

Public Works & Environmental Services Department

**WATER AND WASTEWATER OPERATIONS DIVISION**

2555 W. Copans Road • Pompano Beach, Florida 33069 • 954-831-0810 • FAX 954-831-0819

December 11, 2025

**RE: Senate Bill 290 (House Bill 433) Banning Land Application of Class B Biosolids**

Dear Representative/Senator xxxxxxxx:

Senate Bill 290, as currently drafted, would prohibit the land application of Class B biosolids by July 1, 2026. While the intent of the legislation is understood, the proposed timeline and lack of transition provisions would create significant, immediate, and unavoidable hardships for wastewater utilities across Florida, with downstream impacts to ratepayers, public health protection, and system reliability.

Key impacts of SB 290 as written include:

- Elimination of the primary permitted disposal method for Class B biosolids in Florida effective July 1, 2026.
- Immediate reliance on limited alternatives, including landfills, composting facilities, or out-of-state transport. Even with adequate funds and necessary permits, a utility cannot feasibly design and construct a Class AA biosolids treatment facility by July 1, 2026 (i.e. within seven months).
- Severe capacity constraints, as all Class B producers would be forced to compete for the same finite landfill and composting resources.
- Ripple effects on existing Class AA operations, which rely on these same facilities during maintenance periods, equipment failures, and emergency conditions.
- Utilities producing Class B biosolids will need time to study options and possibly design and construct a Class AA facility, a process requiring up to 10 years. The Broward County Regional Biosolids Facility is expected to cost \$50 million to design and \$500 million to construct, requiring at least five years to complete.

Broward County Board of County Commissioners

## **Background Information and Regional Efforts**

Over the last five years, biosolids processors and utilities in Broward County have taken proactive steps to address long-term biosolids sustainability. In 2021, Broward County Water and Wastewater Services assembled a coalition of utilities within Broward County to explore regional solutions for biosolids management.

The participating utilities include (collectively, the Regional Biosolids Solutions Working Group):

- Broward County Water and Wastewater Services
- Coral Springs Improvement District
- Town of Davie
- Cooper City
- Fort Lauderdale
- Hollywood
- Margate
- Miramar
- Pembroke Pines
- Plantation and
- Sunrise

To date, the Regional Biosolids Solutions Working Group has invested approximately \$280,000 in two comprehensive studies:

- The Phase I Feasibility Study completed in May 2024
- The Phase II study identifying the preferred technology, facility location and governance structure, completed in April 2025

The studies estimate the design cost at approximately \$50,000,000 and the construction cost of the facility at approximately \$500,000,000. The Broward County Board of County Commissioners has approved an Interlocal Agreement (ILA) template which will fund the design of the regional biosolids management facility, with participating utilities expected to execute the ILA by February 2026.

Even with alternative project delivery methods under consideration, the design is estimated to take approximately two years, and construction three years.

## **Statewide System Risk**

With the elimination of Class B land application, all wastewater utilities – including those that already produce Class AA biosolids – would face capacity and reliability risks.

Class AA facilities routinely rely on Class B pathways as:

- backup during maintenance
- contingency during equipment failures
- emergency disposal during storm events

By eliminating Class B land application without a phased transition, SB290 would reduce redundancy across the entire wastewater system, increasing the likelihood of service disruptions and emergency disposal actions.

### **Requested Legislative Revision**

On behalf of the 2,000 wastewater treatment facilities around the state that produce Class B biosolids, and those who produce Class AA biosolids but still rely on Class B as an alternative during maintenance periods and emergencies, we ask that SB290 be revised to read:

*403.0855 Biosolids management.-*

*(2) The department shall adopt rules for biosolids management. ~~Rules adopted by the department pursuant to this section may not take effect until ratified by the Legislature.~~*

*(3) For a new land application site permit after July 1, 2026, only Class AA biosolids may be land applied; for a permit renewal issued after July 1, 2034, the permittee of a biosolids land application site shall:*

*(a) Ensure that only Class AA biosolids are applied to the soil after July 1, 2036.*

This approach provides utilities the necessary time to:

- transition from Class B to Class AA treatment
- add redundancy to existing Class AA systems
- secure landfill or alternative disposal capacity, and
- maintain reliable wastewater service during emergencies

Absent a phased transition that mirrors prior Florida wastewater legislation (e.g., the Ocean Outfall Act and Senate Bill 64), the costs associated with emergency disposal and accelerated capital construction would ultimately place an undue burden on our ratepayers.

Sincerely,

Mark Darmanin,  
Water and Wastewater Services Operations Division Director