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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/28/2017	.	
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The Committee on Environmental Preservation and Conservation
(Perry) recommended the following:

Senate Amendment to Amendment (228236)

Delete lines 12 - 109

and insert:

(28) through (47), respectively, present subsections (27), (32),
and (35) of that section are amended, and new subsections (10),
(24), (26), and (27) are added to that section, to read:

403.703 Definitions.—As used in this part, the term:

(10) "Gasification" means a process through which post-use
polymers are heated and converted to synthesis gas in an oxygen-



516838

11 deficient atmosphere, and then converted to crude oil, fuels, or
12 chemical feedstocks.

13 (24) "Post-use polymer" means a plastic polymer that is
14 derived from any domestic, commercial, or municipal activity;
15 that is not recycled in commercial markets; and may otherwise
16 become waste if not converted to manufacture crude oil, fuels,
17 or other raw materials or intermediate or final products using
18 gasification or pyrolysis. A post-use polymer may contain
19 incidental contaminants or impurities such as paper labels or
20 metal rings.

21 (26) "Pyrolysis" means a process through which post-use
22 polymers are heated in the absence of oxygen until melted and
23 thermally decomposed, and then cooled, condensed, and converted
24 to:

25 (a) Crude oil, diesel, gasoline, home heating oil, or
26 another fuel;

27 (b) Feedstocks;

28 (c) Diesel and gasoline blendstocks;

29 (d) Chemicals, waxes, or lubricants; or

30 (e) Other raw materials or intermediate or final products.

31 (27) "Pyrolysis facility" means a facility that receives,
32 separates, stores, and converts post-use polymers, using
33 gasification or pyrolysis. A pyrolysis facility meeting the
34 conditions of s. 403.7045(1) (e) is not a solid waste management
35 facility.

36 ~~(31)~~(27) "Recycling" means any process by which solid
37 waste, or materials that would otherwise become solid waste, are
38 collected, separated, or processed and reused or returned to use
39 in the form of raw materials or intermediate or final products.



516838

40 Such raw materials or intermediate or final products may
41 include, but are not limited to, crude oil, fuels, and fuel
42 substitutes.

43 (36)~~(32)~~ "Solid waste" means sludge unregulated under the
44 federal Clean Water Act or Clean Air Act, sludge from a waste
45 treatment works, water supply treatment plant, or air pollution
46 control facility, or garbage, rubbish, refuse, special waste, or
47 other discarded material, including solid, liquid, semisolid, or
48 contained gaseous material resulting from domestic, industrial,
49 commercial, mining, agricultural, or governmental operations.
50 Recovered materials as defined in subsection (28) ~~(24)~~ are not
51 solid waste.

52 (39)~~(35)~~ "Solid waste management facility" means any solid
53 waste disposal area, volume reduction plant, transfer station,
54 materials recovery facility, or other facility, the purpose of
55 which is resource recovery or the disposal, recycling,
56 processing, or storage of solid waste. The term does not include
57 recovered materials processing facilities or pyrolysis
58 facilities that meet the requirements of s. 403.7046, except the
59 portion of such facilities, if any, which is used for the
60 management of solid waste.

61 Section 2. Subsection (1) of section 403.7045, Florida
62 Statutes, is amended to read:

63 403.7045 Application of act and integration with other
64 acts.—

65 (1) The following wastes or activities may ~~shall~~ not be
66 regulated pursuant to this act:

67 (a) Byproduct material, source material, and special
68 nuclear material, the generation, transportation, disposal,



516838

69 storage, or treatment of which is regulated under chapter 404 or
70 the federal Atomic Energy Act of 1954, ch. 1073, 68 Stat. 923,
71 as amended;

72 (b) Suspended solids and dissolved materials in domestic
73 sewage effluent or irrigation return flows or other discharges
74 which are point sources subject to permits pursuant to this
75 chapter or s. 402 of the Clean Water Act, Pub. L. No. 95-217;

76 (c) Emissions to the air from a stationary installation or
77 source regulated under this chapter or the Clean Air Act, Pub.
78 L. No. 95-95;

79 (d) Drilling fluids, produced waters, and other wastes
80 associated with the exploration for, or development and
81 production of, crude oil or natural gas which are regulated
82 under chapter 377; or

83 (e) Recovered materials, ~~or~~ recovered materials processing
84 facilities, or pyrolysis facilities, except as provided in s.
85 403.7046, if:

86 1. A majority of the recovered materials at the facility
87 are demonstrated to be sold, used, or reused within 1 year. As
88 used in this subparagraph, the terms "used" or "reused" include,
89 but are not limited to, the conversion of post-use polymers into
90 crude oil, fuels,