

**By** the Committee on Environment and Natural Resources; and  
Senator Brodeur

592-02542-23

2023880c1

1                   A bill to be entitled  
2       An act relating to biosolids; creating s. 403.0674,  
3       F.S.; establishing a biosolids grant program within  
4       the Department of Environmental Protection;  
5       authorizing the department, subject to appropriation,  
6       to provide biosolid grants for certain projects that  
7       convert wastewater residuals to Class AA biosolids;  
8       providing applicant requirements; providing for the  
9       prioritization of projects; providing for the  
10      administration of the grant program; authorizing the  
11      department to waive requirements for certain projects;  
12      amending s. 403.0855, F.S.; prohibiting the department  
13      from authorizing land application site permits for  
14      Class B biosolids unless a certain demonstration can  
15      be made; requiring the department to publish and  
16      annually update maps of protected subwatersheds;  
17      requiring land application site permits to meet  
18      certain requirements by specified dates; providing an  
19      effective date.

20  
21       WHEREAS, the Legislature encourages the highest levels of  
22      treatment, quality, and use for biosolids, and

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

26  
27      Be It Enacted by the Legislature of the State of Florida:

28  
29       Section 1. Section 403.0674, Florida Statutes, is created

592-02542-23

2023880c1

30 to read:

31 403.0674 Biosolids grant program.—A biosolids grant program  
32 is established within the Department of Environmental  
33 Protection.

34 (1) Subject to the appropriation of funds by the  
35 Legislature, the department may provide grants to counties and  
36 municipalities in this state to support projects to construct,  
37 upgrade, expand, or retrofit domestic facilities that convert  
38 wastewater residuals to Class AA biosolids. An applicant for a  
39 biosolids grant must be a county or municipal governmental  
40 entity; however, applicants are encouraged to form public-  
41 private partnerships with private utilities and firms.

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

46 (a) To evaluate a project's economic and market  
47 feasibility, the department shall review a detailed cost-benefit  
48 analysis for the project which includes the project's overall  
49 economic impact and both current and future market potential,  
50 including current or prospective buyers or users of the  
51 project's Class AA biosolids.

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

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

58 (a) At least 33 percent is reserved for projects that

592-02542-23

2023880c1

59 convert wastewater residuals into composted Class AA biosolids  
60 that meet the requirements of the United States Compost  
61 Council's Seal of Testing Assurance Program as being fully  
62 stabilized.

63 (b) At least 33 percent is reserved for projects that  
64 convert wastewater residuals into both Class AA biosolids and a  
65 solution of ammonia nitrogen, a valuable alternative to  
66 synthetic nitrogen fertilizers.

67 (c) At least 10 percent is reserved for projects within an  
68 area designated as a rural area of opportunity under s.  
69 288.0656.

70 (4) If the department does not receive sufficient  
71 applications for projects described in subsection (3), the  
72 department may reallocate the reserved funds to other projects  
73 that are prioritized based on the department's evaluation of  
74 projects under subsection (2).

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

79 (b) The department may waive, in whole or in part, the  
80 match requirement in paragraph (a) for proposed projects within  
81 an area designated as a rural area of opportunity under s.  
82 288.0656.

83 Section 2. Subsections (7) and (8) are added to section  
84 403.0855, Florida Statutes, to read:

85 403.0855 Biosolids management.—

86 (7) The department may not authorize a land application  
87 site permit for Class B biosolids within the subwatershed of a

592-02542-23

2023880c1

88 waterbody or waterbody segment listed as impaired for either  
89 nitrogen or phosphorus pursuant to s. 403.067 or within an  
90 adjoining upstream subwatershed containing surface waters that  
91 flow to a waterbody listed as impaired for either nitrogen or  
92 phosphorus pursuant to s. 403.067 unless the applicant  
93 affirmatively demonstrates that the phosphorus and nitrogen in  
94 the biosolids will not add to the nutrient load in the impaired  
95 subwatershed. This demonstration must be based on achieving a  
96 net balance between nutrient imports relative to exports on the  
97 permitted land application site. Exports may include only  
98 nutrients removed from the subwatershed through products  
99 generated on the permitted land application site. Beginning  
100 November 1, 2023, and each November 1 thereafter, the department  
101 shall publish updated maps designating the subwatersheds of  
102 water bodies protected under this subsection.

103 (8) New or renewed Class B biosolid land application site  
104 permits issued after November 1, 2023, must meet the  
105 requirements of this section by July 1, 2024. All permits for  
106 biosolid land application sites must meet the requirements of  
107 this section by July 1, 2025.

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