

HB 7243 — Environmental Control

by General Government Policy Council and Reps. T. Williams and others (CS/CS/SB 570 by Community Affairs Committee; Environmental Preservation and Conservation Committee and Senators Constantine and Crist)

The bill revises s. 288.9015, F.S., and directs Enterprise Florida in conjunction with the Department of Environmental Protection (DEP) to create the Recycling Business Assistance Center (RBAC) to coordinate between state agencies and the private sector for developing new markets for recyclable materials. The RBAC will also develop proposals and connect companies that use recyclable materials with Florida's workforce. The bill deletes a provision in current law concerning an air registry, which is now unnecessary because federal regulations specify reporting requirements. The bill amends s. 403.7032, F. S., to require all cities, counties, state entities, and public schools to report their recycling rates on all recyclable materials. The bill outlines the state's incremental recycling goals and specific benchmarks that must be reached by 2020.

The bill provides exemptions from reporting for cities that are fiscally constrained. Businesses are encouraged to report their recycling rates. The bill amends s. 403.706, F.S. and asks DEP to adopt rules establishing the method and criteria to be used by a county in calculating the recycling rates. The bill amends s. 403.705, F.S., to require DEP to report to the Legislature the state's recycling rates every two years. The bill provides that counties must implement a program for recycling construction and demolition (C&D) debris. If the state does not reach its recycling benchmarks by specified dates, the bill asks DEP to report to the Legislature programmatic changes that could assist in achieving the recycling goal.

The bill directs the Department of Management Services (DMS) to modify their procurement system to track the state's purchases of green and recycled materials. The bill deletes an obsolete requirement that DEP appoint a technical advisory committee to assist in developing rules governing the regulation of recovered materials. The bill allows renewable energy facilities to count a certain amount of the megawatts they produce towards the state recycling goals and incentivizes renewable energy producing counties that maintain a program to recycle at least 50 percent of municipal solid waste by means other than creating renewable energy. The bill requires the reporting of processed C&D debris, and, if economically feasible, all C&D debris is to be processed prior to disposal. The bill also requires DEP to adopt rules creating a voluntary certification program for materials recovery facilities. Further, DEP will appoint a technical advisory committee to develop this certification program. The bill also deletes the solid waste management grant program in DEP.

The bill specifies that local governments may enact ordinances to require multi-family dwellings and apartment complexes to allot space and receptacles for the separation of recyclable materials. The bill revises s. 403.7145, F.S., to replace the terms "aluminum" and "cans" with "beverage containers." The Capitol building must report its recycling rates to Leon County and those rates will be posted on DEP's website. Also, DMS will post the recycling rates of the buildings included in their state pool. The bill repeals s. 288.1185, F.S., the Recycling Markets Advisory Committee in the Office of Tourism, Trade, and Economic Development. Finally, the bill asks

the Florida Building Commission to encourage recycling, composting and the use of recyclable materials.

These provisions became law upon approval by the Governor on July 1, 2010.

Vote: Senate 36-0; House 120-0