

By Senator Bennett

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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 in the Department of Environmental
5 Protection identify sewage contaminant sources when
6 certain health advisories prohibiting swimming in beach
7 waters are issued; requiring that the department notify
8 certain counties and municipalities after discovering that
9 a wastewater facility is in violation of laws concerning
10 pollution control; providing an effective date.

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

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14 Section 1. Subsections (1), (2), and (3) of section
15 514.023, Florida Statutes, are amended to read:

16 514.023 Sampling of beach waters; health advisories.--

17 (1) As used in this section, the term "beach waters" means
18 the waters along the coastal and intracoastal beaches and shores
19 of the state, and includes salt water and brackish water.

20 (2)~~(1)~~ The department may adopt and enforce rules to
21 protect the health, safety, and welfare of persons using the
22 beach waters of the state. The rules must establish health
23 standards and prescribe procedures and timeframes for
24 bacteriological sampling of beach waters.

25 (3)~~(2)~~ The department may issue health advisories if the
26 quality of beach waters fails to meet standards established by
27 the department. The issuance of health advisories related to the
28 results of bacteriological sampling of beach waters is preempted
29 to the state. When a health advisory that prohibits swimming in

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30 beach waters is issued on the basis of the results of the
31 bacteriological sampling of waters or when departmental rules or
32 another law requires issuance of a health advisory that prohibits
33 swimming in beach waters on the basis of such results, the
34 Wastewater Compliance Evaluation Section of the Department of
35 Environmental Protection shall identify the source of the sewage
36 contaminants.

37 ~~(3) For purposes of this section, the term "beach waters"~~
38 ~~means the waters along the coastal and intracoastal beaches and~~
39 ~~shores of the state, and includes salt water and brackish water.~~

40 Section 2. The Department of Environmental Protection
41 shall, within 5 days after discovering that a wastewater facility
42 is in violation of part I of chapter 403, Florida Statutes,
43 notify each county and municipality within a 5-mile radius of the
44 facility. The notice must be provided in writing for each
45 violation discovered.

46 Section 3. This act shall take effect July 1, 2008.