

ATTACHMENT A

F L O R I D A H O U S E O F R E P R E S E N T A T I V E S

ENROLLED

CS/HB 73

2020 Legislature

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An act relating to environmental regulation; amending s. 403.706, F.S.; specifying requirements for contracts between residential recycling collectors or recovered materials processing facilities and counties or municipalities for the collection or processing of residential recycling material; providing that a residential recycling collector or recovered materials processing facility is not required to collect, transport, or process contaminated recyclable material except pursuant to specified contractual requirements after a contract is executed; defining the term "residential recycling collector"; providing applicability; amending s. 403.813, F.S.; prohibiting local governments from requiring further verification from the Department of Environmental Protection for certain projects; revising the types of dock and pier replacements and repairs that are exempt from such verification and certain permitting requirements; providing an effective date.

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

Section 1. Subsection (22) of section 403.706, Florida Statutes, is renumbered as subsection (23), and a new subsection

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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26 (22) is added to that section, to read:

27 403.706 Local government solid waste responsibilities.-

28 (22) (a) Each contract between a residential recycling
 29 collector and a county or municipality for the collection or
 30 transport of residential recyclable material, and each request
 31 for proposal or other solicitation for the collection of
 32 residential recyclable material, must include all of the
 33 following:

34 1. The respective strategies and obligations of the county
 35 or municipality and the residential recycling collector to
 36 reduce the amount of contaminated recyclable material being
 37 collected.

38 2. The procedures for identifying, documenting, managing,
 39 and rejecting residential recycling containers, truck loads,
 40 carts, or bins that contain contaminated recyclable material.

41 3. The remedies authorized to be used if a container,
 42 cart, or bin contains contaminated recyclable material.

43 4. The education and enforcement measures that will be
 44 used to reduce the amount of contaminated recyclable material.

45 5. A definition of the term "contaminated recyclable
 46 material" that is appropriate for the local community.

47 (b) Each contract between a recovered materials processing
 48 facility and a county or municipality for processing residential
 49 recyclable material, and each request for proposal or other
 50 solicitation for processing residential recyclable material,

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51 must include all of the following:

52 1. The respective strategies and obligations of the county
 53 or municipality and the facility to reduce the amount of
 54 contaminated recyclable material being collected and processed.

55 2. The procedures for identifying, documenting, managing,
 56 and rejecting residential recycling containers, truck loads,
 57 carts, or bins that contain contaminated recyclable material.

58 3. The remedies authorized to be used if a container or
 59 truck load contains contaminated recyclable material.

60 4. A definition of the term "contaminated recyclable
 61 material" that is appropriate for the local community.

62 (c) After a contract is executed, a residential recycling
 63 collector is not required to collect or transport contaminated
 64 recyclable material, except pursuant to a contract consistent
 65 with paragraph (a). As used in this subsection, the term
 66 "residential recycling collector" means a for-profit business
 67 entity that collects and transports residential recyclable
 68 material on behalf of a county or municipality.

69 (d) After a contract is executed, a recovered materials
 70 processing facility is not required to process contaminated
 71 recyclable material, except pursuant to a contract consistent
 72 with paragraph (b).

73 (e) This subsection applies to each contract between a
 74 municipality or county and a residential recycling collector or
 75 recovered materials processing facility executed or renewed

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76 after October 1, 2020.

77 (f) This subsection applies only to the collection and
 78 processing of material obtained from residential recycling
 79 activities. As used in this subsection, the term "contaminated
 80 recyclable material" refers only to recyclable material that is
 81 comingled or mixed with solid waste or other nonhazardous
 82 material. The term does not include contamination as that term
 83 or a derivation of that term is used in chapter 376 and other
 84 sections of chapter 403, including, but not limited to,
 85 brownfield site cleanup, water quality remediation, drycleaning-
 86 solvent-contaminated site cleanup, petroleum-contaminated site
 87 cleanup, cattle dipping vat site cleanup, or other hazardous
 88 waste remediation.

89 Section 2. Subsection (1) of section 403.813, Florida
 90 Statutes, is amended to read:

91 403.813 Permits issued at district centers; exceptions.—

92 (1) A permit is not required under this chapter, chapter
 93 373, chapter 61-691, Laws of Florida, or chapter 25214 or
 94 chapter 25270, 1949, Laws of Florida, and a local government may
 95 not require a person claiming this exception to provide further
 96 department verification, for activities associated with the
 97 following types of projects; however, except as otherwise
 98 provided in this subsection, this subsection does not relieve an
 99 applicant from any requirement to obtain permission to use or
 100 occupy lands owned by the Board of Trustees of the Internal