

1 A bill to be entitled
2 An act relating to landfills; amending s. 403.708, F.S.;
3 authorizing the disposal of yard trash at specified Class
4 I landfills; requiring such landfills to obtain a modified
5 operating permit; requiring permittees to certify certain
6 collection and beneficial use of landfill gas; providing
7 applicability; 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. Paragraph (c) of subsection (12) of section
12 403.708, Florida Statutes, is amended to read:

13 403.708 Prohibition; penalty.—

14 (12) A person who knows or should know of the nature of
15 the following types of solid waste may not dispose of such solid
16 waste in landfills:

17 (c) Yard trash in lined landfills classified by department
18 rule as Class I landfills, unless the Class I landfill uses an
19 active gas-collection system to collect landfill gas generated
20 at the disposal facility and provides or arranges for a
21 beneficial use of the gas. A qualifying permitted Class I
22 landfill shall obtain a minor permit modification to its
23 operating permit which describes the beneficial use being made
24 of the landfill gas and modifies the facility's operation plan
25 before receiving yard trash as authorized by this paragraph. The
26 permittee must certify that gas collection and beneficial use
27 will continue after closure of the disposal facility that is
28 accepting yard trash. Yard trash that is source separated from

29 | solid waste may be accepted at a solid waste disposal area where
30 | separate yard trash composting facilities are provided and
31 | maintained. The department recognizes that incidental amounts of
32 | yard trash may be disposed of in Class I landfills. In any
33 | enforcement action taken pursuant to this paragraph, the
34 | department shall consider the difficulty of removing incidental
35 | amounts of yard trash from a mixed solid waste stream. This
36 | paragraph applies to all units of local government, including,
37 | but not limited to, municipalities, counties, and special
38 | districts. However, this paragraph does not apply to any county
39 | that currently operates under a constitutional home rule charter
40 | previously authorized in 1956 by the voters of Florida in a
41 | statewide referendum.

42 | Section 2. This act shall take effect July 1, 2010.