

1 A bill to be entitled
 2 An act relating to grease waste removal and disposal;
 3 creating s. 403.742, F.S.; providing definitions;
 4 requiring grease waste haulers to dispose of grease
 5 waste at disposal facilities; prohibiting grease waste
 6 haulers from returning grease waste and graywater to
 7 certain grease interceptors and traps and from
 8 disposing of grease waste at locations other than
 9 disposal facilities; requiring haulers to document
 10 grease waste removal and disposal with service
 11 manifests; requiring inspecting entities to verify
 12 certain contracts and service manifests; requiring the
 13 Department of Environmental Protection to periodically
 14 inspect service manifests; providing penalties;
 15 requiring the department to adopt rules; providing
 16 construction; providing an effective date.

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 18 Be It Enacted by the Legislature of the State of Florida:
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20 Section 1. Section 403.742, Florida Statutes, is created
 21 to read:

22 403.742 Grease waste removal and disposal.-

23 (1) DEFINITIONS.-As used in this section, the term:

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

26 waste.

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

28 (c) "Grease waste" means liquid or solid material composed
 29 primarily of fatty substances, oils, and grease from animal or
 30 vegetable sources and which is retained in a grease interceptor
 31 or grease trap.

32 (d) "Hauler" means a person who removes and disposes of
 33 grease waste.

34 (e) "Originator" means a food service establishment that
 35 processes, prepares, or serves food or beverages for consumption
 36 by the public, including, but not limited to, restaurants,
 37 commercial kitchens, cafeterias, hotels, school kitchens,
 38 hospitals, prisons, correctional facilities, and care
 39 institutions.

40 (f) "Service manifest" means an electronic or hard copy
 41 recordkeeping system used for the collection and disposal of
 42 grease waste pursuant to this section. The service manifest must
 43 consist of an originator section, a hauler section, and a
 44 disposal facility section and must contain, at a minimum, the
 45 following information:

46 1. The name, address, and telephone number of the
 47 originator.

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

49 3. The name, address, and telephone number of the disposal
 50 facility.

51 4. The condition of the originator's grease interceptor or
52 grease trap and verification that the grease interceptor or
53 grease trap was cleaned by the hauler and that graywater was not
54 returned to the grease interceptor or grease trap.

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

57 6. The amount of grease waste disposed of at the disposal
58 facility.

59 7. The billing receipt or ticket number provided to the
60 hauler by the disposal facility.

61 (2) DISPOSAL OF GREASE WASTE.-

62 (a) A hauler who removes grease waste from a grease
63 interceptor or grease trap must dispose of the grease waste at a
64 disposal facility.

65 (b) A hauler may not:

66 1. Return grease waste or graywater to a grease
67 interceptor or grease trap; or

68 2. Dispose of grease waste in any location other than a
69 disposal facility.

70 (3) GREASE WASTE SERVICE MANIFEST.-

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

73 (b) Upon completion of grease waste removal during the
74 originator's hours of operation, the originator and the hauler
75 must sign the service manifest, verifying that the information

76 contained in the service manifest is accurate. The hauler must
77 provide a copy of the signed service manifest to the originator.
78 If the grease waste removal occurs when the originator is closed
79 or before or after the originator's hours of operation, the
80 hauler must sign the manifest, verifying that the information
81 contained in the service manifest is accurate, and leave a
82 signed copy of the service manifest on the premises in a
83 location designated by the originator.

84 (c) Upon completion of grease waste disposal, the disposal
85 facility operator and the hauler must sign the service manifest,
86 verifying that the information contained in the service manifest
87 is accurate.

88 (d) The hauler must provide the originator with a copy of
89 the completed service manifest showing the signatures of the
90 originator if signed pursuant to paragraph (b), the hauler, and
91 the disposal facility operator within 30 days after the date of
92 the disposal.

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

95 (4) COMPLIANCE INSPECTIONS. -

96 (a) An inspecting entity must verify that an originator
97 has a contract with a hauler for grease waste removal and that
98 grease removal and disposal are documented pursuant to this
99 section.

100 (b) The department shall periodically inspect the service

101 manifests retained by a hauler to ensure compliance with this
 102 section.

103 (5) PENALTIES.-

104 (a) A hauler who violates this section is subject to the
 105 following penalties:

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

108 2. For each failure to clean a grease interceptor or
 109 grease trap, an administrative fine not to exceed \$250. The
 110 department shall authorize an inspecting entity to impose this
 111 penalty as part of a grease interceptor or grease trap
 112 inspection.

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

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

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

119 (c) For a second or subsequent violation of subparagraph
 120 (a)3., the penalty must include a license revocation of at least
 121 12 months.

122 (d) Fines collected pursuant to this subsection must be
 123 deposited into the Water Quality Assurance Trust Fund.

124 (6) RULES.-The department shall adopt rules to implement
 125 this section. In addition to the requirements under this

HB 1177

2022

126 section, the rules must provide for a local government to
127 receive reports of violations and to collect fines and impose
128 license actions.

129 (7) REGULATION BY LOCAL GOVERNMENTS.-This section does not
130 prohibit a local government from adopting or enforcing an
131 ordinance or rule to regulate the removal and disposal of grease
132 waste that is stricter or more extensive than this section.

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