

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

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

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

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

403.706 Local government solid waste responsibilities.—

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

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

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

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

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

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

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