

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative Pigman offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraph (b) of subsection (3) of section
 7 373.323, Florida Statutes, is amended to read:

8 373.323 Licensure of water well contractors; application,
 9 qualifications, and examinations; equipment identification.—

10 (3) An applicant who meets the following requirements
 11 shall be entitled to take the water well contractor licensure
 12 examination:

13 (b) Has at least 2 years of experience in constructing,
 14 repairing, or abandoning water wells. Satisfactory proof of such
 15 experience shall be demonstrated by providing:

16 1. Evidence of the length of time the applicant has been
 17 engaged in the business of the construction, repair, or

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18 abandonment of water wells as a major activity, as attested to
19 by a letter from a water well contractor or ~~and~~ a letter from a
20 water well inspector employed by a governmental agency.

21 2. A list of at least 10 water wells that the applicant
22 has constructed, repaired, or abandoned within the preceding 5
23 years. Of these wells, at least seven must have been
24 constructed, as defined in s. 373.303(2), by the applicant. The
25 list shall also include:

26 a. The name and address of the owner or owners of each
27 well.

28 b. The location, primary use, and approximate depth and
29 diameter of each well that the applicant has constructed,
30 repaired, or abandoned.

31 c. The approximate date the construction, repair, or
32 abandonment of each well was completed.

33 Section 2. Subsection (4) is added to section 378.209,
34 Florida Statutes, to read:

35 378.209 Timing of reclamation.—

36 (4) When the beneficial use of a constructed clay settling
37 area has been extended, the rate of reclamation requirements in
38 paragraphs (1)(a)-(e) and the requirements of s. 378.208 apply
39 to such settling area when the beneficial use of such settling
40 area is completed.

41 Section 3. Paragraph (i) is added to subsection (8) of
42 section 403.067, Florida Statutes, to read:

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43 403.067 Establishment and implementation of total maximum
44 daily loads.—

45 (8) WATER QUALITY CREDIT TRADING.—

46 (i) Land set-asides and land use modifications not
47 otherwise required by state law or a permit, including
48 constructed wetlands or other water quality improvement
49 projects, that reduce nutrient loads into nutrient impaired
50 surface waters may be used under this subsection.

51 Section 4. Subsection (2) of section 403.201, Florida
52 Statutes, is amended to read:

53 403.201 Variances.—

54 (2) A No variance may not shall be granted from any
55 provision or requirement concerning discharges of waste into
56 waters of the state or hazardous waste management which would
57 result in the provision or requirement being less stringent than
58 a comparable federal provision or requirement, except as
59 provided in s. 403.70715. However, this subsection does not
60 prohibit the issuance of moderating provisions or requirements
61 under state law, subject to any necessary approval by the United
62 States Environmental Protection Agency.

63 Section 5. Subsections (2) through (4) of section 403.709,
64 Florida Statutes, are renumbered as subsections (3) through (5),
65 respectively, present subsection (5) is amended, and a new
66 subsection (2) is added to that section, to read:

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67 403.709 Solid Waste Management Trust Fund; use of waste
68 tire fees.—There is created the Solid Waste Management Trust
69 Fund, to be administered by the department.

70 (2) Notwithstanding subsection (1), a solid waste landfill
71 closure account is established within the Solid Waste Management
72 Trust Fund to provide funding for the closing and long-term care
73 of solid waste management facilities.

74 (a) The department may use funds from the account to
75 contract with a third party for the closing and long-term care
76 of a solid waste management facility if:

77 1. The facility has, had, or was not required to obtain a
78 department permit to operate the facility;

79 2. The permittee, where required by permit or rule,
80 provided proof of financial assurance for closure in the form of
81 an insurance certificate or an alternative form of financial
82 assurance mechanism established pursuant to s. 403.7125;

83 3. The department has ordered the facility closed or has
84 deemed the facility abandoned;

85 4. The closure of the facility is accomplished in
86 substantial accordance with a closure plan approved by the
87 department; and

88 5. The department has sufficient documentation to confirm
89 that the issuer of the insurance policy or alternative form of
90 financial assurance will provide or reimburse the funds required
91 to complete the closing and long-term care of the facility.

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92 (b) The department shall deposit all funds received from
93 the insurer or other parties for reimbursing the costs of
94 closing or long-term care of the facility under this subsection
95 into the solid waste landfill closure account.

96 (c) If the amount available under the insurance policy or
97 alternative form of financial assurance is insufficient, or is
98 otherwise inaccessible, to perform or complete the facility
99 closing or long-term care under this subsection, and the
100 department has used all such funds from the insurance policy or
101 alternative form of financial assurance, the department may use
102 funds from the Solid Waste Management Trust Fund to pay for or
103 reimburse additional expenses needed for performing or
104 completing the approved facility closure or long-term care
105 activities.

106 ~~(5) (a) Notwithstanding subsection (1), a solid waste~~
107 ~~landfill closure account is established within the Solid Waste~~
108 ~~Management Trust Fund to provide funding for the closing and~~
109 ~~long-term care of solid waste management facilities. The~~
110 ~~department may use funds from the account to contract with a~~
111 ~~third party for the closing and long-term care of a solid waste~~
112 ~~management facility if:~~

113 ~~1. The facility has or had a department permit to operate~~
114 ~~the facility;~~

115 ~~2. The permittee provided proof of financial assurance for~~
116 ~~closure in the form of an insurance certificate;~~

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117 ~~3. The facility is deemed to be abandoned or was ordered~~
118 ~~to close by the department;~~

119 ~~4. Closure is accomplished in substantial accordance with~~
120 ~~a closure plan approved by the department; and~~

121 ~~5. The department has written documentation that the~~
122 ~~insurance company issuing the closure insurance policy will~~
123 ~~provide or reimburse the funds required to complete closing and~~
124 ~~long-term care of the facility.~~

125 ~~(b) The department shall deposit the funds received from~~
126 ~~the insurance company as reimbursement for the costs of closing~~
127 ~~or long-term care of the facility into the solid waste landfill~~
128 ~~closure account.~~

129 ~~(c) This subsection expires July 1, 2016.~~

130 Section 6. Subsection (12) of section 403.814, Florida
131 Statutes, is amended to read:

132 403.814 General permits; delegation.—

133 (12) A general permit is granted for the construction,
134 alteration, and maintenance of a stormwater management system
135 serving a total project area of up to 10 acres meeting the
136 criteria of this subsection. Such ~~When the~~ stormwater management
137 systems must be ~~system is~~ designed, operated, and maintained in
138 accordance with applicable rules adopted pursuant to part IV of
139 chapter 373.7 There is a rebuttable presumption that the
140 discharge from ~~for~~ such systems complies ~~system will comply~~ with
141 state water quality standards. The construction of such a system
142 may proceed without any further agency action by the department

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143 or water management district if, before ~~within 30 days after~~
144 construction begins, an electronic self-certification is
145 submitted to the department or water management district which
146 ~~that~~ certifies that the proposed system was designed by a
147 Florida registered professional, and that the registered
148 professional has certified that the proposed system will ~~to~~ meet
149 the following additional requirements:

150 (a) The total project area involves less than 10 acres and
151 less than 2 acres of impervious surface;

152 (b) No activities will impact wetlands or other surface
153 waters;

154 (c) No activities are conducted in, on, or over wetlands
155 or other surface waters;

156 (d) Drainage facilities will not include pipes having
157 diameters greater than 24 inches, or the hydraulic equivalent,
158 and will not use pumps in any manner;

159 (e) The project is not part of a larger common plan,
160 development, or sale; and

161 (f) The project does not:

162 1. Cause adverse water quantity or flooding impacts to
163 receiving water and adjacent lands;

164 2. Cause adverse impacts to existing surface water storage
165 and conveyance capabilities;

166 3. Cause a violation of state water quality standards; or

167 4. Cause an adverse impact to the maintenance of surface or
168 ground water levels or surface water flows established pursuant

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169 to s. 373.042 or a work of the district established pursuant to
170 s. 373.086.

171 Section 7. For the purpose of incorporating the amendment
172 made by this act to section 403.201, Florida Statutes, in a
173 reference thereto, subsection (17) of section 373.414, Florida
174 Statutes, is reenacted to read:

175 373.414 Additional criteria for activities in surface
176 waters and wetlands.—

177 (17) The variance provisions of s. 403.201 are applicable
178 to the provisions of this section or any rule adopted pursuant
179 to this section. The governing boards and the department are
180 authorized to review and take final agency action on petitions
181 requesting such variances for those activities they regulate
182 under this part and s. 373.4145.

183 Section 8. This act shall take effect upon becoming a law.
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186 **T I T L E A M E N D M E N T**

187 Remove everything before the enacting clause and insert:
188 An act relating to environmental control; amending s.
189 373.323, F.S.; revising eligibility requirements for
190 taking the water well contractor licensure
191 examination; amending s. 378.209, F.S.; providing
192 conditions under which certain constructed clay
193 settling areas are exempt from reclamation rate and
194 financial responsibility requirements; amending s.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 589 (2016)

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195 403.067, F.S.; authorizing the use of land set-asides
196 and land use modifications, including constructed
197 wetlands or other water quality improvement projects,
198 in water quality credit trading; amending s. 403.201,
199 F.S.; providing applicability of prohibited variances
200 concerning discharges of waste into waters of the
201 state and hazardous waste management; amending s.
202 403.709, F.S.; revising conditions under which the
203 Department of Environmental Protection may use
204 specified funds to contract with a third party for the
205 closing and long-term care of solid waste management
206 facilities; abrogating the scheduled expiration of
207 such authorization; amending s. 403.814, F.S.;
208 requiring a Florida registered professional to certify
209 that certain stormwater management systems will meet
210 additional requirements for a general permit;
211 requiring such certification be submitted to the
212 department or water management district before, rather
213 than after, construction of a stormwater management
214 system begins; reenacting s. 373.414(17), F.S.,
215 relating to variances for activities in surface waters
216 and wetlands, to incorporate the amendment made by the
217 act to s. 403.201, F.S., in a reference thereto;
218 providing an effective date.

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