

FOR CONSIDERATION By the Committee on Environment and Natural Resources

592-01107A-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 a declaration of important state interest;
13 providing an effective date.

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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, 62-640.880, Florida Administrative Code,
23 entitled Scope, Intent, Purpose, and Applicability; Definitions;
24 General Technical Guidance and Forms; General Requirements;
25 Prohibitions; Nutrient Management Plan (NMP); Pathogen Reduction
26 and Vector Attraction Reduction; Monitoring, Record Keeping,
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

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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 act 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 act does
44 not alter rulemaking authority delegated by prior law and does
45 not constitute legislative preemption of or exception to any
46 other provision of law governing adoption or enforcement of the
47 rule cited. This act does not cure any rulemaking defect or
48 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 Section 2. The Legislature determines and declares that
52 this act fulfills an important state interest.

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