

HB 707

2009

1 A bill to be entitled
2 An act relating to the management of wastewater; amending
3 s. 514.023, F.S.; requiring the Department of Health to
4 notify local governments and local offices of the
5 Department of Environmental Protection when certain health
6 advisories are issued; requiring local offices of the
7 Department of Environmental Protection to conduct
8 investigations of certain wastewater treatment facilities
9 and provide the results of such investigations to local
10 governments; 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. Section 514.023, Florida Statutes, is amended
15 to read:

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

17 (1)~~(3)~~ As used in ~~For purposes of~~ this section, the term
18 "beach waters" means the waters along the coastal and
19 intracoastal beaches and shores of the state, and includes salt
20 water and brackish water.

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

26 (3)~~(2)~~ The department may issue health advisories if the
27 quality of beach waters fails to meet standards established by
28 the department. The issuance of health advisories related to the

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29 | results of bacteriological sampling of beach waters is preempted
30 | to the state.

31 | (4) When the department issues a health advisory against
32 | swimming in beach waters on the basis of finding elevated levels
33 | of fecal coliform or enterococci bacteria in a water sample, the
34 | department shall concurrently notify the municipality or county
35 | in which the affected beach waters are located, whichever has
36 | jurisdiction, and the local office of the Department of
37 | Environmental Protection, of the advisory. The local office of
38 | the Department of Environmental Protection shall promptly
39 | investigate wastewater treatment facilities within 1 mile of the
40 | affected beach waters to determine if a facility experienced an
41 | incident that may have contributed to the contamination and
42 | provide the results of the investigation in writing or by
43 | electronic means to the municipality or county, as applicable.

44 | (5)-(4) Contingent upon legislative appropriation to the
45 | department in the amount of \$600,000 nonrecurring, the
46 | department will perform a 3-year study to determine the water
47 | quality at beaches throughout the state. The study will be
48 | performed in all counties that have public-access saltwater and
49 | brackish water beaches.

50 | Section 2. This act shall take effect July 1, 2009.