

1 A bill to be entitled
2 An act relating to pollution control; amending
3 s. 403.061, F.S.; providing rule-making
4 authority; amending s. 403.707, F.S.; requiring
5 an applicant for a permit to construct or
6 modify a solid waste management facility to
7 notify the local government of the filing of
8 application; requiring publishing of the
9 application; providing requirements with
10 respect thereto; amending s. 403.71851, F.S.;
11 providing for electronics recycling grants;
12 providing that grant funding shall be used for
13 certain demonstration projects; providing for
14 the Department of Environmental Protection to
15 conduct a comprehensive review of certain waste
16 reduction and recycling goals and other related
17 legislative requirements; providing that the
18 department must issue a report; providing an
19 effective date.

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

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23 Section 1. Subsections (37), (38), and (39) of s.
24 403.061, Florida Statutes, are amended to read:

25 403.061 Department; powers and duties.--The department
26 shall have the power and the duty to control and prohibit
27 pollution of air and water in accordance with the law and
28 rules adopted and promulgated by it and, for this purpose, to:

29 (37) Enter into a memorandum of agreement with the
30 Florida Ports Council which provides a supplemental permitting
31 process for the issuance of a joint coastal permit pursuant to

1 s. 161.055 or environmental resource permit pursuant to part
2 IV of chapter 373, to a port listed in s. 311.09(1), for
3 maintenance dredging and the management of dredged materials
4 from maintenance dredging of all navigation channels, port
5 harbors, turning basins, and harbor berths. Such permit shall
6 be issued for a period of 5 years and shall be annually
7 extended for an additional year if the port is in compliance
8 with all permit conditions at the time of extension.The
9 department is authorized to adopt rules to implement this
10 subsection.

11 (38) Enter into a memorandum of agreement with the
12 Florida Ports Council which provides a supplemental permitting
13 process for the issuance of a conceptual joint coastal permit
14 pursuant to s. 161.055 or environmental resource permit
15 pursuant to part IV of chapter 373, to a port listed in s.
16 311.09(1), for dredging and the management of materials from
17 dredging and for other related activities necessary for
18 development, including the expansion of navigation channels,
19 port harbors, turning basins, harbor berths, and associated
20 facilities. Such permit shall be issued for a period of up to
21 15 years.The department is authorized to adopt rules to
22 implement this subsection.

23 (39) Enter into a memorandum of agreement with the
24 Florida Inland Navigation District and the West Coast Inland
25 Navigation District, or their successor agencies, to provide a
26 supplemental process for issuance of joint coastal permits
27 pursuant to s. 161.055 or environmental resource permits
28 pursuant to part IV of chapter 373 for regional waterway
29 management activities, including, but not limited to,
30 maintenance dredging, spoil disposal, public recreation, inlet
31 management, beach nourishment, and environmental protection

1 directly related to public navigation and the construction,
2 maintenance, and operation of Florida's inland waterways. The
3 department is authorized to adopt rules to implement this
4 subsection.

5 Section 2. Subsection (14) is added to section
6 403.707, Florida Statutes, to read:

7 403.707 Permits.--

8 (14) Before or on the same day of filing with the
9 department of an application for a permit to construct or
10 substantially modify a solid waste management facility, the
11 applicant shall notify the local government having
12 jurisdiction over the facility of the filing of the
13 application. The applicant also shall publish notice of the
14 filing of the application in a newspaper of general
15 circulation in the area where the facility will be located.
16 Notice shall be given and published in accordance with
17 applicable department rules. The department shall not issue
18 the requested permit until the applicant has provided the
19 department with proof that the notices required by this
20 subsection have been given. Issuance of a permit does not
21 relieve an applicant from compliance with local zoning or land
22 use ordinances, or with any other law, rules, or ordinances.

23 Section 3. Section 403.71851, Florida Statutes, is
24 amended to read:

25 403.71851 Electronic recycling ~~lead-containing~~
26 ~~materials~~ grants.--The Department of Environmental Protection
27 is authorized to use funds from the Solid Waste Management
28 Trust Fund as grants to Florida-based businesses with 5 or
29 more years' experience in electronics recycling that recycle
30 electronics such as commercial telephone switching equipment,
31 computers, televisions, ~~lead-acid batteries and other~~

1 ~~lead-containing materials, including products such as~~
2 ~~televisions and computer monitors~~ and other products that
3 utilize lead-containing cathode ray tubes. This ~~incentive~~
4 funding ~~shall~~ may be used for demonstration projects with one
5 or more counties for countywide comprehensive electronics
6 recycling where that term means recycling that provides
7 service to the private sector, nonprofit organizations,
8 governmental agencies and the residential sector. This funding
9 may also be used for grants to counties to develop methods to
10 collect and transport electronics to be recycled provided such
11 methods are comprehensive in nature ~~research and development~~
12 ~~in methods to recover and recycle lead from the environment;~~
13 ~~for innovative technologies and equipment to process and~~
14 ~~recycle lead-containing materials; and for establishing an~~
15 ~~infrastructure to collect and transport lead-containing~~
16 ~~material to Florida-based recycling businesses.~~

17 Section 4. The Department of Environmental Protection
18 shall conduct a comprehensive review of the waste reduction
19 and recycling goals set out in part IV of chapter 403, Florida
20 Statutes, and other legislative requirements in view of
21 reduced available funding for these purposes. The review shall
22 include, but is not limited to, the appropriateness of
23 maintaining, extending, or revising the goals; the
24 effectiveness of current programs for meeting the goals; the
25 role of Keep Florida Beautiful, Inc.; the need to continue
26 those programs; alternative techniques for improving those
27 programs; alternative strategies for meeting the needs of the
28 programs; and any other issues related to resource recovery
29 and management. The department shall consult with persons
30 knowledgeable about recycling and waste reduction, including,
31 but not limited to, representatives of local government, the

1 private recycling industry, and the private waste management
2 industry. The department shall issue its report,
3 recommendations, and proposed legislative changes to the
4 Governor, the President of the Senate, and the Speaker of the
5 House of Representatives by October 31, 2001.

6 Section 5. This act shall take effect July 1, 2001.
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