



576-03931-21

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Agriculture, Environment, and
General Government)

A bill to be entitled

An act relating to ratification of Department of
Environmental Protection rules; ratifying specified
rules relating to biosolids management for the sole
and exclusive purpose of satisfying any condition on
effectiveness pursuant to s. 120.541(3), F.S., which
requires ratification of any rule exceeding any
specified thresholds for likely adverse impact or
increase in regulatory costs; exempting the rules from
certain review and approval by the Environmental
Regulation Commission; providing applicability;
providing construction; providing a declaration of
important state interest; providing an effective date.

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

Section 1. (1) The following rules are ratified for the
sole and exclusive purpose of satisfying any condition on the
effectiveness imposed under s. 120.541(3), Florida Statutes:
Rules 62-640.100, 62-640.200, 62-640.210, 62-640.300, 62-
640.400, 62-640.500, 62-640.600, 62-640.650, 62-640.700, 62-
640.800, 62-640.850, 62-640.880, Florida Administrative Code,
entitled Scope, Intent, Purpose, and Applicability; Definitions;
General Technical Guidance and Forms; General Requirements;
Prohibitions; Nutrient Management Plan (NMP); Pathogen Reduction
and Vector Attraction Reduction; Monitoring, Record Keeping,



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27 Reporting, and Notification; Requirements for Land Application
28 of Class AA, A, and B Biosolids; Additional Requirements for
29 Land Application at Reclamation Sites; Distribution and
30 Marketing of Class AA Biosolids; and Additional Requirements
31 Related to Biosolids Treatment Facilities, respectively, as
32 published on December 3, 2020, in the Florida Administrative
33 Register, Vol. 46, No. 234, pages 5281-5297.

34 (2) The rules in subsection (1) proposed by the Department
35 of Environmental Protection pursuant to s. 403.0855(2), Florida
36 Statutes, are exempt from review and approval by the
37 Environmental Regulation Commission under s. 403.804(1), Florida
38 Statutes.

39 (3) This section serves no other purpose and may not be
40 codified in the Florida Statutes. At the time of filing this
41 rule for adoption, or as soon thereafter as practicable, the
42 department shall publish a notice of the enactment of this
43 exemption in the Florida Administrative Register. This section
44 does not alter rulemaking authority delegated by prior law and
45 does not constitute legislative preemption of or exception to
46 any other provision of law governing adoption or enforcement of
47 the rule cited. This section does not cure any rulemaking defect
48 or preempt any challenge based on a lack of authority or a
49 violation of the legal requirements governing the adoption of
50 any rule cited.

51 (4) The Legislature determines and declares that this
52 section fulfills an important state interest.

53 Section 2. This act shall take effect upon becoming a law.