

1 A bill to be entitled
 2 An act relating to the management of wastewater; amending
 3 s. 514.023, F.S.; requiring that the Wastewater Compliance
 4 Evaluation Section of the Department of Environmental
 5 Protection investigate sewage contaminant sources when
 6 certain health advisories against swimming in beach waters
 7 are issued; requiring the Department of Health to notify
 8 the municipality or county in which the affected beach is
 9 located of the health advisory; requiring the Department
 10 of Environmental Protection to notify the municipality or
 11 county in which the affected beach is located of the
 12 results of its investigation; providing an effective date.

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 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Subsections (1) through (3) of section 514.023,
 17 Florida Statutes, are amended to read:

18 514.023 Sampling of beach waters; health advisories.--

19 (1)~~(3)~~ As used in ~~For purposes of~~ this section, the term
 20 "beach waters" means the waters along the coastal and
 21 intracoastal beaches and shores of the state, and includes salt
 22 water and brackish water.

23 (2)~~(1)~~ The department may adopt and enforce rules to
 24 protect the health, safety, and welfare of persons using the
 25 beach waters of the state. The rules must establish health
 26 standards and prescribe procedures and timeframes for
 27 bacteriological sampling of beach waters.

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28 ~~(3)-(2)~~ The department may issue health advisories if the
29 quality of beach waters fails to meet standards established by
30 the department. The issuance of health advisories related to the
31 results of bacteriological sampling of beach waters is preempted
32 to the state. When the department issues a health advisory
33 against swimming in beach waters on the basis of finding
34 elevated levels of fecal coliform or enterococci bacteria in a
35 water sample, the Wastewater Compliance Evaluation Section of
36 the Department of Environmental Protection shall investigate
37 wastewater treatment facilities within 1 mile of the affected
38 beach to determine if a wastewater treatment facility
39 experienced an incident that may have contributed to the
40 contamination. The department shall also notify the municipality
41 or county in which the affected beach is located of the health
42 advisory. Upon completion of its investigation or discovery of
43 an incident at a wastewater treatment facility, the Department
44 of Environmental Protection shall notify the municipality or
45 county in which the affected beach is located of the results of
46 such investigation.

47 Section 2. This act shall take effect July 1, 2008.