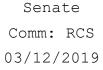
House

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LEGISLATIVE ACTION



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The Committee on Environment and Natural Resources (Gruters)
recommended the following:
     Senate Amendment (with title amendment)
     Delete everything after the enacting clause
and insert:
     Section 1. Section 403.0771, Florida Statutes, is created
to read:
     403.0771 Sewage spill notification.-
     (1) In addition to the public notification requirements of
s. 403.077, a wastewater treatment facility that unlawfully
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12	discharges more than 1,000 gallons of raw or partially treated
13	sewage into any waterway or aquifer in violation of the
14	conditions set forth in a permit issued pursuant to s. 403.088
15	or s. 403.0885 must, within 24 hours after discovering the
16	discharge, send written notification by first class mail to the
17	following customers:
18	(a) For spills of 1,000 to 100,000 gallons, customers
19	within a half-mile radius.
20	(b) For spills between 100,000 and 1 million gallons,
21	customers within a 1-mile radius.
22	(c) For spills of more than 1 million gallons, all
23	customers of the wastewater facility.
24	(2) The written notification required under subsection (1)
25	must include, at a minimum, all of the following:
26	(a) The date and time of the discharge.
27	(b) The status of the discharge.
28	(c) The estimated volume of the discharge.
29	(d) The location or address of the discharge.
30	(e) A description of the area affected by the discharge,
31	including the name of the waterbody affected, if any.
32	(f) The name and phone number of all local elected
33	officials who have authority over the facility responsible for
34	the discharge.
35	Section 2. Paragraph (a) of subsection (4) of section
36	403.086, Florida Statutes, is amended to read:
37	403.086 Sewage disposal facilities; advanced and secondary
38	waste treatment
39	(4) For purposes of this section, the term "advanced waste
40	treatment" means that treatment which will provide a reclaimed

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41	water product that:
42	(a) Contains not more, on a permitted annual average basis,
43	than the following concentrations:
44	1. Biochemical Oxygen Demand
45	(CBOD5)5mg/l
46	2. Suspended Solids5mg/l
47	3. Total Nitrogen, expressed as N $1mg/l$ $3mg/l$
48	4. Total Phosphorus, expressed as P <u>0.075mg/l</u> <del>1mg/l</del>
49	
50	In those waters where the concentrations of phosphorus have been
51	shown not to be a limiting nutrient or a contaminant, the
52	department may waive or alter the compliance levels for
53	phosphorus until there is a demonstration that phosphorus is a
54	limiting nutrient or a contaminant.
55	Section 3. Present subsection (4) of section 403.141,
56	Florida Statutes, is redesignated as subsection (5), and a new
57	subsection (4) is added to that section, to read:
58	403.141 Civil liability; joint and several liability
59	(4) In addition to the civil penalty limitation set forth
60	in subsection (1), a wastewater treatment facility that
61	unlawfully discharges 1,000 gallons or more of raw or partially
62	treated sewage into any waterway or aquifer, in violation of the
63	conditions set forth in a permit issued pursuant to s. 403.0885,
64	<u>must:</u>
65	(a) Remit to the department a penalty of \$1 for each gallon
66	of sewage discharged; or
67	(b) Calculate or provide an estimate of the number of
68	gallons of sewage discharged and, with the department's
69	approval, spend \$2 per gallon to upgrade and repair the

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70	wastewater system to prevent future unlawful discharges. Such
71	funds may be used to smoke test sewer lines, repair and replace
72	sewer mains and laterals, repair manholes, purchase and maintain
73	generators for lift stations, increase wastewater treatment
74	facility capacity, and provide incremental nutrient reduction
75	technology.
76	1. If a wastewater treatment facility is unable to
77	calculate or estimate the volume discharged, the facility must
78	remit to the department a minimum penalty of \$10,000.
79	2. If the cost of all potential repairs and upgrades is
80	less than the calculated penalty amount, the total funds used to
81	perform repairs and upgrades may not exceed the cost identified.
82	Section 4. For the purpose of incorporating the amendment
83	made by this act to section 403.086, Florida Statutes, in a
84	reference thereto, paragraph (a) of subsection (6) of section
85	403.0882, Florida Statutes, is reenacted to read:
86	403.0882 Discharge of demineralization concentrate
87	(6) This subsection applies only to small water utility
88	businesses.
89	(a) The discharge of demineralization concentrate from
90	small water utility businesses is presumed to be allowable and
91	permittable in all waters in the state if:
92	1. The discharge meets the effluent limitations in s.
93	403.086(4), except that high level disinfection is not required
94	unless the presence of fecal coliforms in the source water will
95	result in the discharge not meeting applicable water quality
96	standards;
97	2. The discharge of demineralization concentrate achieves a
98	minimum of 4-to-1 dilution within a distance not in excess of

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99	two times the natural water depth at the point of discharge
100	under all flow conditions; and
101	3. The point of discharge is located at a reasonably
102	accessible point that minimizes water quality impacts to the
103	greatest extent possible.
104	Section 5. This act shall take effect July 1, 2019.
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107	And the title is amended as follows:
108	Delete everything before the enacting clause
109	and insert:
110	A bill to be entitled
111	An act relating to water quality improvements;
112	creating s. 403.0771, F.S.; requiring each wastewater
113	facility that unlawfully discharges specified volumes
114	of sewage into a waterway or aquifer to notify certain
115	customers by first class mail within a specified
116	timeframe; providing requirements for the written
117	notifications; amending s. 403.086, F.S.; redefining
118	the term "advanced waste treatment" to decrease the
119	acceptable concentrations of total nitrogen and total
120	phosphorus; amending s. 403.141, F.S.; providing
121	penalties for wastewater treatment facilities that
122	unlawfully discharge a specified volume of sewage into
123	designated areas; reenacting s. 403.0882(6)(a), F.S.,
124	relating to the discharge of demineralization
125	concentrate, to incorporate the amendment made to s.
126	403.086, F.S., in a reference thereto; providing an
127	effective date.
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