

### **HJR 3-A — Relating to Solid Waste Disposal/H 569 New Effective Date**

by Representative Hooper (Identical to SJR 14-A by Senator Gaetz)

This joint resolution establishes a new effective date of November 17, 2010, for CS/SB 569, which was passed by both chambers of the Legislature during the 2010 Regular Session of the Legislature but was vetoed by the Governor.

Pursuant to Section 9, Article III of the State Constitution, the effective date of a law passed over the veto of the Governor shall take effect on the sixtieth day after adjournment sine die of the session in which the veto is overridden, on a later date fixed in the law, or on a date fixed by resolution passed by both houses of the Legislature. This joint resolution provides an effective date of November 17, 2010, notwithstanding the veto of the Governor.

CS/SB 569 amends section 403.708, F.S., to allow Class I landfills that are designed to utilize an active gas collection system, provide or arrange for beneficial use of the landfill gas collected at such facilities, and obtain a permit modification to their operating permit, to accept yard trash.

A Class I landfill must obtain a minor permit modification to its operating permit which describes the beneficial use being made of the landfill gas and modifies the facility's operation plan before receiving yard trash. The permittee must certify that gas collection and beneficial use will continue after the facility closes. Further, if the landfill is located in a county that owns and operates a compost facility, a waste-to-energy facility, or a biomass facility that sells renewable energy to a public utility and that is authorized to accept yard trash, the DEP must notify, and provide the county the opportunity to comment on, the application for permit modification. This exception does not apply to a county that operates under a constitutional home rule charter. Finally, this exception to the ban on disposing yard trash in a Class I landfill is not intended to have a material impact on current operations at existing waste-to-energy or biomass facilities.

These provisions become law without the Governor's signature with an effective date of November 17, 2010.

*Vote: Senate 39-0; House 120-0*