

By Senator Mayfield

17-01217C-19

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1 A bill to be entitled  
2 An act relating to biosolids management; creating s.  
3 403.0855, F.S.; providing legislative findings and  
4 intent; defining the term "biosolids"; requiring the  
5 Department of Environmental Protection to adopt rules  
6 for biosolids management which meet certain  
7 requirements; exempting the rulemaking from specified  
8 requirements; providing applicability; providing that  
9 certain ordinances, moratoriums, or regulations remain  
10 in effect until they are repealed or expire; defining  
11 the term "biosolids"; providing an effective date.  
12

13 Be It Enacted by the Legislature of the State of Florida:  
14

15 Section 1. Section 403.0855, Florida Statutes, is created  
16 to read:

17 403.0855 Biosolids management.—

18 (1) The Legislature finds that it is in the best interest  
19 of this state to regulate biosolids management in order to  
20 minimize the migration of nutrients that impair waterbodies. The  
21 Legislature further finds that the expedited implementation of  
22 the recommendations of the Biosolids Technical Advisory  
23 Committee, including permitting according to site-specific  
24 application conditions, an increased inspection rate,  
25 groundwater and surface water monitoring protocols, and nutrient  
26 management research, will improve biosolids management and  
27 assist in protecting this state's water resources and water  
28 quality. The Legislature intends for innovative technologies in  
29 biosolids processing to be implemented as a means to improve

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30 biosolids management and to protect this state's water resources  
31 and water quality.

32 (2) As used in this section, the term "biosolids" has the  
33 same meaning as in s. 373.4595(2).

34 (3) The department shall adopt rules for biosolids  
35 management which include, but are not limited to, the following:

36 (a) Biosolids land application rates that ensure that  
37 nitrogen and phosphorus do not impair surface water quality or  
38 groundwater quality in nearby or downstream waterbodies;

39 (b) Site-specific land application criteria; and

40 (c) Monitoring requirements.

41 (4) Rules adopted pursuant to this section are not subject  
42 to ss. 120.541(3) and 403.804(2).

43 (5) Nothing herein shall be construed to conflict with or  
44 supersede s. 373.4595.

45 Section 2. An ordinance, moratorium, or regulation relating  
46 to the land application of Class B biosolids adopted by a county  
47 or municipality shall remain in effect until the county or  
48 municipality repeals or lets expire the ordinance, moratorium,  
49 or regulation. Nothing herein prohibits a county or municipality  
50 from extending an existing ordinance, moratorium, or regulation.  
51 The term "biosolids" has the same meaning as in s. 373.4595(2),  
52 Florida Statutes.

53 Section 3. This act shall take effect upon becoming a law.