approved grant request is substantially deviated from or the local government fails to fulfill the grant requirements.

*Specific Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7225, 403.7234, 403.7238, 403.7265, 403.74 FS. History—New 8-8-94, Formerly 17-731.064.*