

By Representative Smith

1                                   A bill to be entitled  
2           An act relating to disposal of solid waste;  
3           amending s. 403.707, F.S.; revising and  
4           clarifying conditions under which the disposal  
5           of solid waste is exempt from Department of  
6           Environmental Protection permitting  
7           requirements; providing an effective date.

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9   Be It Enacted by the Legislature of the State of Florida:

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11           Section 1. Subsection (2) of section 403.707, Florida  
12   Statutes, is amended to read:

13           403.707 Permits.--

14           (2) Except as provided in s. 403.722(6), no permit  
15   under this section is required for the following, provided  
16   that the activity shall not create a no public nuisance or any  
17   condition adversely affecting the environment or public health  
18   and shall is created and the activity does not violate other  
19   state or local laws, ordinances, rules, regulations, or  
20   orders:

21           (a) Disposal by persons of solid waste resulting from  
22   their own activities on their own property, provided such  
23   waste is either ordinary household waste from their  
24   residential property or is rocks, soils, trees, tree remains,  
25   and other vegetative matter which normally result from land  
26   development operations. Disposal of materials which could  
27   create a public nuisance or adversely affect the environment  
28   or public health, such as: white goods; automotive materials,  
29   such as batteries and tires; petroleum products; pesticides;  
30   solvents; or hazardous substances, is not covered under this  
31   exemption.

1           (b) Storage in containers by persons of solid waste  
2 resulting from their own activities on their property, leased  
3 or rented property, or property subject to a homeowners or  
4 maintenance association for which the person contributes  
5 association assessments, if the solid waste in such containers  
6 is collected at least once a week.

7           (c) Disposal by persons of solid waste resulting from  
8 their own activities on their property, provided the  
9 environmental effects of such disposal on groundwater and  
10 surface waters are:

11           1. Addressed or authorized by a site certification  
12 order issued under part II or a permit issued by the  
13 department pursuant to this chapter or rules adopted pursuant  
14 thereto; or

15           2. Addressed or authorized by, or exempted from the  
16 requirement to obtain, a groundwater monitoring plan approved  
17 by the department.

18           (d) Disposal by persons of solid waste resulting from  
19 their own activities on their own property, provided that such  
20 disposal occurred prior to October 1, 1988.

21           (e) Disposal of solid waste resulting from normal  
22 farming operations as defined by department rule.  
23 Polyethylene agricultural plastic, damaged, nonsalvageable,  
24 untreated wood pallets, and packing material that cannot be  
25 feasibly recycled, which are used in connection with  
26 agricultural operations related to the growing, harvesting, or  
27 maintenance of crops, may be disposed of by open burning,  
28 provided that no public nuisance or any condition adversely  
29 affecting the environment or the public health is created  
30 thereby and that state or federal ambient air quality  
31 standards are not violated.

