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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/09/2019	.	
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Appropriations Subcommittee on Agriculture, Environment, and
General Government (Mayfield) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 403.0616, Florida Statutes, is created
to read:

403.0616 Real-time water quality monitoring program.-

(1) Subject to appropriation, the department shall
establish a real-time water quality monitoring program to assist
in the restoration, preservation, and enhancement of impaired



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11 water bodies and coastal resources.

12 (2) In order to expedite the creation and implementation of
13 the program, the department is encouraged to form public-private
14 partnerships with established scientific entities with existing,
15 proven real-time water quality monitoring equipment and
16 experience in deploying such equipment.

17 Section 2. Section 403.08715, Florida Statutes, is created
18 to read:

19 403.08715 Biosolids management.—

20 (1) LEGISLATIVE FINDINGS.—The Legislature finds it is in
21 the best interest of the state to:

22 (a) Regulate biosolids management to minimize the migration
23 of nutrients that impair or contribute to the impairment of
24 water bodies.

25 (b) Expedite implementation of the recommendations of the
26 Biosolids Technical Advisory Committee, which includes
27 permitting based on site-specific application conditions,
28 increased inspection frequencies, groundwater and surface water
29 monitoring protocols, and nutrient management research to
30 improve the management of biosolids and protect this state's
31 water resources and water quality.

32 (c) Expedite the implementation of biosolids processing
33 innovative technologies as a means to improve biosolids
34 management and protect water resources and water quality.

35 (2) DEFINITION.—As used in this section, the term
36 "biosolids" has the same meaning as in s. 373.4595(2).

37 (3) PROHIBITED LAND APPLICATION.—

38 (a) Beginning July 1, 2020, the land application of
39 biosolids is prohibited on any site where the biosolids



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40 application zone interacts with the seasonal high water table.

41 (b) The department may not issue a new permit or renew an
42 existing permit for the land application of biosolids for any
43 site where the land application of biosolids is prohibited
44 pursuant to paragraph (a).

45 (4) RULEMAKING.—

46 (a) For sites that are not subject to the prohibition under
47 subsection (3), the department shall adopt rules for biosolids
48 management to:

49 1. Permit the use of biosolids in a manner that minimizes
50 the migration of nutrients and that prevents impairment of
51 surface water and groundwater quality, including:

52 a. Site-specific land application rates of biosolids based
53 on soil characteristics, soil adsorption capacity, water table
54 characteristics, hydrogeology, site use, and distance to surface
55 water;

56 b. An evaluation of the percentage of water-extractable
57 phosphorus in all biosolids to inform the appropriate
58 application rate;

59 c. Criteria for low-, medium-, and high-risk sites that
60 guide application practices and required water quality
61 monitoring; and

62 d. Site-specific agronomic rates based on soil and plant
63 tissue tests. The application volume is limited to the amount
64 necessary to meet the agronomic need demonstrated by the soil
65 and plant tissue test.

66 2. Establish site-specific groundwater and surface water
67 monitoring requirements.

68 (b) The department shall initiate rulemaking by August 1,



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69 2019.

70 (5) WATER QUALITY MONITORING.—The department shall
71 implement an offsite water quality monitoring program sufficient
72 to determine impacts from the land application of biosolids on
73 downstream and nearby surface water and groundwater quality.

74 (6) APPLICABILITY.—

75 (a) This section does not conflict with or supersede s.
76 373.4595 or s. 373.811.

77 (b) This section does not apply to Class AA biosolids that
78 are marketed and distributed as fertilizer products in
79 accordance with department rule.

80 (c)1. An ordinance, moratorium, or regulation adopted by a
81 municipality or county before February 1, 2019, relating to the
82 land application of Class B biosolids shall remain in effect
83 until the ordinance, moratorium, or regulation is repealed by
84 the municipality or county or until the effective date of the
85 rules adopted by the department pursuant to subsection (4).

86 2. This section does not limit the ability of a
87 municipality or county to extend an ordinance, moratorium,
88 resolution, or regulation adopted before February 1, 2019,
89 relating to the land application of Class B biosolids until the
90 effective date of the rules adopted by the department pursuant
91 to subsection (4).

92 Section 3. This act shall take effect July 1, 2019.

93
94 ===== T I T L E A M E N D M E N T =====

95 And the title is amended as follows:

96 Delete everything before the enacting clause
97 and insert:



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98 A bill to be entitled
99 An act relating to biosolids management; creating s.
100 403.0616, F.S.; requiring the Department of
101 Environmental Protection, subject to appropriation, to
102 establish a real-time water quality monitoring
103 program; encouraging the formation of public-private
104 partnerships; creating s. 403.08715, F.S.; providing
105 legislative findings; defining the term "biosolids";
106 prohibiting the land application of biosolids on
107 certain sites; prohibiting the department from issuing
108 or renewing certain permits; directing the department
109 to initiate rulemaking by a specified date, adopt
110 specified rules for biosolids management, and
111 implement a specified water quality monitoring
112 program; providing applicability; providing an
113 effective date.