

Proposed amendment to Florida Statutes regarding the elimination of surface water discharges and reuse of reclaimed water

- FS 403.064(17) - Commonly known as Senate Bill 64 which was passed in the 2021 legislative session
- Requires utilities to eliminate nonbeneficial surface water discharges of effluent, reclaimed water, or reuse water, identifying the average gallons per day to be eliminated and the average gallons per day that will continue to discharge to surface water and the level of treatment it will receive

Surface water discharges may continue if

- Are associated with an indirect potable reuse project
- Are a wet weather discharge allowed by permit
- Are to a stormwater management system that is used for irrigation purposes
- Are part of a facility that uses a minimum of 90 percent of that facility's annual average flow
- The discharge provides direct ecological or public supply benefits, such as rehydrating wetlands or meeting minimum flows and levels or recovery or prevention strategies for a water body

Some exemptions for small utilities are allowed

- Facility is located in a fiscally constrained county
- Facility is located in a municipality that is entirely within a rural area of opportunity
- Facility is located in a municipality with less than \$10 million in revenue
- Facility is operated by a mobile home park with less than 300,000 permitted capacity
- This does not exempt these facilities from meeting applicable water quality standards

Emphasis for the Statute

Make reclaimed water available for non-potable and potable uses, with the latter getting increased emphasis in recent years

Utilities were required to submit a plan to FDEP by November 1, 2021 that identified their strategies to meet the requirements of the statute by January 1, 2032

Each plan must identify the average quantity of surface water discharge that will be eliminated and the average quantity of surface water discharge that will remain and the level of treatment it will receive

Three factors that are not the emphasis of my presentation today

- Ecological relationships of existing surface x water discharges to Tampa Bay
- Water treatment methods necessary to make reclaimed water safe for its designated use
- Costs

Emphasis of today's presentation and the proposed amendment

Based on variations in hydrologic conditions and other site specific factors, significant periodic variances should be allowed from a utility's designated average value of surface water discharge that must be eliminated and rerouted

Case example

City of Tampa's PURE project in relation to surface water discharges at the H.F. Curren AWT plant

The PURE project (Purify Usable Resources for the Environment) is currently under evaluation by the City of Tampa with a variety of alternatives being explored for the rerouted surface water discharge

In accordance with the statute, a plan has been submitted to the FDEP that identifies an average of 50 mgd of surface water discharge from the AWT plant that will be rerouted

There will remain wet weather discharges at the AWT plant as total discharges can periodically exceed 50 mgd

Possible uses of the rerouted, reclaimed water under consideration as part of the PURE project

Provide minimum flows to the Lower Hillsborough River

Supplement potable supplies by drought-proofing the City's reservoir

Direct potable reuse

Provide reclaimed water to Tampa Bay Water

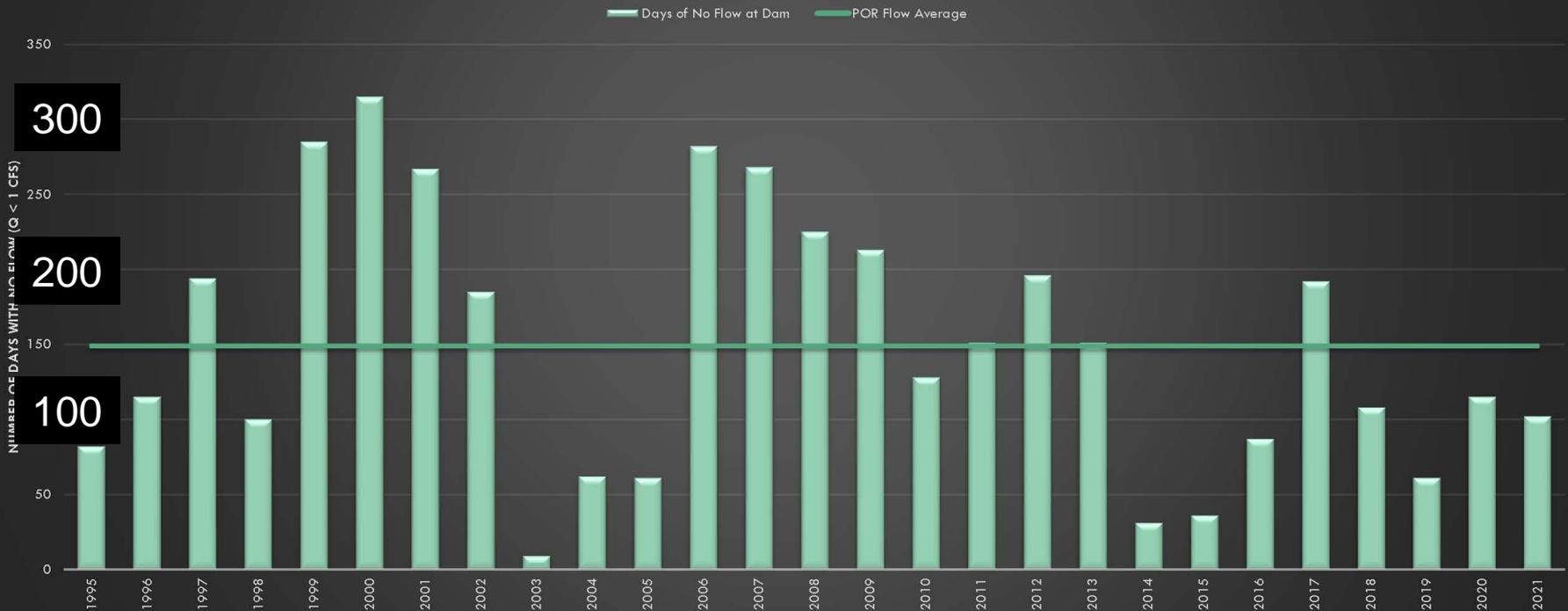
Increase residential irrigation use within the City (purple pipes)

- *Aquifer Storage and Recovery considered for water storage*
 - - *Deep-well injection allowed by FDEP as one alternative to reroute and dispose of surface water discharges*
- x

How often will the reclaimed water be needed for minimum flows or to supplement potable supplies

No Flow Days at Dam

**Number of Days of No-Flow
(Daily Average Flow < 1 cfs)**
Hillsborough River Dam from 1995 through 2021
U.S. Geological Survey Hillsborough River near Tampa, FL, Gage Number 02304500
Includes provisional data



Is there current flexibility in the statute to allow for periodic variations from the average quantity of surface water discharge that must be eliminated and rerouted?

Greater clarification in the statute would be valuable to allow utilities to vary their operations based on changes in hydrologic conditions and site specific factors

Proposed Amendment Paragraph 1

A utility may apply to the department to allow for yearly variances from the average annual quantity of surface water discharge of effluent or reclaimed water that is to be eliminated and reused for potable or non-potable use that is identified in the plan. Such variances may be based on short-term or seasonal variations in hydrologic conditions, environmental or water quality factors, reductions in the need or demand for the reuse water, or a lack of capacity in natural or constructed storage areas that are part of reuse plan.

Proposed Amendment Paragraph 2

Applications for such variances can extend for multi-year periods, but at the end of each calendar year the utility shall describe the conditions that contributed to the surface water discharges that were not eliminated and rerouted for potable or non-potable uses that resulted in the average annual quantity being less than that identified in the plan.