

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/CS/SB 714

SPONSOR: Commerce and Economic Opportunities Committee, Natural Resources Committee, and Senator Forman

SUBJECT: Solid and hazardous waste management

DATE: February 23, 2000 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Branning</u>	<u>Voigt</u>	<u>NR</u>	<u>Favorable/CS</u>
2.	<u>Joseph</u>	<u>Maclure</u>	<u>CM</u>	<u>Favorable/CS</u>
3.	_____	_____	<u>FP</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This committee substitute requires the Department of Environmental Protection to include in its annual legislative budget request funding for the Southern Waste Information Exchange, Inc., from the Solid Waste Management Trust Fund to assist Florida's public and private sectors with solid and hazardous waste management. This committee substitute also provides that hazardous waste transfer facilities are to be regulated like other hazardous waste facilities and will be required to obtain a permit.

This committee substitute amends s. 403.703, Florida Statutes.

II. Present Situation:

Southern Waste Information Exchange

In 1981, the Florida Chamber of Commerce, in conjunction with Florida State University, began the operation of the Florida Waste Information Exchange (FWIX). In 1982, FWIX changed its name to the Southern Waste Information Exchange and significantly expanded its service area to the southern region of the United States in order to improve the waste recycling, use, and reuse opportunities for Florida waste generators and to respond more effectively to the many inquiries about Florida's solid waste stream from potential clients outside Florida. The Southern Waste Information Exchange, Inc., (SWIX), operates as a nonprofit Florida 501(c)(3) organization. SWIX operates as a nonprofit clearinghouse for information on:

- Availability of and demand for waste materials;
- Recycling, recovery, and waste use and reuse opportunities;
- Products made from recycled materials;
- Proper disposal practices;
- Waste management services and products; and

- Federal, state, and local regulations that affect waste management.

Since its inception in 1981, the emphasis of SWIX has been on encouraging and facilitating environmental and cost-effective alternatives to the placing in landfills, incineration, or treatment of solid and hazardous waste through direct interaction with waste generators in both the public and private sectors.

SWIX produces a catalog that provides a confidential listing of waste materials designed to assist industry in the area of solid and hazardous waste management. The catalog provides up-to-date information concerning the availability of and demand for waste materials as well as providing information related to waste management services and products. Published three times a year, the catalog is distributed to government agencies and private firms in the southeastern United States.

SWIX has been receiving funding from the Department of Environmental Protection's Solid Waste Management Trust Fund (SWMTF). In FY 1998-1999, SWIX received \$300,000 from the SWMTF and is currently funded from the SWMTF in the amount of \$300,000 for FY 1999-2000. The Governor's 2000-2001 Legislative Budget Recommendations proposes to use \$300,000 from the Solid Waste Management Trust Fund to fund SWIX.

Regulation of Hazardous Waste Facilities

Section 403.703, F.S., provides definitions relating to resource recovery and management. Subsection 403.703(26), F.S., provides that "Storage" means the containment or holding of hazardous waste, either on a temporary basis or for a period of years, in such a manner as not to constitute disposal of such hazardous waste. Section 403.722, F.S., requires each person who intends to construct, modify, operate, or close a hazardous waste disposal, storage, or treatment facility to obtain a permit.

III. Effect of Proposed Changes:

This committee substitute provides that the Legislature recognizes the need for statewide solid and hazardous waste management assistance to Florida's private businesses, industries, and the public sector including local units of government. In order to assist the Department of Environmental Protection in providing solid and hazardous waste management assistance to Florida's public and private sectors on a continuing basis, the Legislature recognizes the need for a waste exchange as part of the state's comprehensive solid and hazardous waste management programs, and designates the Southern Waste Information Exchange, Inc., (SWIX) to provide this service to Florida's private and public sectors.

This committee substitute requires the Department of Environmental Protection to include in its annual legislative budget request pursuant to s. 216.023, F.S., funding for the Southern Waste Information Exchange, Inc. The amount of funding to be included in the legislative budget request shall be based on the department's evaluation of the total funding demands of the Solid Waste Management Trust Fund and of the funding needs requested by the Southern Waste Information Exchange, Inc., to operate, maintain, and expand a waste exchange service and such similar related services as requested by the private sector and local governments.

This committee substitute amends subsection 403.703(26), F.S., and provides that in addition to “Storage” meaning the containment or holding of hazardous waste, references to the terms “storage” and “storage facilities” include management or storage of hazardous waste at hazardous waste transfer facilities. This committee substitute also creates subsection 403.703(45), F.S., which provides that “hazardous waste transfer facility” means any transportation-related storage facility including loading docks, parking areas, storage areas, and other similar areas where manifested shipments of waste are stored or held for a period of more than 24 hours but not more than 10 days. These definitional provisions on storage, storage facilities, and hazardous waste transfer facilities have the effect of ensuring that transfer facilities are to be regulated like other hazardous waste facilities and will be required to obtain a permit.

This act shall take effect July 1, 2000.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

According to the June 30, 1999, Final Report from the Southern Waste Information Exchange, Inc., approximately 93,104 tons of waste materials (with an estimated cost-savings in reduced disposal costs to waste generators of \$7.4 million) were successfully recycled, used, or reused. This amounted to a cost/benefit ratio of \$1:\$40. This means that for every state dollar invested in the operation of the SWIX program, \$40 was avoided in disposal costs to waste generators, based upon the figures provided by the organization.

This measure clarifies that hazardous waste transfer facilities will be required to obtain permits under chapter 403, like other hazardous waste facilities.

C. Government Sector Impact:

Currently, SWIX is a joint project of the Department of Environmental Protection and the Florida Chamber of Commerce. The department has included SWIX in their budget requests for several years. For FY 1998-1999 and FY 1999-2000, SWIX was funded by a separate appropriation from the Solid Waste Management Trust Fund. SWIX is intended to supplement the department's waste reduction and pollution prevention activities by engaging the public sector.

This committee substitute requires the Department of Environmental Protection to include funding for SWIX in its annual legislative budget request. The budget request is to be based on the total funding demands to the Solid Waste Management Trust Fund, as well as on the funding needs of SWIX.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.