

By the Committees on Community Affairs; and Environmental Preservation and Conservation; and Senator Sobel

578-04905-10

20102354c2

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

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13           Section 1. Paragraph (c) of subsection (9) of section  
14           403.086, Florida Statutes, is amended, and paragraph (i) is  
15           added to that subsection, to read:

16           403.086 Sewage disposal facilities; advanced and secondary  
17           waste treatment.—

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

29           (c) Each domestic wastewater facility that discharges

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

58 (i) An entity that diverts wastewater flow from a receiving

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

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