

Committee on Environmental Preservation and Conservation

CS/CS/CS/HB 589 — Environmental Control

by State Affairs Committee; Agriculture and Natural Resources Appropriations Subcommittee; Agriculture and Natural Resources Subcommittee; and Rep. Pigman and others (CS/CS/SB 1052 by Appropriations Committee; Environmental Preservation and Conservation Committee; and Senator Hays)

CS/CS/CS/HB 589:

- Repeals s. 373.245, F.S., which authorizes damages to be paid to consumptive use permitholders that occur as a result of permit violations by abutting consumptive use permitholders;
- Revises the number of letters required to provide proof of the length of time an applicant wishing to take the water well contractor licensure examination has been engaged in the business of construction, repair, or abandonment of water wells from two letters to one;
- Exempts constructed clay settling areas at phosphate mines from rate of reclamation and financial assurance requirements where their beneficial use has been extended until the beneficial use of the area is completed;
- Allows land set-asides and land use modifications not otherwise required by state law or permit to be used to generate credits for water quality credit trading;
- Modifies a prohibition against granting variances that would result in the provisions or requirements being less stringent than federal law. The bill authorizes moderating provisions or requirements under state law, subject to any necessary approval by the U.S. Environmental Protection Agency;
- Modifies provisions related to the use of funds from the solid waste landfill closure account for contracting with a third party for the closing and long-term care of solid waste management facilities by allowing the use of funds when a facility was not required to obtain a permit to operate the facility and expanding the types of financial assurances permittees may provide for closure of solid waste management facilities; and
- Provides authority to the Department of Environmental Protection to use funds from the Solid Waste Management Trust Fund to pay for or reimburse additional expenses needed for performing or completing a facility closure or long-term care when the amount available under an insurance policy or other financial assurance mechanism is not sufficient; and
- Allows construction of a stormwater management system to proceed without any further agency action by the DEP or water management district (WMD) if, before construction begins, rather than within 30 days after construction begins, an electronic self-certification is submitted to the DEP or the WMD which certifies that the proposed system was designed by a Florida registered professional and that the registered professional has certified that the proposed system meets all statutory requirements.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 118-0