

By the Committees on Appropriations; and Environment and Natural Resources; and Senator Mayfield

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1 A bill to be entitled
2 An act relating to biosolids management; creating s.
3 403.0616, F.S.; requiring the Department of
4 Environmental Protection, subject to appropriation, to
5 establish a real-time water quality monitoring
6 program; encouraging the formation of public-private
7 partnerships; creating s. 403.08715, F.S.; providing
8 legislative findings; defining the term "biosolids";
9 prohibiting the land application of biosolids on
10 certain sites; prohibiting the department from issuing
11 or renewing certain permits; directing the department
12 to initiate rulemaking by a specified date, adopt
13 specified rules for biosolids management, and
14 implement a specified water quality monitoring
15 program; providing applicability; providing an
16 effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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

22 403.0616 Real-time water quality monitoring program.-

23 (1) Subject to appropriation, the department shall
24 establish a real-time water quality monitoring program to assist
25 in the restoration, preservation, and enhancement of impaired
26 water bodies and coastal resources.

27 (2) In order to expedite the creation and implementation of
28 the program, the department is encouraged to form public-private
29 partnerships with established scientific entities with existing,

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30 proven real-time water quality monitoring equipment and
31 experience in deploying such equipment.

32 Section 2. Section 403.08715, Florida Statutes, is created
33 to read:

34 403.08715 Biosolids management.—

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

37 (a) Regulate biosolids management to minimize the migration
38 of nutrients, nitrogen, and phosphorus that impair or contribute
39 to the impairment of water bodies.

40 (b) Expedite implementation of the recommendations of the
41 Biosolids Technical Advisory Committee, which includes
42 permitting based on site-specific application conditions,
43 increased inspection frequencies, groundwater and surface water
44 monitoring protocols, and nutrient management research to
45 improve the management of biosolids and protect this state's
46 water resources and water quality.

47 (c) Expedite the implementation of biosolids processing
48 innovative technologies as a means to improve biosolids
49 management and protect water resources and water quality.

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

52 (3) PROHIBITED LAND APPLICATION.—

53 (a) Beginning July 1, 2019, the department may not issue a
54 new permit or renew an existing permit for the land application
55 of biosolids for any site where the land application of
56 biosolids is prohibited pursuant to paragraph (b).

57 (b) Beginning July 1, 2020, the land application of
58 biosolids is prohibited on any site where the biosolids

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59 application zone interacts with the seasonal high water table.

60 (4) RULEMAKING.—

61 (a) For sites that are not subject to the prohibitions
62 imposed under subsection (3), the department shall adopt rules
63 for biosolids management to:

64 1. Permit the use of biosolids in a manner that minimizes
65 the migration of nutrients and that does not impair or add to
66 the impairment of surface water and groundwater quality,
67 including:

68 a. Site-specific land application rates of biosolids based
69 on soil characteristics, soil adsorption capacity, water table
70 characteristics, hydrogeology, site use, and distance to surface
71 water;

72 b. An evaluation of the percentage of water-extractable
73 phosphorus in all biosolids to inform the appropriate
74 application rate; and

75 c. Criteria for low-, medium-, and high-risk sites that
76 guide application practices and required water quality
77 monitoring.

78 2. Establish site-specific groundwater and surface water
79 monitoring requirements.

80 (b) The department shall initiate rulemaking by August 1,
81 2019.

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

86 (6) APPLICABILITY.—

87 (a) This section does not conflict with or supersede s.

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88 373.4595 or s. 373.811.

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

92 (c)1. An ordinance, moratorium, or regulation adopted by a
93 municipality or county before February 1, 2019, relating to the
94 land application of Class B biosolids shall remain in effect
95 until the ordinance, moratorium, or regulation is repealed by
96 the municipality or county or until the effective date of the
97 rules adopted by the department pursuant to subsection (4).

98 2. This section does not limit the ability of a
99 municipality or county to extend an ordinance, moratorium,
100 resolution, or regulation adopted before February 1, 2019,
101 relating to the land application of Class B biosolids until the
102 effective date of the rules adopted by the department pursuant
103 to subsection (4).

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