

Amendment No.

CHAMBER ACTION

SenateHouse

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Representative Daley offered the following:

Amendment (with title amendment)

Remove lines 21-126 and insert:

(2) (a) A local government may not issue a construction permit pursuant to this section for a new solid waste disposal facility that uses an ash-producing incinerator or for a waste-to-energy facility if the proposed location of such facility is sited within a one-half mile radius of any residential property or school, as measured from the stack. This paragraph does not apply to any existing construction, current operation, or modification to such structure or operation in existence as of July 1, 2025.

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14 (b) A local government may not issue a construction permit
15 pursuant to this section for the expansion of any existing
16 landfill that is located within a 1-mile radius of any property
17 zoned residential unless the entirety of the site is brought up
18 to the department's environmental standards.

19 (5) ~~(4)~~ (a) In order to promote the production of renewable
20 energy from solid waste, each megawatt-hour produced by a
21 renewable energy facility using solid waste as a fuel shall
22 count as 1 ton of recycled material and shall be applied toward
23 meeting the recycling goals set forth in this section. If a
24 county creating renewable energy from solid waste implements and
25 maintains a program to recycle at least 50 percent of municipal
26 solid waste by a means other than creating renewable energy,
27 that county shall count 1.25 tons of recycled material for each
28 megawatt-hour produced. If waste originates from a county other
29 than the county in which the renewable energy facility resides,
30 the originating county shall receive such recycling credit. Any
31 byproduct resulting from the creation of renewable energy that
32 is recycled shall count towards the county recycling goals in
33 accordance with the methods and criteria developed pursuant to
34 paragraph (3) (h) ~~(2) (h)~~.

35 (b) A county may receive credit for one-half of the
36 recycling goal set forth in subsection (3) ~~(2)~~ from the use of
37 yard trash, or other clean wood waste or paper waste, in
38 innovative programs including, but not limited to, programs that

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39 produce alternative clean-burning fuels such as ethanol or that
40 provide for the conversion of yard trash or other clean wood
41 waste or paper waste to clean-burning fuel for the production of
42 energy for use at facilities other than a waste-to-energy
43 facility as defined in s. 403.7061. The provisions of this
44 paragraph apply only if a county can demonstrate that:

45 1. The county has implemented a yard trash mulching or
46 composting program, and

47 2. As part of the program, compost and mulch made from
48 yard trash is available to the general public and in use at
49 county-owned or maintained and municipally owned or maintained
50 facilities in the county and state agencies operating in the
51 county as required by this section.

52 (c) A county with a population of 100,000 or less may
53 provide its residents with the opportunity to recycle in lieu of
54 achieving the goal set forth in this section. For the purposes
55 of this section, the "opportunity to recycle" means that the
56 county:

57 1.a. Provides a system for separating and collecting
58 recyclable materials prior to disposal that is located at a
59 solid waste management facility or solid waste disposal area; or

60 b. Provides a system of places within the county for
61 collection of source-separated recyclable materials.

62 2. Provides a public education and promotion program that
63 is conducted to inform its residents of the opportunity to

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64 recycle, encourages source separation of recyclable materials,
65 and promotes the benefits of reducing, reusing, recycling, and
66 composting materials.

67 ~~(7)~~~~(6)~~ The department may reduce or modify the municipal
68 solid waste recycling goal that a county is required to achieve
69 pursuant to subsection (3) ~~(2)~~ if the county demonstrates to the
70 department that:

71 (a) The achievement of the goal set forth in subsection
72 (3) ~~(2)~~ would have an adverse effect on the financial
73 obligations of a county that are directly related to a waste-to-
74 energy facility owned or operated by or on behalf of the county;
75 and

76 (b) The county cannot remove normally combustible
77 materials from solid waste that is to be processed at a waste-
78 to-energy facility because of the need to maintain a sufficient
79 amount of solid waste to ensure the financial viability of the
80 facility.

81
82 The goal shall not be waived entirely and may only be reduced or
83 modified to the extent necessary to alleviate the adverse
84 effects of achieving the goal on the financial viability of a
85 county's waste-to-energy facility. Nothing in this subsection
86 shall exempt a county from developing and implementing a
87 recycling program pursuant to this act.

88 (21)~~(20)~~ In addition to any other penalties provided by

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law, a local government that does not comply with the requirements of subsections (3) ~~(2)~~ and (5) ~~(4)~~ shall not be eligible for grants from the Solid Waste Management Trust Fund, and the department may notify the Chief Financial Officer to withhold payment of all or a portion of funds payable to the local government by the department from the General Revenue Fund or by the department from any other state fund, to the extent not pledged to retire bonded indebtedness, unless the local government demonstrates that good faith efforts to meet the requirements of subsections (3) ~~(2)~~ and (5) ~~(4)~~ have been made or that the funds are being or will be used to finance the correction of a pollution control problem that spans jurisdictional boundaries.

Section 2. Present subsections (6) through (14) of section 403.707, Florida Statutes, are redesignated as subsections (7) through (15), respectively, and a new subsection (6) is added to that section, to read:

403.707 Permits.—

(6) (a) The department may not issue a construction permit pursuant to this section for a new solid waste disposal facility that uses an ash-producing incinerator or for a waste-to-energy facility if the proposed location of such facility is sited within a one-half mile radius of any residential property or school, as measured from the stack. This paragraph does not apply to any existing construction, current operation, or

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114 modification to such structure or operation in existence as of
115 July 1, 2025.

116 (b) The department may not issue a construction permit
117 pursuant to this section for the expansion of any existing
118 landfill that is located within a 1-mile radius of any property
119 zoned residential unless the entirety of the site is brought up
120 to the department's environmental standards.

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122
123 **T I T L E A M E N D M E N T**

124 Remove lines 5-8 and insert:

125 Protection, respectively, from issuing construction
126 permits for certain new solid waste disposal
127 facilities or waste-to-energy facilities in specified
128 areas or for the expansion of certain landfills
129 located in specified areas; providing applicability
130 for such solid waste disposal facilities and waste-to-
131 energy facilities; providing exceptions for such
132 landfills; conforming cross-references;

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