

1 A bill to be entitled
 2 An act relating to biosolids management; creating s.
 3 403.08715, F.S.; providing legislative findings;
 4 defining the term "biosolids"; prohibiting the land
 5 application of biosolids on certain sites; prohibiting
 6 the Department of Environmental Protection from
 7 issuing or renewing certain permits; directing the
 8 department to initiate rulemaking by a specified date,
 9 adopt specified rules for biosolids management, and
 10 implement a specified water quality monitoring
 11 program; providing applicability; providing an
 12 effective date.

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

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 16 Section 1. Section 403.08715, Florida Statutes, is created
 17 to read:

18 403.08715 Biosolids management.-

19 (1) LEGISLATIVE FINDINGS.-The Legislature finds it is in
 20 the best interest of the state to:

21 (a) Regulate biosolids management to minimize the
 22 migration of nutrients that impair or contribute to the
 23 impairment of waterbodies.

24 (b) Expedite implementation of the recommendations of the
 25 Biosolids Technical Advisory Committee, which includes

26 permitting based on site-specific application conditions,
 27 increased inspection frequencies, groundwater and surface water
 28 monitoring protocols, and nutrient management research to
 29 improve the management of biosolids and protect the state's
 30 water resources and water quality.

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

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

36 (3) PROHIBITED LAND APPLICATION.—

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

40 (b) The department may not issue a new permit or renew an
 41 existing permit for the land application of biosolids for any
 42 site where the land application of biosolids is prohibited
 43 pursuant to paragraph (a).

44 (4) RULEMAKING.—

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

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

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

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

58 c. Criteria for low-, medium-, and high-risk sites that
59 guide application practices and required water quality
60 monitoring; and

61 d. Site-specific agronomic rates based on soil and plant
62 tissue tests. The application volume is limited to the amount
63 necessary to meet the agronomic need demonstrated by the soil
64 and plant tissue test.

65 2. Establish site specific groundwater and surface water
66 monitoring requirements.

67 (b) The department shall initiate rulemaking by August 1,
68 2019.

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

73 (6) APPLICABILITY.—

74 (a) This section does not conflict with or supersede s.
75 373.4595 or s. 373.811.

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

79 (c)1. An ordinance, moratorium, or regulation adopted by a
80 municipality or county before February 1, 2019, relating to the
81 land application of Class B biosolids shall remain in effect
82 until the ordinance, moratorium, or regulation is repealed by
83 the municipality or county or until the effective date of the
84 rules adopted by the department pursuant to subsection (4).

85 2. This section does not limit the ability of a
86 municipality or county to extend an ordinance, moratorium,
87 resolution, or regulation adopted before February 1, 2019,
88 relating to the land application of Class B biosolids until the
89 effective date of the rules adopted by the department pursuant
90 to subsection (4).

91 Section 2. This act shall take effect July 1, 2019.