

By Senator Rouson

19-00790A-22

20221110\_\_

1 A bill to be entitled  
2 An act relating to grease waste removal and disposal;  
3 creating s. 403.742, F.S.; defining terms; requiring  
4 grease waste haulers to dispose of grease waste at  
5 disposal facilities; prohibiting grease waste haulers  
6 from returning grease waste and graywater to certain  
7 grease interceptors and traps and from disposing of  
8 grease waste at locations other than disposal  
9 facilities; requiring haulers to document grease waste  
10 removal and disposal with service manifests; requiring  
11 inspecting entities to verify certain contracts and  
12 service manifests; requiring the Department of  
13 Environmental Protection to periodically inspect  
14 service manifests; providing penalties; requiring that  
15 the fines from such penalties be deposited into the  
16 Water Quality Assurance Trust Fund; requiring the  
17 department to adopt rules; providing construction;  
18 providing an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22 Section 1. Section 403.742, Florida Statutes, is created to  
23 read:

24 403.742 Grease waste removal and disposal.-

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

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

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

19-00790A-22

20221110\_\_

30 (c) "Grease waste" means liquid or solid material composed  
31 primarily of fatty substances, oils, and grease from animal or  
32 vegetable sources which is retained in a grease interceptor or  
33 grease trap.

34 (d) "Hauler" means a person who removes and disposes of  
35 grease waste.

36 (e) "Originator" means a food service establishment that  
37 processes, prepares, or serves food or beverages for consumption  
38 by the public, including, but not limited to, restaurants,  
39 commercial kitchens, cafeterias, hotels, school kitchens,  
40 hospitals, prisons, correctional facilities, and care  
41 institutions.

42 (f) "Service manifest" means an electronic or hard copy  
43 recordkeeping system used for the collection and disposal of  
44 grease waste pursuant to this section. The service manifest must  
45 consist of an originator section, a hauler section, and a  
46 disposal facility section and must contain, at a minimum, the  
47 following information:

48 1. The name, address, and telephone number of the  
49 originator.

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

51 3. The name, address, and telephone number of the disposal  
52 facility.

53 4. The condition of the originator's grease interceptor or  
54 grease trap and verification that the grease interceptor or  
55 grease trap was cleaned by the hauler and that graywater was not  
56 returned to the grease interceptor or grease trap.

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

19-00790A-22

20221110\_\_

59 6. The amount of grease waste disposed of at the disposal  
60 facility.

61 7. The billing receipt or ticket number provided to the  
62 hauler by the disposal facility.

63 (2) DISPOSAL OF GREASE WASTE.—

64 (a) A hauler who removes grease waste from a grease  
65 interceptor or grease trap must dispose of the grease waste at a  
66 disposal facility.

67 (b) A hauler may not:

68 1. Return grease waste or graywater to a grease interceptor  
69 or grease trap; or

70 2. Dispose of grease waste in any location other than a  
71 disposal facility.

72 (3) GREASE WASTE SERVICE MANIFEST.—

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

75 (b) Upon completion of grease waste removal during the  
76 originator's hours of operation, the originator and the hauler  
77 must sign the service manifest, verifying that the information  
78 contained in the service manifest is accurate. The hauler must  
79 provide a copy of the signed service manifest to the originator.  
80 If the grease waste removal occurs when the originator is closed  
81 or before or after the originator's hours of operation, the  
82 hauler must sign the manifest, verifying that the information  
83 contained in the service manifest is accurate, and leave a  
84 signed copy of the service manifest on the premises in a  
85 location designated by the originator.

86 (c) Upon completion of grease waste disposal, the disposal  
87 facility operator and the hauler must sign the service manifest,

19-00790A-22

20221110\_\_

88 verifying that the information contained in the service manifest  
89 is accurate.

90 (d) The hauler must provide the originator with a copy of  
91 the completed service manifest showing the signatures of the  
92 originator if signed pursuant to paragraph (b), the hauler, and  
93 the disposal facility operator within 30 days after the date of  
94 the disposal.

95 (e) A copy of the signed completed service manifest must be  
96 retained on site by the originator and the hauler for 1 year.

97 (4) COMPLIANCE INSPECTIONS.—

98 (a) An inspecting entity must verify that an originator has  
99 a contract with a hauler for grease waste removal and that  
100 grease removal and disposal are documented pursuant to this  
101 section.

102 (b) The department shall periodically inspect the service  
103 manifests retained by a hauler to ensure compliance with this  
104 section.

105 (5) PENALTIES.—

106 (a) A hauler who violates this section is subject to the  
107 following penalties:

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

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

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

116 4. For a second or subsequent unlawful disposal of grease

19-00790A-22

20221110\_\_

117 waste, an administrative fine of at least \$5,000.

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

120 (c) For a second or subsequent violation of subparagraph  
121 (a)3., the penalty must include a license revocation of at least  
122 12 months.

123 (d) Fines collected pursuant to this subsection must be  
124 deposited into the Water Quality Assurance Trust Fund.

125 (6) RULES.—The department shall adopt rules to implement  
126 this section. In addition to the requirements under this  
127 section, the rules must provide for a local government to  
128 receive reports of violations and to collect fines and impose  
129 license actions.

130 (7) REGULATION BY LOCAL GOVERNMENTS.—This section does not  
131 prohibit a local government from adopting or enforcing an  
132 ordinance or rule to regulate the removal and disposal of grease  
133 waste which is stricter or more extensive than this section.

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