A bill to be entitled
An act relating to biosolids management; creating s.
403.08715, F.S.; providing legislative findings;
defining the term “biosolids”; prohibiting the
department from issuing or renewing certain permits
after a specified date; prohibiting the land
application of biosolids on certain sites after a
specified date; authorizing municipalities and
counties to enforce or extend certain ordinances,
regulations, resolutions, rules, moratoriums, or
policies regarding the land application of biosolids;
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 403.08715, Florida Statutes, is created
to read:

403.08715 Biosolids management.—
(1) LEGISLATIVE FINDINGS.—The Legislature finds that it is
in the best interest of the state to:
(a) Regulate biosolids management to minimize the migration
of nutrients, nitrogen, and phosphorus that impair or contribute
to the impairment of water bodies.
(b) Expedite implementation of the recommendations of the
Biosolids Technical Advisory Committee, which include permitting
based on site-specific application conditions, increased
inspection frequencies, groundwater and surface water monitoring
protocols, and nutrient management research to improve the
management of biosolids and protect this state’s water resources
and water quality.

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

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

(3) PROHIBITED LAND APPLICATION.—
(a) Beginning July 1, 2020, the department may not issue a
new permit or renew an existing permit for the land application
of biosolids for any site where the biosolids application zone
interacts with the seasonal high water table.

(b) Beginning July 1, 2021, the land application of
biosolids is prohibited on any site where the biosolids
application zone interacts with the seasonal high water table.

(c) A municipality or county may enforce or extend an
ordinance, regulation, resolution, rule, moratorium, or policy
adopted before November 1, 2019, relating to the land
application of Class B biosolids until the ordinance,
regulation, resolution, rule, moratorium, or policy is repealed
by the municipality or county.

(4) RULEMAKING.—
(a) For sites that are not subject to the prohibitions
imposed under subsection (3), the department shall adopt rules
for biosolids management to:

1. Permit the use of biosolids in a manner that minimizes
the migration of nutrients and that does not impair or add to the impairment of surface water and groundwater quality, including:

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

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

c. Criteria for low-, medium-, and high-risk sites which guide application practices and required water quality monitoring.

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

(b) The department shall initiate rulemaking by August 1, 2020.

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

(6) APPLICABILITY.—

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

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

Section 2. This act shall take effect upon becoming a law.