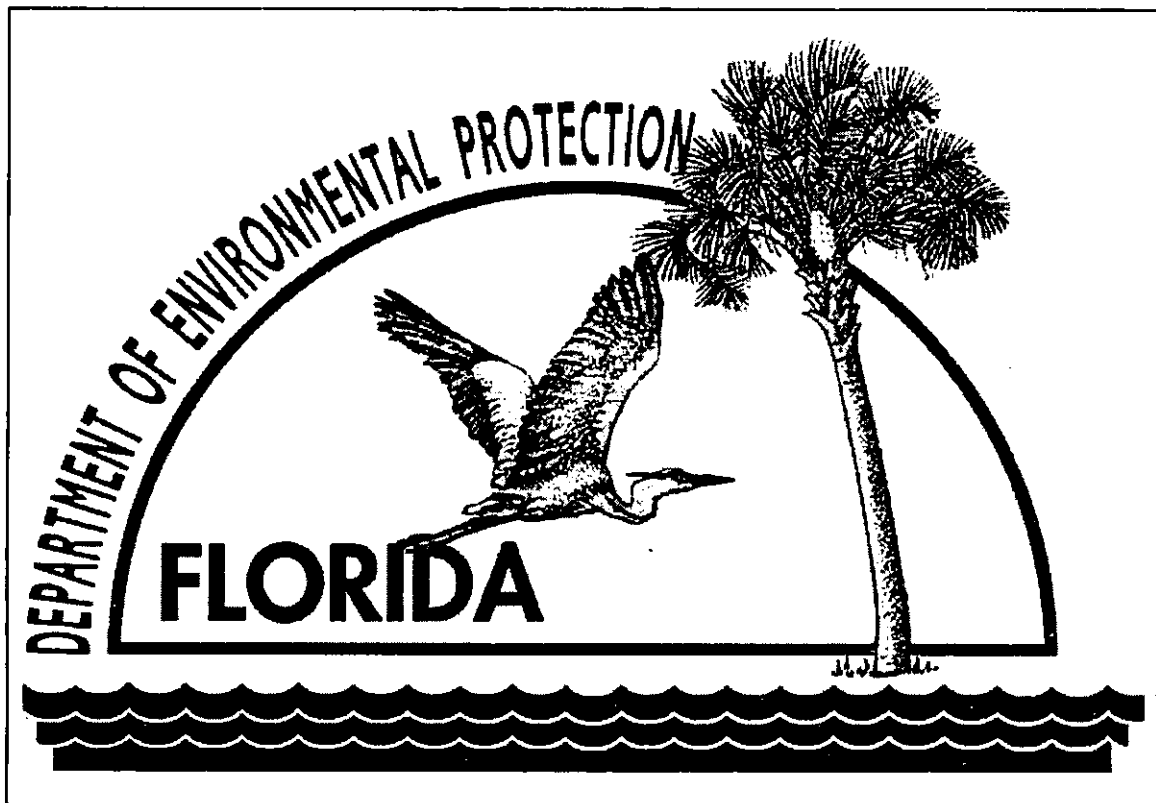


**COMPILATION OF FLORIDA'S SOLID WASTE
REGULATIONS FROM 1966 TO 1997**

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TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
BACKGROUND AND PURPOSE	ii
REGULATIONS	
CHAPTER 10D-12, F.A.C. (eff. ~November 25, 1966)	1
CHAPTER 17-7, F.A.C. (eff. October 1, 1974)	9
CHAPTER 17-7, F.A.C. (eff. ~November 16, 1976)	27
CHAPTER 17-7, F.A.C. (eff. May 25, 1979)	39
CHAPTER 17-7, F.A.C. (eff. December 10, 1985)	59
CHAPTER 17-701, F.A.C. (eff. August 2, 1989)	129
CHAPTER 17-701, F.A.C. (eff. July 19, 1990)	153
CHAPTER 17-701, F.A.C. (eff. January 6, 1993)	205
CHAPTER 17-701, F.A.C. (eff. January 2, 1994)	299
CHAPTER 17-701, F.A.C. (eff. May 19, 1994)	351
CHAPTER 62-701, F.A.C. (eff. April 23, 1997)	451

LIST OF TABLES

1. CHAPTER TITLES AND EFFECTIVE DATES	iv
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BACKGROUND AND PURPOSE

From time to time the Department receives requests for copies of old solid waste regulations contained in the Florida Administrative Code (F.A.C.). These requests are usually prompted by a desire to know what requirements applied to an older solid waste facility when it was constructed, operated or closed. In some cases, the requirements that applied may be unclear because they have changed significantly since the early 1960's. In other cases, confusion may have been created because the Department allowed some facilities to operate under older regulations even after they were changed. For example, landfills that had completed construction of their disposal units under older liner requirements were generally allowed to be filled to their permitted design dimensions without having to retrofit the disposal units to newer liner requirements.

In response to these requests, the Department has prepared this document in an effort to make the older rule information more available. It attempts to compile all available regulations, current and historical, that pertained to solid waste facilities in Florida.

Landfills in Florida were initially regulated by the Florida State Board of Health, Bureau of Entomology in Jacksonville, Florida. The Department does not know if any regulations were promulgated by this agency when it regulated landfills. By 1964 the State Board of Health was combined with Social Services to form the Florida Department of Health and Rehabilitative Services (DHRS). The DHRS Division of Health was given the responsibility of regulating solid waste facilities. The Department has one rule promulgated by the DHRS to regulate landfills which was titled "Garbage and Rubbish" and was effective approximately November 25, 1966. About 1965, the Department of Air and Water Pollution Control (DAWPC) was also created. This agency appeared to primarily regulate incinerators in the State.

In 1970, the DAWPC was renamed the Department of Pollution Control (DPC). The responsibility for regulating solid waste facilities was transferred to this agency which developed its own regulations. Two versions of regulations from the DPC are available which were effective on October 1, 1974 and

approximately November 16, 1976. Since most of the DHRS rules were transferred directly to the 1974 DPC rule, it appears that the DPC did not actually began regulating solid waste facilities until 1974.

On July 1, 1975, the name the Department was changed from DPC to the Department of Environmental Regulation¹ (DER). The Department retained this name until it was merged with the Department of Natural Resources (DNR) on July 1, 1993. At that time a new agency was created called the Department of Environmental Protection (DEP). This action by the 1993 Legislature launched a year-long effort to fully merge the two agencies (DNR and DER) that resulted in 1994 Legislation ratifying the new agency's organization.

Each change in the Department generally resulted in new regulations being promulgated although the substantive changes to the rules may have been minimal. The available regulations compiled in this document and their effective dates are summarized in TABLE 1.

¹ Even though the name of the Department changed in 1975, it continued to promulgate a rule in 1976 under the previous name, i.e. DPC.

TABLE 1. CHAPTER TITLES AND EFFECTIVE DATES

CHAPTER TITLE DEPARTMENT	EFFECTIVE DATE
Garbage and Rubbish, Chapter 10D-12, F.A.C. Health and Rehabilitative Services	~11/25/1966
Resource Recovery and Management Part I: Solid Waste Facilities, Chapter 17-7, F.A.C. Department of Pollution Control	10/01/1974
Resource Recovery and Management Part I: Solid Waste Facilities, Chapter 17-7, F.A.C. Department of Pollution Control	~11/16/1976
Resource Recovery and Management Part I: Solid Waste Facilities, Chapter 17-7, F.A.C. Department of Environmental Regulation	05/25/1979
Resource Recovery and Management Parts I-V, Chapter 17-7, F.A.C. Department of Environmental Regulation	12/10/1985
Solid Waste, Chapter 17-701, F.A.C. Department of Environmental Regulation	08/02/1989
Solid Waste Management Facilities Chapter 17-701, F.A.C. Department of Environmental Regulation	07/19/1990
Solid Waste Management Facilities Chapter 17-701, F.A.C. Department of Environmental Regulation	01/06/1993
Solid Waste Management Facilities Chapter 17-701, F.A.C. Department of Environmental Regulation	01/02/1994
Solid Waste Management Facilities Chapter 17-701, F.A.C. Department of Environmental Regulation	05/19/1994
Solid Waste Management Facilities Chapter 62-701, F.A.C. Department of Environmental Protection	04/23/1997