

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: January 8, 1998 Revised: \_\_\_\_\_

Subject: Solid waste disposal

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	Green	Voigt	NR	Favorable
2.	_____	_____	WM	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill revises and clarifies the conditions under which the disposal of household solid waste is exempt from the Department of Environmental Protection’s permit requirements.

This bill amends subsection (2) of s. 403.707, Florida Statutes.

II. Present Situation:

Section 403.707, F.S., establishes permit requirements to be administered by the Department of Environmental Protection for various types of solid waste management activities. Subsection (2) of s. 403.707, F.S., provides that no permit is required for disposal by persons of solid waste resulting from activities on their own property when the disposal does not create a public nuisance or threaten public health or the environment. In addition, the activity must not violate other state or local laws. The waste disposed of must consist of ordinary household waste or rocks, soils, trees, tree remains, or other vegetative matter which normally results from land development operations. These provisions arose out of the Solid Waste Management Act passed in 1988. Recently, concerns have been expressed to the department over potential abuses of this permit exemption which indicate more legislative guidance may be required to clarify the household wastes not covered by the exemption.

III. Effect of Proposed Changes:

This bill clarifies those household wastes not covered by the permit exemption in s. 403.707(2), F.S. Specifically, the bill identifies white goods, automotive materials such as batteries and tires, petroleum products, pesticides, solvents, or hazardous substances as materials which could create

a public nuisance or threaten the public health or environment and, therefore, not covered under the statutory exemption.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.

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This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

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