

Amendment No.

CHAMBER ACTION

Senate

House

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Representatives Poppell and Sands offered the following:

**Amendment (with title amendment)**

Between lines 728 and 729, insert:

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

403.708 Prohibition; penalty.—

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

(c) Yard trash in lined landfills classified by department rule as Class I landfills, unless the Class I landfill uses an active gas-collection system to collect landfill gas generated at the disposal facility and provides or arranges for a beneficial use of the gas. A Class I landfill may also accept 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.

51  
52  
53 -----  
54 **T I T L E A M E N D M E N T**

55 Remove line 61 and insert:

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

57 authorizing the disposal of yard trash at specified Class

58 I landfills; requiring such landfills to obtain a modified

59 operating permit; requiring permittees to certify certain

60 collection and beneficial use of landfill gas; providing

61 applicability and intent; amending s. 403.709, F.S.;