FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

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BILL #: CS/HB 1285	**COMPANION BILL:** CS/SB 1474 (Gaetz)
TITLE: Biosolids Management	**LINKED BILLS:** None
SPONSOR(S): Boyles	**RELATED BILLS:** None

Committee References

Natural Resources & Disasters
16 Y, 0 N, As CS

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State Affairs

SUMMARY

Effect of the Bill:
The bill prohibits the Department of Environmental Protection from issuing or renewing land application site permits that authorize the disposal or land application of septage as Class B biosolids if there is a permitted wastewater treatment facility within 50 miles of the site that accepts septage for higher levels of treatment and meets certain other requirements.

Fiscal or Economic Impact:
None.

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ANALYSIS

EFFECT OF THE BILL:

The bill prohibits the Department of Environmental Protection from issuing or renewing a permit for a land application site that authorizes the disposal or land application of septage[1] as Class B biosolids if there is a permitted wastewater treatment facility that accepts septage for higher levels of treatment that:

- Is less than 50 miles from the proposed Class B biosolids land application site.
- Is owned or operated by the federal government, a federal agency, a state government body or agency, or a political subdivision of the state.
- Is not defunction, used for other purposes, or out of capacity. (Section 1)

The effective date of the bill is July 1, 2026. (Section 2)

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Wastewater Treatment Facilities

Domestic wastewater is water from dwellings, business buildings, institutions, and sanitary wastewater or sewage treatment plants.[2] In Florida, a person generates approximately 100 gallons of domestic wastewater per day.[3] Properly treating and disposing of or reusing this domestic wastewater is an important part of protecting Florida's water resources.[4] The majority of the state's wastewater is controlled and treated by centralized treatment facilities regulated by the Department of Environmental Protection (DEP).[5] Florida has approximately 2,000

[1] The bill defines "septage" as a mixture of sludge, fatty materials, human feces, and wastewater removed during the pumping of an onsite sewage treatment and disposal system. *See* s. 381.0065(2)(p), F.S.
[2] S. 367.021(5), F.S.
[3] Department of Environmental Protection, *Domestic Wastewater Program* (last visited Feb. 1, 2026).
[4] *Id.*
[5] *Id.*

domestic wastewater treatment facilities.[6] Current law generally requires wastewater treatment facilities to provide secondary treatment prior to reuse or disposal.[7]

Biosolids

Biosolids are the solid, semisolid, or liquid residue generated during the treatment of domestic wastewater in a domestic wastewater treatment facility and include products and treated material from biosolids treatment facilities and septage management facilities regulated by DEP.[8] When treating domestic wastewater, biosolids accumulate in the wastewater treatment plant and must be removed periodically to keep the plant operating properly.[9] Biosolids are high in organic content and contain moderate amounts of nutrients needed by plants, making biosolids valuable as a fertilizer and soil conditioner.[10]

According to DEP's estimates in 2019, wastewater treatment facilities produce about 340,000 dry tons of biosolids each year.[11] Biosolids can be disposed of in several ways, such as being placed in a landfill; distributed and marketed as fertilizer; incinerated; and be land applied to pasture, agricultural lands, or nonagricultural lands, including park, gardens, home lawns, and golf courses.[12]

Regulation of Biosolids

Biosolids disposal and use is subject to regulatory requirements established by DEP to protect public health and the environment.[13] Rule 62-640.650, F.A.C., provides minimum requirements, including monitoring and reporting requirements, for the treatment, management, use, and disposal of biosolids. These rules apply to wastewater treatment facilities, appliers, and distributors and include permit requirements for both treatment facilities and biosolids application sites.[14]

Biosolids treatment must reduce pathogens and the attractiveness of the biosolids for pests like insects and rodents.[15] DEP regulates three classes of biosolids for beneficial use: Class AA, Class A, and Class B biosolids.[16] Biosolids are categorized based on treatment and quality, with Class AA biosolids receiving the highest level of treatment and Class B receiving the lowest.[17] Class B biosolids are treated, but still contain detectible levels of pathogens, and therefore have more restrictions on their use.[18]

Land Application of Biosolids

Land application of biosolids involves spreading biosolids on the soil surface or incorporating or injecting biosolids into or onto soil to condition or fertilize crops and vegetation.[19] This practice provides nutrients and organic

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[6] Department of Environmental Protection, *General Facts and Statistics about Wastewater in Florida* (last visited Feb. 1, 2026).
[7] S. 403.086(1)(a), F.S. and Rule 62-600.420, F.A.C.
[8] *See* S. 373.4595(2)(b), F.S. and Rule 62-640.200(6), F.A.C. The term does not include the treated effluent or reclaimed water from a domestic wastewater treatment facility, solids removed from pump stations and lift stations, screenings and grit removed from the preliminary treatment components of domestic wastewater treatment facilities, other solids as defined by DEP rule, or ash generated during the incineration of biosolids.
[9] Department of Environmental Protection, *Domestic Wastewater Biosolids* (last visited Feb. 1, 2026).
[10] *Id.*
[11] Department of Environmental Protection, *Biosolids in Florida*, 5 (last visited Feb. 1, 2026).
[12] U.S. Environmental Protection Agency, *Basic Information about Sewage Sludge and Biosolids* (last visited Feb. 1, 2026).
[13] *See* Rule 62-640, F.A.C.
[14] *See* Rule 64-640.100(5), F.A.C. and Rule 64-640.300, F.A.C.
[15] Rule 62-640.600, F.A.C.
[16] Rule 62-640.200(10)-(12), F.A.C. At the federal level, biosolids are divided into Class A designations and Class B designations based on pathogen treatment methods. *See* U.S. Environmental Protection Agency, *Land Application of Biosolids* (last visited Feb. 1, 2026).
[17] Rule 62-640.200(10)-(12), F.A.C. *See also* U.S. Environmental Protection Agency, *Land Application of Biosolids* (last visited Feb. 1, 2026).
[18] University of Florida Institute of Food and Agricultural Sciences, *The Florida Handbook of Solid and Hazardous Waste Regulation: Residual Waste Disposal* (last visited Feb. 1, 2026).
[19] U.S. Environmental Protection Agency, *Land Application of Biosolids* (last visited Feb. 1, 2026).

matter to the soil on agricultural land, golf courses, forests, parks, mine reclamation sites, and other disturbed lands.[20] In Florida, about one-third of the biosolids produced are used for agricultural land application.[21]

In Florida, DEP regulates land application of biosolids and requires a permit for this practice.[22] Applications for a biosolids land application site permit must include a site-specific nutrient management plan (NMP) that establishes the specific rates of application and procedures.[23] Biosolids may only be applied to permitted sites that have a valid NMP.[24] Land application of biosolids at these sites must be at the rates established in the NMP,[25] and application may only occur if all concentrations of minerals do not exceed ceiling and cumulative concentrations determined by rule.[26]

Once a facility or site receives a land application permit, it is subject to monitoring, record-keeping, reporting, and notification requirements.[27] The requirements are site-specific and can be increased or reduced by the DEP based on the quality or quantity of wastewater or biosolids treated; historical variations in biosolids characteristics; industrial wastewater or sludge contributions to the facility; the use, land application, or disposal of the biosolids; the water quality of surface and ground water and the hydrogeology of the area; wastewater or biosolids treatment processes; and the compliance history of the facility or application site.[28]

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Natural Resources & Disasters Subcommittee	16 Y, 0 N, As CS	2/4/2026	Skinner	Jones
THE CHANGES ADOPTED BY THE COMMITTEE:	• Changed the permit type from "biosolids land application site" to "land application site." • Defined septage, for purposes of the bill, as it is defined in 381.0065(2), F.S.			
State Affairs Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

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[20] *Id.*
[21] Department of Environmental Protection, *Benefits of Biosolids* (last visited Feb. 1, 2026).
[22] Rule 64-640.700(1), F.A.C.
[23] Rule 64-640.500(1), F.A.C.
[24] *Id.*; *see also* Rule 62-640.700(1), F.A.C.
[25] Rule 62-640.700(3), F.A.C.
[26] Rule 64-640.700(5), F.A.C.
[27] Rule 62-640.650, F.A.C.
[28] Rule 62-640.650(1), F.A.C.