

RESOLUTION 04-01-09

**A RESOLUTION OF THE KEY LARGO WASTEWATER
TREATMENT DISTRICT, REQUESTING THE
ASSISTANCE OF REPRESENTATIVE RON SAUNDERS
TO AMEND 1999 FLA. LAWS CH. 395 REGARDING
WASTEWATER DISPOSAL WELLS**

WHEREAS, the Key Largo Wastewater Treatment District (“District”) is in the process of completing a wastewater management system consisting of a treatment plant, transmission line, and collection systems serving the properties located on the Island of Key Largo; and

WHEREAS, In 1999, the Florida Legislature enacted 1999 Fla. Laws ch. 395 (hereinafter “99-395”), which requires that the water to be produced from the District’s regional treatment plant will meet very high standards of purity, to wit: biochemical oxygen demand (CBOD5) of 5 mg/l; suspended solids of 5 mg/l; total nitrogen, expressed as N, of 3 mg/l; and total phosphorus, expressed as P, of 1 mg/l; and

WHEREAS, 99-395 further requires that the primary disposal well used to dispose of such treated wastewater be cased to a depth of at least 2,000 feet, and the Florida Department of Environmental Protection (hereinafter “FDEP”) interprets the 2,000-foot requirement to apply also to temporary disposal wells, for brief periods of maintenance every five years, and service interruptions; and

WHEREAS, if the 2,000-foot requirement is not changed, the District and its residents will be forced to expend millions of dollars to construct a deep well for occasional, temporary use, with little or no environmental benefit; and

WHEREAS, the District desires the assistance of Representative Ron Saunders and Senator Larcenia Bullard in amending 99-395 to provide a secondary disposal well from a large wastewater treatment plant need be cased to not less than 90 feet or such greater depth as may be required by FDEP rule;

NOW, THEREFORE, the Key Largo Wastewater Treatment District respectfully requests Representative Ron Saunders’s assistance in amending the Act, substantially as attached hereto as Exhibit A:

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

The foregoing RESOLUTION NO. 04-01-09 was offered by Commissioner Tobin who moved its approval. The motion was seconded by Commissioner BROOKS and being put to a vote the result was as follows:

	AYE	NAY
Chairman Susan Hammaker	X	_____
Commissioner Charles Brooks	X	_____
Commissioner Norman Higgins	X	_____
Commissioner Robby Majeska	X	_____
Commissioner Andrew Tobin	X	_____

The Chairman thereupon declared Resolution No. 04-01-09 duly passed and adopted the 22nd day of January, 2009.

**KEY LARGO WASTEWATER TREATMENT
DISTRICT BOARD OF COMMISSIONERS**

By 
Chairman, Susan Hammaker

Attest:

By 
Carol Walker, District Clerk

Approved as to form and content:

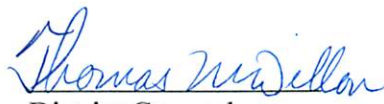
By 
District Counsel

Exhibit A

A bill to be entitled

An act relating to disposal of treated effluent from wastewater treatment plants in the Florida Keys area of critical state concern; amending 1999 Fla. Laws ch. 395; and providing an effective date.

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

Section 1. Paragraph 7 of Section 6 of 1999 Fla. Laws ch. 395 is amended to read as follows:

(7) Class V injection wells, as defined by Department of Environmental Protection or Department of Health rule, shall meet the following requirements and shall otherwise comply with Department of Environmental Protection or Department of Health rules, as applicable:

(A) If the design capacity of the facility is less than 1,000,000 gallons per day, the injection well shall be at least 90 feet deep and cased to a minimum depth of 60 feet or to such greater cased depth and total well depth as may be required by Department Of Environmental Protection rule.

B) If the design capacity of the facility is equal to or greater than 1,000,000 gallons per day, ~~the~~ AN injection well DESIGNED AS THE PRIMARY DISPOSAL METHOD shall be cased to a minimum depth of 2,000 feet or to such greater depth as may be required by department of environmental protection rule. FOR AN INJECTION WELL DESIGNED AS A SECONDARY DISPOSAL METHOD FOR USE ONLY WHEN USE OF THE PRIMARY DISPOSAL METHOD IS INTERRUPTED AS A RESULT OF MAINTENANCE OR FAILURE, THE INJECTION WELL SHALL BE AT LEAST 90 FEET DEEP AND CASED TO A MINIMUM DEPTH OF 60 FEET, OR

TO SUCH GREATER CASED DEPTH AND TOTAL WELL DEPTH AS MAY BE
REQUIRED BY DEPARTMENT OF ENVIRONMENTAL PROTECTION RULE.

Section 3. Conflict.--In the event of a conflict of the provisions of this act with the provisions of any other act, the provisions of this act shall control to the extent of such conflict.

section 4. Effective date.--This act shall take effect upon becoming a law.