

**By** the Committees on Appropriations; and Environment and Natural Resources

576-04238-21

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

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

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17           Section 1. (1) The following rules are ratified for the  
18 sole and exclusive purpose of satisfying any condition on the  
19 effectiveness imposed under s. 120.541(3), Florida Statutes:  
20 Rules 62-640.100, 62-640.200, 62-640.210, 62-640.300, 62-  
21 640.400, 62-640.500, 62-640.600, 62-640.650, 62-640.700, 62-  
22 640.800, 62-640.850, and 62-640.880, Florida Administrative  
23 Code, entitled Scope, Intent, Purpose, and Applicability;  
24 Definitions; General Technical Guidance and Forms; General  
25 Requirements; Prohibitions; Nutrient Management Plan (NMP);  
26 Pathogen Reduction and Vector Attraction Reduction; Monitoring,  
27 Record Keeping, Reporting, and Notification; Requirements for  
28 Land Application of Class AA, A, and B Biosolids; Additional  
29 Requirements for Land Application at Reclamation Sites;

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30 Distribution and Marketing of Class AA Biosolids; and Additional  
31 Requirements Related to Biosolids Treatment Facilities,  
32 respectively, as published on December 3, 2020, in the Florida  
33 Administrative 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 these  
41 rules 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.