CHAPTER 62-705 GREASE WASTE REMOVAL AND DISPOSAL

62-705.100 Applicability

62-705.200 Definitions

62-705.300 Grease Waste Hauler Requirements

62-705.400 Procedures for Disposal Facility Certification

62-705.500 Inspecting Entity

62-705.900 Forms

62-705.100 Applicability.

This Chapter applies to all haulers and disposal facilities in this state who remove, transfer, dispose, process, or recycle grease waste.

*Rulemaking Authority 403.0741 FS. Law Implemented 403.0741 FS. History-New .*

62-705.200 Definitions.

All words and phrases defined in Sections 403.0741, and 403.703, Florida Statutes (F.S.), have the same meaning when used in this chapter unless specifically stated otherwise in the chapter. See Sections 403.0741, and 403.703, F.S., for definitions of the following terms: “Closure,” “County,” “Department,” “Grease interceptor or grease trap,” “Grease waste,” “Operation,” “Originator,” “Person,” “Processing,” “Recycling,” “Service manifest,” “Solid waste,” “Solid waste management facility.” The following words and phrases used in this chapter shall have the following meaning:

(1) “Clean” means the removal of grease waste from a grease trap or grease interceptor so it remains in service and in good working order.

(2) “Disposal” means the discharge or transfer of grease waste to a permitted or certified waste management facility that is authorized to receive grease waste for final disposition.

(3) “Disposal facility” means a permitted or certified waste management facility that is authorized to receive grease waste for disposal, processing, or recycling.

(4) “Hauler” means a person who removes and transports grease waste for disposal, processing, or recycling. This definition excludes self-cleaners as defined in this chapter.

(5) “Inspecting entity” means any political subdivision of the state, including the Department, any state agency, department, county, municipality, special district, utility authority, or other authority or instrumentality, agency, unit, or department thereof with authority to inspect originator grease interceptors or grease traps, or haulers.

(6) “Self-cleaner” means an originator who removes grease waste from a grease trap at their establishment with a storage capacity of 55 gallons or less, dewaters the grease waste, places the dewatered grease waste into a container and is disposed of in a waste receptacle for transport to a permitted or certified disposal facility.

*Rulemaking Authority 403.0741 FS. Law Implemented 403.031, 403.0741, 403.703 FS. History–New .*

62-705.300 Grease Waste Hauler Requirements.

(1) The licensure requirements of this section apply to haulers, as defined in subsection 62-705.200(3), F.A.C.

(2) A hauler shall submit an application using Form 62-705.900(1) Application for Grease Waste Hauler License, effective date [Month Year], hereby adopted and incorporated by reference, to obtain or renew a hauler license to remove grease waste. Copies of this form can be obtained from the Department’s website or by contacting the Department of Environmental Protection, Solid Waste Section, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400, or the form can be obtained at https://www.flrules.org/Gateway/reference.asp?No=Ref-####. Upon receipt of a complete and accurate form, the Department shall issue to each hauler a license which shall be valid until April 1 of the following year. Existing haulers must submit an application for a license within 180 days from the effective date of this rule. Renewal forms must be submitted by March 1 annually. A new hauler shall submit an application at least 30 days before the hauler intends to begin removal of grease waste.

(3) A hauler must document the removal and disposal of grease waste using Form 62-705.900(2) Grease Waste Service Manifest (Service Manifest), effective date [Month Year], hereby adopted and incorporated by reference. Copies of this form are available via [*LINK*] or by writing to the Department of Environmental Protection, Solid Waste Section, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or on the Department’s website at https://floridadep.gov/waste/permitting-compliance-assistance/content/grease-waste.

(4) Any hauler engaged in collection and removal of grease waste must list the hauler license number obtained from the Department on the Service Manifest form incorporated by reference in subsection 62-705.300(4), F.A.C.

(5) A hauler must retain a copy of each completed Service Manifest at the hauler’s place of business in an electronic format or hardcopy for one year from the date of disposal. The Service Manifest must be available for inspection by the Department or inspecting entity during normal business hours. If records are not available at the hauler’s place of business at the time of the inspection, the Service Manifests must be made available to the Department or inspecting entity within five business days of the request for production of the Service Manifests.

(6) An inspecting entity conducting a grease interceptor or grease trap inspection is authorized to impose an administrative fine not to exceed $250 for each failure to clean a grease interceptor or grease trap pursuant to Section 403.0741(5)(a)2., F.S.

(7) A licensed hauler who fails to comply with this rule is subject to having their grease waste hauler license denied, suspended, or revoked, as well as other penalties provided by state law or county/city ordinances, as provided for in Section 403.0741(5), F.S.

*Rulemaking Authority 403.0741 F.S. Law Implemented 403.0741 FS. History-New\_\_\_\_\_\_\_\_\_\_\_\_\_.*

62-705.400 Procedures for Disposal Facility Certification.

(1) Applicability.

(a) No person may construct or operate a grease waste disposal facility without a permit or certification issued by the Department.

(b) Existing disposal facilities that are operating without a permit or certification issued by the Department must apply for certification to the Department within one year of [*Effective date of rule*].

(c) Disposal facilities that are constructed and operated under a permit issued pursuant to Chapters 62-701, 62-620, or 62-640, F.A.C., are not required to obtain a separate disposal facility certification under this chapter if the storage, processing, or disposal of grease waste is addressed or authorized by the disposal facility’s existing permit.

(2) Certification. Applications for certification must be submitted on Form 62-705.900(3) Application for Certification of a Grease Waste Disposal Facility, effective [Month Year], hereby adopted and incorporated by reference. Copies of this form can be obtained from the Department’s website or by contacting the Department of Environmental Protection, Solid Waste Section, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400, or the form can be obtained at https://www.flrules.org/Gateway/reference.asp?No=Ref-####. The certification application must include the following:

(a) Name, address, and phone number of the applicant.

(b) A site plan, signed and sealed by a professional engineer licensed under Chapter 471, F.S., with a scale not greater than 200 feet to the inch that shows the total acreage and location of the disposal facility, identifies the size and location of the proposed processing, storage, and disposal areas, and any other relevant features such as water bodies or wetlands on or within 200 feet of the site and potable water wells on or within 500 feet of the site.

(c) A description of the disposal facility operations, including:

1. A list of all types of materials and wastes that are managed or processed at the disposal facility;

2. The expected daily average and maximum volumes of grease waste to be managed;

3. How the grease waste will be processed, managed, stored, and disposed;

4. A list of equipment that will be used to process, manage, and store the grease waste. As applicable, the list must include details about grease waste storage tank volume and construction material (e.g., fiberglass, steel, etc.);

5. The maximum time grease waste will be stored at the disposal facility;

6. The maximum amount of grease waste that will be stored at the disposal facility at any one time; and

7. A contingency plan that meets the requirements of subsection 62-705.400(9), F.A.C.

(d) A closure plan describing how the disposal facility will be closed, including the expected disposition of all portions of grease waste after processing.

(e) Documentation that the applicant either owns the land or has legal authorization from the property owner to use the site for a disposal facility.

(3) If the Department determines that the information received pursuant to subsection (2) is accurate and complete and meets the requirements of this rule, the Department will issue a certification to the applicant that will include the following information:

(a) The certified disposal facility’s address and phone number; and

(b) The applicant’s name, mailing address and phone number.

(4) Certifications are valid for three years from the date of issuance unless suspended or revoked by the Department in accordance with Section 403.087, F.S.

(5) A disposal facility owner or operator must renew their grease waste disposal facility certification using Form 62-705.900(3) Application for Certification of a Grease Waste Disposal Facility [incorporated by reference in subsection 62-705.400(2), F.A.C.]. A renewal application will be considered timely and sufficient if it is submitted prior to sixty days before expiration of the existing certification.

(6) A certification issued under this chapter is considered a license for purposes of Sections 120.60 and 403.707, F.S. The revocation provisions apply to certified disposal facilities in accordance with Section 120.60, F.S.

(7) General Provisions. General provisions relating to solid waste management are found in Chapter 62-701, F.A.C., including statements of intent, prohibitions, general permitting requirements, alternate procedures, and variances. Except where indicated otherwise, these general provisions apply to this rule.

(8) Operational Requirements.

(a) Disposal facility personnel shall be present during operational hours when grease waste is received.

(b) If the disposal facility has reached its maximum storage capacity for grease waste, the disposal facility shall cease acceptance of grease waste until sufficient capacity has been restored.

(c) Disposal facility personnel must take measures to avoid mixing incoming grease waste intended for disposal, as defined in Section 403.703(9), F.S., with grease waste intended for recycling.

(d) Grease waste shall be disposed, as defined in Section 403.703(9), F.S., processed, or recycled within six months of receipt at the disposal facility, unless otherwise authorized by the Department.

(e) The disposal facility shall be operated in a manner to control vectors, as defined in Rule 62-701.200, F.A.C.

(f) The disposal facility shall be operated in a manner to minimize objectionable odors in accordance with subsection 62-296.320(2), F.A.C.

(9) Every certified grease waste disposal facility shall have, as part of its operation plan, a contingency plan appropriate for the type of facility to cover operational interruptions and emergencies such as fires, explosions, or natural disasters. The contingency plan shall be kept at the facility at all times and shall be accessible to facility operators.

(a) The contingency plan shall include:

1. Designation of persons responsible for implementation of the contingency plan;

2. Procedures for notification of appropriate emergency response persons, including the Department, the local government, and local fire protection agencies;

3. A description of emergency procedures to be followed, including the location of firefighting equipment and explanations of how to use this equipment;

4. Provisions for the immediate shutting down of those parts of the facility affected by the emergency and notification to customers of the closure of the facility; and

5. Procedures for notification of neighbors and local government officials of the potential impacts of the emergency, and provisions to minimize those impacts.

(b) Every certified grease waste disposal facility shall have:

1. Sufficient equipment to implement the contingency plan;

2. Sufficient reserve equipment or arrangement to obtain additional equipment within 24 hours of equipment breakdown;

3. Communications equipment for emergency and routine communications; and

4. Fire protection and fire-fighting capabilities adequate to control accidental burning of grease waste in the facility. Fire protection includes procedures for notification of local fire protection agencies for assistance in emergencies.

(c) All reasonable efforts shall be made to immediately extinguish or control a fire in the case of a fire within the waste at a grease waste disposal facility. If the fire cannot be extinguished or controlled within an hour, the owner or operator shall immediately:

1. Implement the contingency plan, which is included as part of its operation plan;

2. Cease accepting waste for disposal in those areas of the facility impacted by the fire; and

3. Notify the Department and the local government having jurisdiction over the facility of the fire and of the fire control plan being implemented by the owner or operator.

(d) The owner or operator of the disposal facility shall notify the local fire protection agency and seek its assistance and shall also notify the local government and any neighbors likely to be affected by the fire if the fire cannot be extinguished or controlled within 48 hours.

(e) The disposal facility is responsible for the operation and maintenance of grease waste storage tanks as designed for the service life of the tanks.

1. Interior inspections of the tanks shall be performed whenever the tank is drained or at a minimum of every three years. If the inspection reveals a tank or equipment deficiency, leak, or other deficiency which could result in failure of the tank to contain the grease waste, remedial measures shall be taken immediately to eliminate the leak or correct the deficiency. If the tank cannot be repaired, it shall be removed from service.

2. The exposed exterior of tanks and related equipment shall be inspected weekly by disposal facility personnel for tank integrity, leaks, corrosion, and maintenance deficiencies.

(10) Recordkeeping and Reporting.

(a) Monthly records of the volume of grease waste received, by originator and by county of origin, and the disposition of that grease waste after processing must be kept at the disposal facility for three years. The volume must be recorded in gallons. Existing facilities who file an application for certification under paragraph 62-705.400(1)(b), F.A.C., shall include a summary of grease waste onsite at the time of the facility’s initial submission of an application for certification.

(b) Interior and exterior tank inspection reports shall be maintained and made available to the Department upon request for the service life of the tank.

(11) Closure Requirements.

(a) The owner or operator of the certified disposal facility must notify the Department in writing thirty days prior to ceasing operations and must specify a closing date to the address provided in subsection 62-705.400(2), F.A.C., or the local District Office. The disposal facility shall not receive or accept any grease waste after the closing date.

(b) Within thirty days after receiving the final grease waste load, the disposal facility owner or operator shall remove or otherwise dispose of all grease waste in accordance with the disposal facility’s approved closure plan.

*Rulemaking Authority 403.0741, 403.707 FS. Law Implemented 403.0741, 403.087, 403.707 FS. History-New­ .*

62-705.500 Inspecting Entity.

(1) During a compliance inspection, an inspecting entity shall verify that the originator has a contract with a hauler to remove grease waste from the originator’s establishment, and that the removal and disposal of grease waste is documented on the Service Manifest.

(2) As part of a grease interceptor or grease trap inspection, for each failure to clean a grease interceptor or grease trap by the hauler, the inspecting entity is authorized to impose an administrative fine pursuant to Section 403.0741(5)(a)2., F.S.

*Rulemaking Authority 403.0741 FS. Law Implemented 403.0741 FS. History-New .*

62-705.900 Forms.

The forms used by the Department in this chapter are adopted and incorporated by reference elsewhere in this chapter. Copies of forms may be obtained from a local District Office or by writing to the Florida Department of Environmental Protection, Solid Waste Section, Mail Station #4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or at https://floridadep.gov/waste/waste/content/waste-management-rule-related-forms or the link provided for each form.

(1) Form 62-705.900(1) Application for Grease Waste Hauler License, [Month Year], incorporated by reference in subsection 62-705.300(2), F.A.C., and is also available online here: [*LINK*].

(2) Form 62-705.900(2), Grease Waste Service Manifest, [Month Year], incorporated by reference in subsection 62-705.300(3), F.A.C., and is also available online here: [*LINK*].

(3) Form 62-705.900(3), Application for Certification of a Grease Waste Disposal Facility, [Month Year], incorporated by reference in subsection 62-705.400(2), F.A.C., and is also available online here: [*LINK*].

*Rulemaking Authority 403.0741 FS. Law Implemented 403.0741 FS. History-New .*