

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Payne offered the following:

**Amendment**

Remove lines 1903-2017 and insert:

(a) The land application of biosolids is prohibited on any site that lacks a minimum unsaturated soil depth of 2 feet between the depth of biosolids placement and the water table level at the time the biosolids are applied to the land. A biosolids land application permittee may indicate the seasonal high ground water level for the application site by using soil survey maps. If the seasonal high ground water level is within 2 feet of the depth of biosolids placement or cannot be determined at the time of permitting, the water table level must be

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14 determined in one or more representative locations in the  
15 application zone before each application of biosolids by  
16 measuring the water level in a water-table monitoring well or a  
17 piezometer.

18 (b) The department may not issue a new permit or renew an  
19 existing permit for the land application of biosolids for any  
20 site where the land application of biosolids is prohibited  
21 pursuant to paragraph (a).

22 (4) RULEMAKING.—

23 (a) Notwithstanding paragraph (3)(a), the department shall  
24 adopt rules for biosolids management to:

25 1. Permit the use of biosolids in a manner that minimizes  
26 the migration of nutrients, including nitrogen and phosphorus,  
27 that impair or contribute to the impairment of surface water and  
28 groundwater quality, including:

29 a. Site-specific land application rates of biosolids based  
30 on soil characteristics, soil adsorption capacity, water table  
31 characteristics, hydrogeology, site use, and distance to surface  
32 water;

33 b. An evaluation of the percentage of water-extractable  
34 phosphorus in all biosolids to determine the appropriate  
35 application rate;

36 c. Criteria for low-, medium-, and high-risk sites that  
37 guide application practices and required water quality  
38 monitoring; and

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39        2. Establish site-specific groundwater and surface water  
40 monitoring requirements.

41        (b) The department shall initiate rulemaking by August 1,  
42 2019.

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

47        (6) BIOSOLIDS ALTERNATIVE MANAGEMENT TECHNICAL ADVISORY  
48 COMMITTEE.—

49        (a) The biosolids alternative management technical  
50 advisory committee, a committee as defined in s. 20.03(8), is  
51 created within the department for the purpose of reviewing the  
52 recommendations of the biosolids technical advisory committee,  
53 the costs and impacts of proposed future regulation of the land  
54 application of biosolids, the identification of alternative  
55 management approaches, and the identification of new biosolids  
56 processing technologies.

57        (b) The secretary shall appoint nine members to the  
58 biosolids alternative management technical advisory committee.  
59 The chair of the committee shall be a representative of the  
60 department. The committee shall consist of the following  
61 members:

62        1. A representative from a wastewater facility that  
63 applies biosolids on land.

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64 2. A representative from a wastewater facility that uses  
65 an alternative biosolids disposal method.

66 3. An agricultural representative who is knowledgeable of  
67 biosolids land application.

68 4. A representative from a nonuniversity, public or  
69 private environmental organization.

70 5. A representative from a university or educational  
71 institution who is knowledgeable of alternative biosolids uses  
72 or disposal methods.

73 6. A biosolids hauler.

74 7. A representative from local government.

75 8. A professional engineer who is experienced in biosolids  
76 management.

77 (c) The biosolids alternative management technical  
78 advisory committee shall:

79 1. Conduct its first meeting on or before August 1, 2019;

80 2. Conduct at least three meetings for the purpose of  
81 receiving input from the public regarding alternative management  
82 approaches and the identification of biosolids processing  
83 technologies. At least 7 days before each public meeting, notice  
84 of the time, date, and location of the meeting shall be  
85 published in the Florida Administrative Register; and

86 3. Conduct additional meetings as often as necessary in  
87 order to fulfill its responsibilities under this subsection. Any

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88 additional meetings may be conducted in person, by  
89 teleconference, or by any other electronic means.

90 (d) In evaluating the costs and impacts of the land  
91 application of biosolids, the identification of alternative  
92 management approaches, and the identification of biosolids  
93 processing technologies, the biosolids alternative management  
94 technical advisory committee must consider:

95 1. The existing costs associated with the land application  
96 of biosolids;

97 2. The costs related to the elimination of land  
98 application of biosolids;

99 3. The alternative processing technologies available for  
100 biosolids management; and

101 4. Identification of new alternative technologies for  
102 biosolids management.

103 (e) By July 1, 2020, the biosolids alternative management  
104 technical advisory committee shall submit a report of its  
105 findings and recommendations to the Governor, the President of  
106 the Senate, and the Speaker of the House of Representatives.

107 (f) This subsection expires July 15, 2020.

108 (7) APPLICABILITY.—

109 (a) This section does not conflict with or supersede s.  
110 373.4595 or s. 373.811.

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

114 (c)1. This section does not preempt a municipality or  
115 county from enforcing or extending an ordinance, regulation,  
116 resolution, rule, moratorium, or policy adopted before February  
117 1, 2019, relating to the land application of Class B biosolids  
118 until the ordinance, regulation, resolution, rule, moratorium,  
119 or policy is repealed by the municipality or county or until the  
120 effective date of the rules adopted by the department pursuant  
121 to subsection (4).

122 2. Upon the effective date of the rules adopted by the  
123 department pursuant to subsection (4), a municipality or county  
124 may not adopt or enforce any ordinance, regulation, resolution,  
125 rule, moratorium, or policy relating to the land application  
126 biosolids.

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