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LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: RCS | . | |
| 02/02/2022 | . | |
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Appropriations Subcommittee on Agriculture, Environment, and
General Government (Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 403.0741, Florida Statutes, is created
to read:

403.0741 Grease waste removal and disposal.-

(1) DEFINITIONS.-As used in this section, the term:

(a) "Disposal facility" means a permitted or certified
waste management facility that is authorized to receive grease



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11 waste.

12 (b) "Graywater" means kitchen sink wastewater.

13 (c) "Grease interceptor or grease trap" means a receptacle
14 through which wastewater containing fats, oils, or grease flows
15 before entering a drainage system and which is designed to trap
16 or intercept the fats, oils, or grease while allowing clear
17 water to escape. The term does not include receptacles designed
18 specifically for collecting used cooking oil or fats and bones.

19 (d) "Grease waste" means liquid or solid material composed
20 primarily of fatty substances, oils, and grease from animal or
21 vegetable sources which is retained in a grease interceptor or
22 grease trap.

23 (e) "Hauler" means a person who removes and disposes of
24 grease waste.

25 (f) "Originator" means a food service establishment that
26 processes, prepares, or serves food or beverages for consumption
27 by the public, including, but not limited to, restaurants,
28 commercial kitchens, cafeterias, hotels, school kitchens,
29 hospitals, prisons, correctional facilities, and care
30 institutions.

31 (g) "Service manifest" means an electronic or hard copy
32 recordkeeping system used for the collection and disposal of
33 grease waste pursuant to this section. The service manifest must
34 consist of an originator section, a hauler section, and a
35 disposal facility section and must contain, at a minimum, the
36 following information:

37 1. The name, address, and telephone number of the
38 originator.

39 2. The name, address, and telephone number of the hauler.



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40 3. The name, address, and telephone number of the disposal
41 facility.

42 4. The condition of the originator's grease interceptor or
43 grease trap and verification that the grease interceptor or
44 grease trap was cleaned by the hauler and that graywater was not
45 returned to the grease interceptor or grease trap.

46 5. The amount of grease waste removed from the originator's
47 grease interceptor or grease trap.

48 6. The amount of grease waste disposed of at the disposal
49 facility.

50 7. The billing receipt or ticket number provided to the
51 hauler by the disposal facility.

52 (2) DISPOSAL OF GREASE WASTE.—

53 (a) A hauler who removes grease waste from a grease
54 interceptor or grease trap must dispose of the grease waste at a
55 disposal facility.

56 (b) A hauler may not:

57 1. Return grease waste or graywater to a grease interceptor
58 or grease trap; or

59 2. Dispose of grease waste in any location other than a
60 disposal facility.

61 (3) GREASE WASTE SERVICE MANIFEST.—

62 (a) A hauler must document the removal and disposal of
63 grease waste with a service manifest.

64 (b) Upon completion of grease waste removal during the
65 originator's hours of operation, the originator and the hauler
66 must sign the service manifest, verifying that the information
67 contained in the service manifest is accurate. The hauler must
68 provide a copy of the signed service manifest to the originator.



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69 If the grease waste removal occurs when the originator is closed
70 or before or after the originator's hours of operation, the
71 hauler must sign the service manifest, verifying that the
72 information contained in the service manifest is accurate, and
73 leave a signed copy of the service manifest on the premises in a
74 location designated by the originator or make the service
75 manifest available to the originator electronically.

76 (c) Upon completion of grease waste disposal, the disposal
77 facility operator and the hauler must sign the service manifest,
78 verifying that the information contained in the service manifest
79 is accurate.

80 (d) The hauler must provide the originator and the county
81 and municipality in which the originator is located with a copy
82 of the completed service manifest showing the signatures of the
83 originator if signed pursuant to paragraph (b), the hauler, and
84 the disposal facility operator within 30 days after the date of
85 the disposal.

86 (e) A copy of the signed completed service manifest must be
87 retained onsite by the originator and the hauler for 1 year.

88 (4) COMPLIANCE INSPECTIONS.—

89 (a) An inspecting entity must verify that an originator has
90 a contract with a hauler for grease waste removal and that
91 grease waste removal and disposal are documented pursuant to
92 this section.

93 (b) The department shall periodically inspect the service
94 manifests retained by a hauler to ensure compliance with this
95 section.

96 (5) PENALTIES.—

97 (a) A hauler who violates this section is subject to the



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98 following penalties:

99 1. For each failure to provide or retain a service
100 manifest, an administrative fine not to exceed \$100.

101 2. For each failure to clean a grease interceptor or grease
102 trap, an administrative fine not to exceed \$250. The department
103 shall authorize an inspecting entity to impose this penalty as
104 part of a grease interceptor or grease trap inspection.

105 3. For an unlawful disposal of grease waste, an
106 administrative fine of at least \$2,500.

107 4. For a second or subsequent unlawful disposal of grease
108 waste, an administrative fine of at least \$5,000.

109 (b) For a violation of subparagraph (a)3., the penalty must
110 include a license suspension of at least 30 days.

111 (c) For a second or subsequent violation of subparagraph
112 (a)3., the penalty must include a license revocation of at least
113 12 months.

114 (6) REGULATION BY LOCAL GOVERNMENTS.—

115 (a) A local government may:

116 1. Receive copies of service manifests from haulers.

117 2. Receive reports of violations.

118 3. Collect and retain fines for service manifest
119 violations.

120 4. Impose license actions.

121 (b) This section does not prohibit a local government from
122 adopting or enforcing an ordinance or rule to regulate the
123 removal and disposal of grease waste which is stricter or more
124 extensive than this section.

125 (c) Fiscally constrained counties as described in s.
126 218.67(1) and small counties as defined in s. 339.2818(2) may



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127 opt out of the requirements of this section.

128 (7) RULES.—The department shall adopt rules to implement
129 this section.

130 Section 2. This act shall take effect July 1, 2022.

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132 ===== T I T L E A M E N D M E N T =====

133 And the title is amended as follows:

134 Delete everything before the enacting clause
135 and insert:

136 A bill to be entitled
137 An act relating to grease waste removal and disposal;
138 creating s. 403.0741, F.S.; defining terms; requiring
139 grease waste haulers to dispose of grease waste at
140 disposal facilities; prohibiting grease waste haulers
141 from returning grease waste and graywater to grease
142 interceptors and traps and from disposing of grease
143 waste at locations other than disposal facilities;
144 requiring haulers to document grease waste removal and
145 disposal with service manifests; providing
146 requirements for the service manifests; requiring
147 inspecting entities to verify certain contracts and
148 service manifests; requiring the Department of
149 Environmental Protection to periodically inspect
150 service manifests; providing penalties; authorizing
151 local governments to regulate grease waste removal and
152 disposal; providing construction; authorizing certain
153 counties to opt out of specified requirements;
154 requiring the department to adopt rules; providing an
155 effective date.



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