

1 A bill to be entitled
 2 An act relating to the collection of residential
 3 recyclable material; amending s. 403.706, F.S.;
 4 requiring counties and municipalities to address
 5 contamination of recyclable material in specified
 6 contracts; prohibiting counties and municipalities
 7 from requiring the collection or transport of
 8 contaminated recyclable material by residential
 9 recycling collectors; defining the term "residential
 10 recycling collector"; specifying required contract
 11 provisions in residential recycling collector and
 12 materials recovery facility contracts with counties
 13 and municipalities; providing applicability; providing
 14 an effective date.

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

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 18 Section 1. Subsection (22) of section 403.706, Florida
 19 Statutes, is renumbered as subsection (23), and a new subsection
 20 (22) is added to that section, to read:

21 403.706 Local government solid waste responsibilities.—

22 (22) Counties and municipalities must address the
 23 contamination of recyclable material in contracts for the
 24 collection, transportation, and processing of residential
 25 recyclable material based upon the following:

26 (a) A residential recycling collector may not be required
27 to collect or transport contaminated recyclable material, except
28 pursuant to a contract consistent with paragraph (c). As used in
29 this subsection, the term "residential recycling collector"
30 means a for-profit business entity that collects and transports
31 residential recyclable material on behalf of a county or
32 municipality.

33 (b) A recovered materials processing facility may not be
34 required to process contaminated recyclable material, except
35 pursuant to a contract consistent with paragraph (d).

36 (c) Each contract between a residential recycling
37 collector and a county or municipality for the collection or
38 transport of residential recyclable material, and each request
39 for proposal or other solicitation for the collection of
40 residential recyclable material, must define the term
41 "contaminated recyclable material." The term should be defined
42 in a manner that is appropriate for the local community, taking
43 into consideration available markets for recyclable material,
44 available waste composition studies, and other relevant factors.
45 The contract and request for proposal or other solicitation must
46 include:

47 1. The respective strategies and obligations of the county
48 or municipality and the residential recycling collector to
49 reduce the amount of contaminated recyclable material being
50 collected;

51 2. The procedures for identifying, documenting, managing,
52 and rejecting residential recycling containers, truck loads,
53 carts, or bins that contain contaminated recyclable material;

54 3. The remedies authorized to be used if a container,
55 cart, or bin contains contaminated recyclable material; and

56 4. The education and enforcement measures that will be
57 used to reduce the amount of contaminated recyclable material.

58 (d) Each contract between a recovered materials processing
59 facility and a county or municipality for processing residential
60 recyclable material, and each request for proposal or other
61 solicitation for processing residential recyclable material,
62 must define the term "contaminated recyclable material." The
63 term should be defined in a manner that is appropriate for the
64 local community, taking into consideration available markets for
65 recyclable material, available waste composition studies, and
66 other relevant factors. The contract and request for proposal
67 must include:

68 1. The respective strategies and obligations of the county
69 or municipality and the facility to reduce the amount of
70 contaminated recyclable material being collected and processed;

71 2. The procedures for identifying, documenting, managing,
72 and rejecting residential recycling containers, truck loads,
73 carts, or bins that contain contaminated recyclable material;

74 and

75 3. The remedies authorized to be used if a container or

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76 | truck load contains contaminated recyclable material.

77 | (e) This subsection applies to each contract between a
78 | municipality or county and a residential recycling collector or
79 | recovered materials processing facility executed or renewed
80 | after July 1, 2019.

81 | (f) This subsection applies only to the collection and
82 | processing of material obtained from residential recycling
83 | activities. As used in this subsection, the term "contaminated
84 | recyclable material" refers only to recyclable material that is
85 | comingled or mixed with solid waste or other nonhazardous
86 | material. The term does not include contamination as that term
87 | or a derivation of that term is used in chapter 376 and other
88 | sections of chapter 403, including, but not limited to,
89 | brownfield site cleanup, water quality remediation, dry cleaning
90 | solvent contaminated site cleanup, petroleum contaminated site
91 | cleanup, cattle dipping vat site cleanup, or other hazardous
92 | waste remediation.

93 | Section 2. This act shall take effect July 1, 2019.