

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Environment, Agriculture &  
 2 Flooding Subcommittee

3 Representative Chaney offered the following:

4  
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

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

9 403.0741 Grease waste removal and disposal.-

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

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

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

15 (c) "Grease interceptor or grease trap" means a receptacle  
 16 through which wastewater containing fats, oils, or greases flows

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17 before entering a drainage system. The receptacle is designed to  
18 trap or intercept the fats, oils, or greases while allowing  
19 clear water to escape. The term does not include receptacles  
20 designed specifically for collecting used cooking oil, or fats  
21 and bones.

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

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

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

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

40 1. The name, address, and telephone number of the  
41 originator.

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

43 3. The name, address, and telephone number of the disposal  
44 facility.

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

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

51 6. The amount of grease waste disposed of at the disposal  
52 facility.

53 7. The billing receipt or ticket number provided to the  
54 hauler by the disposal facility.

55 (2) DISPOSAL OF GREASE WASTE.-

56 (a) A hauler who removes grease waste from a grease  
57 interceptor or grease trap must dispose of the grease waste at a  
58 disposal facility.

59 (b) A hauler may not:

60 1. Return grease waste or graywater to a grease  
61 interceptor or grease trap; or

62 2. Dispose of grease waste in any location other than a  
63 disposal facility.

64 (3) GREASE WASTE SERVICE MANIFEST.-

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

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

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

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

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

91 (4) COMPLIANCE INSPECTIONS.-

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

96        (b) The department shall periodically inspect the service  
97 manifests retained by a hauler to ensure compliance with this  
98 section.

99        (5) PENALTIES.-

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

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

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

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

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

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

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115 (c) For a second or subsequent violation of subparagraph  
116 (a)3., the penalty must include a license revocation of at least  
117 12 months.

118 (6) REGULATION BY LOCAL GOVERNMENTS.-

119 (a) A local government is authorized to:

120 1. Receive copies of service manifests from haulers.

121 2. Receive reports of violations.

122 3. Collect and retain fines for service manifest  
123 violations.

124 4. Impose license actions.

125 (b) This section does not prohibit a local government from  
126 adopting or enforcing an ordinance or rule to regulate the  
127 removal and disposal of grease waste that is stricter or more  
128 extensive than this section.

129 (c) Fiscally constrained counties, as described in s.  
130 218.67(1), and small counties, as defined in s. 339.2818(2), may  
131 opt out of the requirements of this section.

132 (7) RULES.-The department shall adopt rules to implement  
133 this section.

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

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137 **T I T L E A M E N D M E N T**

138 Remove everything before the enacting clause and insert:

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139 An act relating to grease waste removal and disposal;  
140 creating s. 403.0741, F.S.; providing definitions;  
141 requiring grease waste haulers to dispose of grease waste  
142 at disposal facilities; prohibiting grease waste haulers  
143 from returning grease waste and graywater to certain grease  
144 interceptors and traps and from disposing of grease waste  
145 at locations other than disposal facilities; requiring  
146 haulers to document grease waste removal and disposal with  
147 service manifests; requiring inspecting entities to verify  
148 certain contracts and service manifests; requiring the  
149 Department of Environmental Protection to periodically  
150 inspect service manifests; providing penalties; providing  
151 construction; requiring the department to adopt rules;  
152 providing an effective date.