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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/14/2023	.	
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The Committee on Environment and Natural Resources (Brodeur) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 403.0674, Florida Statutes, is created
to read:

403.0674 Biosolids grant program.—A biosolids grant program
is established within the Department of Environmental
Protection.

(1) Subject to the appropriation of funds by the



725546

11 Legislature, the department may provide grants to counties and
12 municipalities in this state to support projects to construct,
13 upgrade, expand, or retrofit domestic facilities that convert
14 wastewater residuals to Class AA biosolids. An applicant for a
15 biosolids grant must be a county or municipal governmental
16 entity; however, applicants are encouraged to form public-
17 private partnerships with private utilities and firms.

18 (2) In allocating grant funds, the department shall
19 prioritize projects by considering each project's economic and
20 market feasibility, as well as the environmental benefit that a
21 project may provide.

22 (a) To evaluate a project's economic and market
23 feasibility, the department shall review a detailed cost-benefit
24 analysis for the project which includes the project's overall
25 economic impact and both current and future market potential,
26 including current or prospective buyers or users of the
27 project's Class AA biosolids.

28 (b) To evaluate the environmental benefit of a project, the
29 department shall review an analysis of how the project's Class
30 AA biosolids are projected to minimize the migration of
31 nutrients and other pollutants that degrade water quality.

32 (3) The department shall administer the grant program so
33 that, of the funds made available each year under this section:

34 (a) At least 33 percent is reserved for projects that
35 convert wastewater residuals into composted Class AA biosolids
36 that meet the requirements of the United States Compost
37 Council's Seal of Testing Assurance Program as being fully
38 stabilized.

39 (b) At least 33 percent is reserved for projects that



725546

40 convert wastewater residuals into both Class AA biosolids and a
41 solution of ammonia nitrogen, a valuable alternative to
42 synthetic nitrogen fertilizers.

43 (c) At least 10 percent is reserved for projects within an
44 area designated as a rural area of opportunity under s.
45 288.0656.

46 (4) If the department does not receive sufficient
47 applications for projects described in subsection (3), the
48 department may reallocate the reserved funds to other projects
49 that are prioritized based on the department's evaluation of
50 projects under subsection (2).

51 (5) (a) Except as provided in paragraph (b), the department
52 shall require that each project grant have a minimum of a 50
53 percent funding match from local, state, federal, or private
54 funds.

55 (b) The department may waive, in whole or in part, the
56 match requirement in paragraph (a) for proposed projects within
57 an area designated as a rural area of opportunity under s.
58 288.0656.

59 Section 2. Subsections (7) and (8) are added to section
60 403.0855, Florida Statutes, to read:

61 403.0855 Biosolids management.—

62 (7) The department may not authorize a land application
63 site permit for Class B biosolids within the subwatershed of a
64 waterbody or waterbody segment listed as impaired for either
65 nitrogen or phosphorus pursuant to s. 403.067 or within an
66 adjoining upstream subwatershed containing surface waters that
67 flow to a waterbody listed as impaired for either nitrogen or
68 phosphorus pursuant to s. 403.067 unless the applicant



725546

69 affirmatively demonstrates that the phosphorus and nitrogen in
70 the biosolids will not add to the nutrient load in the impaired
71 subwatershed. This demonstration must be based on achieving a
72 net balance between nutrient imports relative to exports on the
73 permitted land application site. Exports may include only
74 nutrients removed from the subwatershed through products
75 generated on the permitted land application site. Beginning
76 November 1, 2023, and each November 1 thereafter, the department
77 shall publish updated maps designating the subwatersheds of
78 water bodies protected under this subsection.

79 (8) New or renewed Class B biosolid land application site
80 permits issued after November 1, 2023, must meet the
81 requirements of this section by July 1, 2024. All permits for
82 biosolid land application sites must meet the requirements of
83 this section by July 1, 2025.

84 Section 3. This act shall take effect July 1, 2023.

85
86 ===== T I T L E A M E N D M E N T =====

87 And the title is amended as follows:

88 Delete everything before the enacting clause
89 and insert:

90 A bill to be entitled
91 An act relating to biosolids; creating s. 403.0674,
92 F.S.; establishing a biosolids grant program within
93 the Department of Environmental Protection;
94 authorizing the department, subject to appropriation,
95 to provide biosolid grants for certain projects that
96 convert wastewater residuals to Class AA biosolids;
97 providing applicant requirements; providing for the



725546

98 prioritization of projects; providing for the
99 administration of the grant program; authorizing the
100 department to waive requirements for certain projects;
101 amending s. 403.0855, F.S.; prohibiting the department
102 from authorizing land application site permits for
103 Class B biosolids unless a certain demonstration can
104 be made; requiring the department to publish and
105 annually update maps of protected subwatersheds;
106 requiring land application site permits to meet
107 certain requirements by specified dates; providing an
108 effective date.

109
110 WHEREAS, the Legislature encourages the highest levels of
111 treatment, quality, and use for biosolids, and

112 WHEREAS, the Legislature encourages the beneficial use of
113 biosolids in a manner that will foster public acceptance and
114 innovative and alternative uses for biosolids, NOW, THEREFORE,