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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/11/2011	.	
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The Committee on Environmental Preservation and Conservation (Latvala) recommended the following:

1 **Senate Amendment to Amendment (464514) (with title**
2 **amendment)**

3
4 Delete lines 626 - 687

5 and insert:

6 Section 19. Paragraph (1)(f) of section 403.7045, Florida
7 Statutes, is amended to read:

8 403.7045 Application of act and integration with other
9 acts. -

10 (1) The following wastes or activities shall not be
11 regulated pursuant to this act:

12 (f) Industrial byproducts, if:



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13 1. A majority of the industrial byproducts are demonstrated
14 to be sold, used, or reused within 1 year.

15 2. The industrial byproducts are not discharged, deposited,
16 injected, dumped, spilled, leaked, or placed upon any land or
17 water so that such industrial byproducts, or any constituent
18 thereof, may enter other lands or be emitted into the air or
19 discharged into any waters, including groundwaters, or otherwise
20 enter the environment such that a threat of contamination in
21 excess of applicable department standards and criteria or a
22 significant threat to public health is caused.

23 3. The industrial byproducts are not hazardous wastes as
24 defined under s. 403.703 and rules adopted under this section.

25 Sludge from an industrial waste treatment works that meets
26 the exemption requirements of this paragraph is not considered
27 to be solid waste as defined in s. 403.703(32).

28 Section 20. Subsections (2) and (3) of section 403.707,
29 Florida Statutes, are amended to read:

30 403.707 Permits.—

31 (2) Except as provided in s. 403.722(6), a permit under
32 this section is not required for the following: ~~if the activity~~
33 ~~does not create a public nuisance or any condition adversely~~
34 ~~affecting the environment or public health and does not violate~~
35 ~~other state or local laws, ordinances, rules, regulations, or~~
36 ~~orders:~~

37 (a) Disposal by persons of solid waste resulting from
38 their own activities on their own property, if such waste is
39 ordinary household waste from their residential property or is
40 rocks, soils, trees, tree remains, and other vegetative matter
41 that normally result from land development operations. Disposal



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42 of materials that could create a public nuisance or adversely
43 affect the environment or public health, such as white goods;
44 automotive materials, such as batteries and tires; petroleum
45 products; pesticides; solvents; or hazardous substances, is not
46 covered under this exemption.

47 (b) Storage in containers by persons of solid waste
48 resulting from their own activities on their property, leased or
49 rented property, or property subject to a homeowners or
50 maintenance association for which the person contributes
51 association assessments, if the solid waste in such containers
52 is collected at least once a week.

53 (c) Disposal by persons of solid waste resulting from
54 their own activities on their property, if the environmental
55 effects of such disposal on groundwater and surface waters are:

56 1. Addressed or authorized by a site certification order
57 issued under part II or a permit issued by the department under
58 this chapter or rules adopted pursuant to this chapter; or

59 2. Addressed or authorized by, or exempted from the
60 requirement to obtain, a groundwater monitoring plan approved by
61 the department. If the facility has a permit or certification
62 authorizing disposal activity, new areas where solid waste is
63 disposed of that are being monitored by an existing or modified
64 ground water monitoring plan are not required to be specifically
65 authorized by permit or certification.

66
67

68 ===== T I T L E A M E N D M E N T =====

69 And the title is amended as follows:

70 Delete lines 1694 - 1697



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71 and insert:
72 disadvantaged small community"; amending s. 403.7045, F.S.;
73 to exclude sludge from an industrial waste treatment works from
74 the definition of "solid waste"; amending s. 403.707,
75 F.S.;revising