

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative Maggard offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 52-155 and insert:

6 (17) (a) Notwithstanding any provision in this section to
7 the contrary, beginning January 1, 2032, domestic wastewater
8 treatment facilities may not dispose of effluent, reclaimed
9 water, or reuse water by surface water discharge, except that
10 this prohibition does not apply if:

11 1. The discharge meets the requirements of s. 403.086(10);

12 2. The discharge is associated with an indirect potable
13 reuse project;

14 3. The discharge is a wet weather discharge that occurs in
15 accordance with an applicable department permit;

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16 4. The discharge is into a stormwater management system
17 and is subsequently withdrawn by a user for irrigation purposes;

18 5. The utility operates domestic wastewater treatment
19 facilities with reuse systems that reuse a minimum of 90 percent
20 of a facility's annual average flow, as determined by the
21 department using monitoring data for the prior 5 consecutive
22 years, for reuse purposes authorized by the department; or

23 6. The discharge provides direct ecological or public
24 water supply benefits, such as rehydrating wetlands or
25 implementing the requirements of minimum flows and minimum water
26 levels or recovery or prevention strategies for a waterbody.

27
28 A violation of this paragraph is subject to administrative and
29 civil penalties under ss. 403.121, 403.131, and 403.141.

30 (b) The department may not approve a permit for a new or
31 expanded surface water discharge unless the discharge meets one
32 or more of the conditions provided in paragraph (a)1.-6.

33 (c) By November 1, 2021, and annually thereafter, domestic
34 wastewater utilities that dispose of effluent, reclaimed water,
35 or reuse water by surface water discharge shall submit to the
36 department the average gallons per day of effluent, reclaimed
37 water, or reuse water that is discharged and the level of
38 treatment that the effluent, reclaimed water, or reuse water
39 receives before being discharged into a surface water. Domestic

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40 wastewater utilities shall also identify any discharges
41 described in paragraph (a).

42 (d)1. By December 31, 2021, and annually thereafter, the
43 department shall submit a report to the President of the Senate
44 and the Speaker of the House of Representatives which provides
45 the average gallons per day of effluent, reclaimed water, or
46 reuse water being discharged into surface waters by each
47 domestic wastewater utility, and the level of treatment that the
48 effluent, reclaimed water, or reuse water will receive before
49 being discharged into a surface water by each domestic
50 wastewater utility and by each discharge described in paragraph
51 (a). As domestic wastewater utilities implement projects to meet
52 the deadline in paragraph (a), the department shall also include
53 the average gallons per day of effluent, reclaimed water, or
54 reuse water that will no longer be discharged into surface
55 waters by the domestic wastewater utility and the dates of such
56 elimination.

57 2. In an effort to ensure that domestic wastewater
58 utilities implement projects and meet the deadline in paragraph
59 (a), the report to be submitted by December 31, 2026, must
60 include a list of permits issued by the department to domestic
61 wastewater utilities that authorize discharges as described in
62 subparagraphs (a)2., 4., and 6. and the average gallons per day
63 of effluent, reclaimed water, or reuse water being used. The
64 department shall also identify all domestic wastewater utilities

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65 that have not submitted a permit application that will allow the
66 utility to meet the deadline in paragraph (a).

67 3. In all reports required by this paragraph, the
68 department shall include any permits issued that implement a
69 direct potable reuse project and the average gallons per day of
70 effluent, reclaimed water, or reuse water being used.

71 (e) This subsection does not apply to any of the
72 following:

73 1. A domestic wastewater treatment facility that is
74 located in a fiscally constrained county as described in s.
75 218.67(1).

76 2. A domestic wastewater treatment facility that is
77 located in a municipality that is entirely within a rural area
78 of opportunity as designated pursuant to s. 288.0656.

79 3. A domestic wastewater treatment facility that is
80 located in a municipality that has less than \$10 million in
81 total revenue, as determined by the municipality's most recent
82 annual financial report submitted to the Department of Financial
83 Services in accordance with s. 218.32.

84 4. A domestic wastewater treatment facility that is
85 operated by an operator of a mobile home park as defined in s.
86 723.003 and has a permitted capacity of less than 300,000
87 gallons per day.

88 (f) This subsection does not prohibit the inclusion within
89 a permit of backup discharges pursuant to s. 403.086(8) (a).

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90 (g) This subsection may not be deemed to exempt a utility

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T I T L E A M E N D M E N T

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Remove lines 3-30 and insert:

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403.064, F.S.; prohibiting domestic wastewater

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treatment facilities from disposing of effluent,

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reclaimed water, or reuse water by surface water

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discharge beginning on a specified date; providing

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exceptions; providing administrative and civil

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penalties; prohibiting the Department of Environmental

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Protection from approving certain permits; requiring

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certain domestic wastewater utilities to annually

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submit to the department certain information by a

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specified date; requiring the department to submit an

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annual report to the Legislature by a specified date;

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providing applicability; providing