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LEGISLATIVE ACTION

Senate

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House

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Floor: 1/AD/2R

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04/27/2010 05:51 PM

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Senators Gaetz and Sobel moved the following:

**Senate Amendment (with title amendment)**

Delete lines 17 - 35

and insert:

(c)1. Yard trash in lined landfills classified by department rule as Class I landfills, unless the Class I landfill uses an active gas-collection system to collect landfill gas generated at the disposal facility and provides or arranges for a beneficial use of the gas. A Class I landfill may also accept yard trash for the purpose of mulching and using the yard trash to provide landfill cover for municipal solid waste disposed at the landfill. The department shall, by rule, develop and adopt a methodology to award recycling credit for the use or



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14 disposal of yard trash at a Class I landfill having a gas-  
15 collection system that makes beneficial use of the collected  
16 landfill gas. A qualifying permitted Class I landfill must  
17 obtain a minor permit modification to its operating permit which  
18 describes the beneficial use being made of the landfill gas and  
19 modifies the facility's operation plan before receiving yard  
20 trash as authorized under this subparagraph. The permittee must  
21 certify that gas collection and beneficial use will continue  
22 after closure of the disposal facility that is accepting yard  
23 trash. If the landfill is located in a county that owns and  
24 operates a compost facility, waste-to-energy facility, or  
25 biomass facility that sells renewable energy to a public utility  
26 and that is authorized to accept yard trash, the department  
27 shall provide the county with notice of, and opportunity to  
28 comment on, the application for permit modification.

29 2. Yard trash that is source separated from solid waste may  
30 be accepted at a solid waste disposal area ~~if~~ where separate  
31 yard trash composting facilities are provided and maintained.  
32 The department recognizes that incidental amounts of yard trash  
33 may be disposed of in Class I landfills. In any enforcement  
34 action taken pursuant to this paragraph, the department shall  
35 consider the difficulty of removing incidental amounts of yard  
36 trash from a mixed solid waste stream. This limited exception  
37 applies in all units of local government, including, but not  
38 limited to, municipalities, counties, and special districts.  
39 However, the exception does not apply to a county that currently  
40 operates under a constitutional home rule charter authorized in  
41 1956 in a statewide referendum. The limited exception to the ban  
42 on disposing of yard trash in a Class I landfill is not intended



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43 to have a material impact on current operations at existing  
44 waste-to-energy or biomass facilities.

45  
46 ===== T I T L E A M E N D M E N T =====

47 And the title is amended as follows:

48 Delete line 6

49 and insert:

50 the gas; requiring the Department of Environmental  
51 Protection to develop and adopt a methodology to award  
52 recycling credit for such use; requiring the landfill  
53 to obtain a minor permit modification to its operating  
54 permit before receiving yard trash; specifying which  
55 entities of local government may accept incidental  
56 amounts of yard trash at a landfill;