

By the Committee on Environmental Preservation and Conservation;
and Senator Sobel

592-03550-10

20102354c1

1 A bill to be entitled

2 An act relating to sewage disposal facilities;
3 amending s. 403.086, F.S.; requiring facilities
4 discharging domestic wastewater through ocean outfalls
5 that divert flows for reuse purposes to meet specified
6 reuse requirements; providing that such reuse
7 contributes to the reuse requirement of the facilities
8 originally accepting the flows; requiring entities
9 that divert wastewater to also meet the reuse
10 requirement; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Paragraph (c) of subsection (9) of section
15 403.086, Florida Statutes, is amended, and paragraph (i) is
16 added to that subsection, to read:

17 403.086 Sewage disposal facilities; advanced and secondary
18 waste treatment.—

19 (9) The Legislature finds that the discharge of domestic
20 wastewater through ocean outfalls wastes valuable water supplies
21 that should be reclaimed for beneficial purposes to meet public
22 and natural systems demands. The Legislature also finds that
23 discharge of domestic wastewater through ocean outfalls
24 compromises the coastal environment, quality of life, and local
25 economies that depend on those resources. The Legislature
26 declares that more stringent treatment and management
27 requirements for such domestic wastewater and the subsequent,
28 timely elimination of ocean outfalls as a primary means of
29 domestic wastewater discharge are in the public interest.

592-03550-10

20102354c1

30 (c) Each domestic wastewater facility that discharges
31 through an ocean outfall on July 1, 2008, shall install a
32 functioning reuse system no later than December 31, 2025. For
33 purposes of this subsection, a "functioning reuse system" means
34 an environmentally, economically, and technically feasible
35 system that provides a minimum of 60 percent of the facility's
36 actual flow on an annual basis for irrigation of public access
37 areas, residential properties, or agricultural crops; aquifer
38 recharge; groundwater recharge; industrial cooling; or other
39 acceptable reuse purposes authorized by the department. For
40 purposes of this subsection, the term "facility's actual flow on
41 an annual basis" means the annual average flow of domestic
42 wastewater discharging through the facility's ocean outfall, as
43 determined by the department, using monitoring data available
44 for calendar years 2003 through 2007. Facilities that divert
45 flows shall meet the 60 percent reuse requirement of this
46 paragraph. Such reuse shall be considered to contribute to
47 meeting the reuse requirement of the facility that originally
48 accepted the flows. ~~Diversion of Flows diverted from these~~
49 facilities to other facilities that provide 100 percent reuse of
50 the diverted flows prior to December 31, 2025, shall be
51 considered to contribute to meeting the 60 percent ~~60 percent~~
52 reuse requirement. For utilities operating more than one
53 outfall, the reuse requirement can be met if the combined actual
54 reuse flows from facilities served by the outfalls is at least
55 60 percent of the sum of the total actual flows from the ~~these~~
56 facilities, including flows diverted to other facilities for 100
57 percent reuse prior to December 31, 2025. In the event treatment
58 in addition to the advanced wastewater treatment and management

592-03550-10

20102354c1

59 requirements described in paragraph (b) is needed in order to
60 support a functioning reuse system, such treatment shall be
61 fully operational no later than December 31, 2025.

62 (i) An entity that diverts wastewater flow from a receiving
63 facility that discharges domestic wastewater through an ocean
64 outfall must meet the 60 percent reuse requirement of paragraph
65 (c). Reuse by the diverting entity of the diverted flows shall
66 be credited to the diverting entity. The diverted flow shall
67 also be correspondingly deducted from the receiving facility's
68 actual flow on an annual basis from which the required reuse is
69 calculated pursuant to paragraph (c) and the receiving
70 facility's reuse requirement shall be recalculated accordingly.

71 Section 2. This act shall take effect July 1, 2010.