

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Williams, T. offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 642 and 643, insert:

5 Section 10. Paragraph (c) of subsection (12) of section
6 403.708, Florida Statutes, is amended to read:

7 403.708 Prohibition; penalty.—

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

11 (c) Yard trash in lined landfills classified by department
12 rule as Class I landfills; unless the Class I landfill uses an
13 active gas-collection system to collect landfill gas generated
14 at the disposal facility and provides or arranges for a
15 beneficial use of the gas. A Class I landfill may also accept
16 yard trash for the purpose of mulching and utilizing such yard

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17 trash to provide landfill cover for municipal solid waste
18 disposed at the landfill. The department, by rule, shall develop
19 and adopt a methodology to award recycling credit for the use of
20 yard trash at a Class I landfill with a gas-collection system
21 that makes beneficial use of the collected landfill gas. A
22 qualifying permitted Class I landfill shall obtain a minor
23 permit modification to its operating permit which describes the
24 beneficial use being made of the landfill gas and modifies the
25 facility's operation plan before receiving yard trash as
26 authorized under this paragraph. The permittee must certify that
27 gas collection and beneficial use will continue after closure of
28 the disposal facility that is accepting yard trash. If the
29 landfill is located in a county that owns and operates a compost
30 facility, waste-to-energy facility, or biomass facility that
31 sells renewable energy to a public utility and that is
32 authorized to accept yard trash, the department shall provide to
33 the county notice of, and opportunity to comment on, the
34 application for permit modification. Yard trash that is source
35 separated from solid waste may be accepted at a solid waste
36 disposal area where separate yard trash composting facilities
37 are provided and maintained. The department recognizes that
38 incidental amounts of yard trash may be disposed of in Class I
39 landfills. In any enforcement action taken pursuant to this
40 paragraph, the department shall consider the difficulty of
41 removing incidental amounts of yard trash from a mixed solid
42 waste stream. This limited exception applies to all units of
43 local government, including, but not limited to, municipalities,
44 counties, and special districts. However, this limited exception

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45 does not apply to any county that currently operates under a
46 constitutional home rule charter previously authorized in 1956
47 by the voters of Florida in a statewide referendum. This limited
48 exception to the ban on disposing of yard trash in a Class I
49 landfill is not intended to have a material impact on current
50 operations at existing waste-to-energy or biomass facilities.

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Remove line 50 and insert:

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providing an exception; amending s. 403.708, F.S.;

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authorizing the disposal of yard trash at specified Class

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I landfills; requiring such landfills to obtain a

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modified operating permit; requiring permittees to

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certify certain collection and beneficial use of landfill

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gas; providing applicability; amending s. 403.709, F.S.;