



263818

576-04091-19

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Agriculture, Environment, and
General Government)

A bill to be entitled

An act relating to biosolids management; creating s.
403.0616, F.S.; requiring the Department of
Environmental Protection, subject to appropriation, to
establish a real-time water quality monitoring
program; encouraging the formation of public-private
partnerships; creating s. 403.08715, F.S.; providing
legislative findings; defining the term "biosolids";
prohibiting the land application of biosolids on
certain sites; prohibiting the department from issuing
or renewing certain permits; directing the department
to initiate rulemaking by a specified date, adopt
specified rules for biosolids management, and
implement a specified water quality monitoring
program; providing applicability; providing an
effective date.

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

Section 1. Section 403.0616, Florida Statutes, is created
to read:

403.0616 Real-time water quality monitoring program.-

(1) Subject to appropriation, the department shall
establish a real-time water quality monitoring program to assist
in the restoration, preservation, and enhancement of impaired
water bodies and coastal resources.



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27 (2) In order to expedite the creation and implementation of
28 the program, the department is encouraged to form public-private
29 partnerships with established scientific entities with existing,
30 proven real-time water quality monitoring equipment and
31 experience in deploying such equipment.

32 Section 2. Section 403.08715, Florida Statutes, is created
33 to read:

34 403.08715 Biosolids management.—

35 (1) LEGISLATIVE FINDINGS.—The Legislature finds it is in
36 the best interest of the state to:

37 (a) Regulate biosolids management to minimize the migration
38 of nutrients that impair or contribute to the impairment of
39 water bodies.

40 (b) Expedite implementation of the recommendations of the
41 Biosolids Technical Advisory Committee, which includes
42 permitting based on site-specific application conditions,
43 increased inspection frequencies, groundwater and surface water
44 monitoring protocols, and nutrient management research to
45 improve the management of biosolids and protect this state's
46 water resources and water quality.

47 (c) Expedite the implementation of biosolids processing
48 innovative technologies as a means to improve biosolids
49 management and protect water resources and water quality.

50 (2) DEFINITION.—As used in this section, the term
51 “biosolids” has the same meaning as in s. 373.4595(2).

52 (3) PROHIBITED LAND APPLICATION.—

53 (a) Beginning July 1, 2020, the land application of
54 biosolids is prohibited on any site where the biosolids
55 application zone interacts with the seasonal high water table.



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56 (b) The department may not issue a new permit or renew an
57 existing permit for the land application of biosolids for any
58 site where the land application of biosolids is prohibited
59 pursuant to paragraph (a).

60 (4) RULEMAKING.—

61 (a) For sites that are not subject to the prohibition under
62 subsection (3), the department shall adopt rules for biosolids
63 management to:

64 1. Permit the use of biosolids in a manner that minimizes
65 the migration of nutrients and that prevents impairment of
66 surface water and groundwater quality, including:

67 a. Site-specific land application rates of biosolids based
68 on soil characteristics, soil adsorption capacity, water table
69 characteristics, hydrogeology, site use, and distance to surface
70 water;

71 b. An evaluation of the percentage of water-extractable
72 phosphorus in all biosolids to inform the appropriate
73 application rate;

74 c. Criteria for low-, medium-, and high-risk sites that
75 guide application practices and required water quality
76 monitoring; and

77 d. Site-specific agronomic rates based on soil and plant
78 tissue tests. The application volume is limited to the amount
79 necessary to meet the agronomic need demonstrated by the soil
80 and plant tissue test.

81 2. Establish site-specific groundwater and surface water
82 monitoring requirements.

83 (b) The department shall initiate rulemaking by August 1,
84 2019.



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85 (5) WATER QUALITY MONITORING.—The department shall
86 implement an offsite water quality monitoring program sufficient
87 to determine impacts from the land application of biosolids on
88 downstream and nearby surface water and groundwater quality.

89 (6) APPLICABILITY.—

90 (a) This section does not conflict with or supersede s.
91 373.4595 or s. 373.811.

92 (b) This section does not apply to Class AA biosolids that
93 are marketed and distributed as fertilizer products in
94 accordance with department rule.

95 (c)1. An ordinance, moratorium, or regulation adopted by a
96 municipality or county before February 1, 2019, relating to the
97 land application of Class B biosolids shall remain in effect
98 until the ordinance, moratorium, or regulation is repealed by
99 the municipality or county or until the effective date of the
100 rules adopted by the department pursuant to subsection (4).

101 2. This section does not limit the ability of a
102 municipality or county to extend an ordinance, moratorium,
103 resolution, or regulation adopted before February 1, 2019,
104 relating to the land application of Class B biosolids until the
105 effective date of the rules adopted by the department pursuant
106 to subsection (4).

107 Section 3. This act shall take effect July 1, 2019.