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1  
2 An act relating to grease waste removal and disposal;  
3 creating s. 403.0741, F.S.; defining terms; requiring  
4 grease waste haulers to dispose of grease waste at  
5 disposal facilities; prohibiting grease waste haulers  
6 from returning grease waste and graywater to grease  
7 interceptors and traps and from disposing of grease  
8 waste at locations other than disposal facilities;  
9 requiring haulers to document grease waste removal and  
10 disposal with service manifests; providing  
11 requirements for the service manifests; requiring  
12 inspecting entities to verify certain contracts and  
13 service manifests; requiring the Department of  
14 Environmental Protection to periodically inspect  
15 service manifests; providing penalties; authorizing  
16 local governments to regulate grease waste removal and  
17 disposal; providing construction; authorizing certain  
18 counties to opt out of specified requirements;  
19 requiring the department to adopt rules; providing an  
20 effective date.

21  
22 Be It Enacted by the Legislature of the State of Florida:

23  
24 Section 1. Section 403.0741, Florida Statutes, is created  
25 to read:

26 403.0741 Grease waste removal and disposal.—

27 (1) DEFINITIONS.—As used in this section, the term:

28 (a) "Disposal facility" means a permitted or certified  
29 waste management facility that is authorized to receive grease

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30 waste.

31 (b) "Graywater" means kitchen sink wastewater.

32 (c) "Grease interceptor or grease trap" means a receptacle  
33 through which wastewater containing fats, oils, or grease flows  
34 before entering a drainage system and which is designed to trap  
35 or intercept the fats, oils, or grease while allowing clear  
36 water to escape. The term does not include receptacles designed  
37 specifically for collecting used cooking oil or fats and bones.

38 (d) "Grease waste" means liquid or solid material composed  
39 primarily of fatty substances, oils, and grease from animal or  
40 vegetable sources which is retained in a grease interceptor or  
41 grease trap.

42 (e) "Hauler" means a person who removes and disposes of  
43 grease waste.

44 (f) "Originator" means a food service establishment that  
45 processes, prepares, or serves food or beverages for consumption  
46 by the public, including, but not limited to, restaurants,  
47 commercial kitchens, cafeterias, hotels, school kitchens,  
48 hospitals, prisons, correctional facilities, and care  
49 institutions.

50 (g) "Service manifest" means an electronic or hard copy  
51 recordkeeping system used for the collection and disposal of  
52 grease waste pursuant to this section. The service manifest must  
53 consist of an originator section, a hauler section, and a  
54 disposal facility section and must contain, at a minimum, the  
55 following information:

56 1. The name, address, and telephone number of the  
57 originator.

58 2. The name, address, and telephone number of the hauler.

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59       3. The name, address, and telephone number of the disposal  
60 facility.

61       4. The condition of the originator's grease interceptor or  
62 grease trap and verification that the grease interceptor or  
63 grease trap was cleaned by the hauler and that graywater was not  
64 returned to the grease interceptor or grease trap.

65       5. The amount of grease waste removed from the originator's  
66 grease interceptor or grease trap.

67       6. The amount of grease waste disposed of at the disposal  
68 facility.

69       7. The billing receipt or ticket number provided to the  
70 hauler by the disposal facility.

71       (2) DISPOSAL OF GREASE WASTE.—

72       (a) A hauler who removes grease waste from a grease  
73 interceptor or grease trap must dispose of the grease waste at a  
74 disposal facility.

75       (b) A hauler may not:

76       1. Return grease waste or graywater to a grease interceptor  
77 or grease trap; or

78       2. Dispose of grease waste in any location other than a  
79 disposal facility.

80       (3) GREASE WASTE SERVICE MANIFEST.—

81       (a) A hauler must document the removal and disposal of  
82 grease waste with a service manifest.

83       (b) Upon completion of grease waste removal during the  
84 originator's hours of operation, the originator and the hauler  
85 must sign the service manifest, verifying that the information  
86 contained in the service manifest is accurate. The hauler must  
87 provide a copy of the signed service manifest to the originator.

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88 If the grease waste removal occurs when the originator is closed  
89 or before or after the originator's hours of operation, the  
90 hauler must sign the service manifest, verifying that the  
91 information contained in the service manifest is accurate, and  
92 leave a signed copy of the service manifest on the premises in a  
93 location designated by the originator or make the service  
94 manifest available to the originator electronically.

95 (c) Upon completion of grease waste disposal, the disposal  
96 facility operator and the hauler must sign the service manifest,  
97 verifying that the information contained in the service manifest  
98 is accurate.

99 (d) The hauler must provide the originator and the county  
100 and municipality in which the originator is located with a copy  
101 of the completed service manifest showing the signatures of the  
102 originator if signed pursuant to paragraph (b), the hauler, and  
103 the disposal facility operator within 30 days after the date of  
104 the disposal.

105 (e) A copy of the signed completed service manifest must be  
106 retained onsite by the originator and the hauler for 1 year.

107 (4) COMPLIANCE INSPECTIONS.—

108 (a) An inspecting entity must verify that an originator has  
109 a contract with a hauler for grease waste removal and that  
110 grease waste removal and disposal are documented pursuant to  
111 this section.

112 (b) The department shall periodically inspect the service  
113 manifests retained by a hauler to ensure compliance with this  
114 section.

115 (5) PENALTIES.—

116 (a) A hauler who violates this section is subject to the

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117 following penalties:

118 1. For each failure to provide or retain a service  
119 manifest, an administrative fine not to exceed \$100.

120 2. For each failure to clean a grease interceptor or grease  
121 trap, an administrative fine not to exceed \$250. The department  
122 shall authorize an inspecting entity to impose this penalty as  
123 part of a grease interceptor or grease trap inspection.

124 3. For an unlawful disposal of grease waste, an  
125 administrative fine of at least \$2,500.

126 4. For a second or subsequent unlawful disposal of grease  
127 waste, an administrative fine of at least \$5,000.

128 (b) For a violation of subparagraph (a)3., the penalty must  
129 include a license suspension of at least 30 days.

130 (c) For a second or subsequent violation of subparagraph  
131 (a)3., the penalty must include a license revocation of at least  
132 12 months.

133 (6) REGULATION BY LOCAL GOVERNMENTS.-

134 (a) A local government may:

135 1. Receive copies of service manifests from haulers.

136 2. Receive reports of violations.

137 3. Collect and retain fines for service manifest  
138 violations.

139 4. Impose license actions.

140 (b) This section does not prohibit a local government from  
141 adopting or enforcing an ordinance or rule to regulate the  
142 removal and disposal of grease waste which is stricter or more  
143 extensive than this section.

144 (c) Fiscally constrained counties as described in s.  
145 218.67(1) and small counties as defined in s. 339.2818(2) may

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146 opt out of the requirements of this section.

147 (7) RULES.—The department shall adopt rules to implement  
148 this section.

149 Section 2. This act shall take effect July 1, 2022.