CS/HB 1475

| 1 | A bill to be entitled |
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| 2 | An act relating to cleanup of perfluoroalkyl and |
| 3 | polyfluoroalkyl substances; creating s. 376.91, F.S.; |
| 4 | defining terms; requiring the Department of |
| 5 | Environmental Protection to adopt rules for statewide |
| 6 | cleanup target levels for perfluoroalkyl and |
| 7 | polyfluoroalkyl substances in drinking water, |
| 8 | groundwater, and soil under a specified condition; |
| 9 | prohibiting such rules from taking effect until |
| 10 | ratified by the Legislature; providing that certain |
| 11 | governmental entities and water suppliers are not |
| 12 | subject to administrative or judicial action under |
| 13 | certain circumstances; providing that certain statutes |
| 14 | of limitations are tolled from a specified date; |
| 15 | providing construction; providing a directive to the |
| 16 | Division of Law Revision; providing an effective date. |
| 17 | |
| 18 | Be It Enacted by the Legislature of the State of Florida: |
| 19 | |
| 20 | Section 1. Section 376.91, Florida Statutes, is created to |
| 21 | read: |
| 22 | 376.91 Statewide cleanup of perfluoroalkyl and |
| 23 | polyfluoroalkyl substances |
| 24 | (1) DEFINITIONSAs used in this section, the term: |
| 25 | (a) "Department" means the Department of Environmental |
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26 Protection. 27 (b) "PFAS" means perfluoroalkyl and polyfluoroalkyl 28 substances, including perfluorooctanoic acid (PFOA) and 29 perfluorooctane sulfonate (PFOS). 30 (2) STATEWIDE CLEANUP TARGET LEVELS.-31 (a) If the United States Environmental Protection Agency 32 has not finalized its standards for PFAS in drinking water, groundwater, and soil by January 1, 2025, the department shall 33 34 adopt by rule statewide cleanup target levels for PFAS in 35 drinking water, groundwater, and soil using criteria set forth 36 in s. 376.30701, with priority given to PFOA and PFOS. The rules 37 for statewide cleanup target levels may not take effect until 38 ratified by the Legislature. 39 (b) Until the department's rule for a particular PFAS constituent has been ratified by the Legislature, a governmental 40 41 entity or private water supplier may not be subject to any 42 administrative or judicial action under this chapter brought by 43 any state or local governmental entity to compel or enjoin site 44 rehabilitation, to require payment for the cost of 45 rehabilitation of environmental contamination, or to require payment of any fines or penalties regarding rehabilitation based 46 47 on the presence of that particular PFAS constituent. 48 (c) Until site rehabilitation is completed or rules for 49 statewide cleanup target levels are ratified by the Legislature, 50 any statute of limitations that would bar a state or local

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| 51 | governmental entity from pursuing relief in accordance with its |
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| 52 | existing authority is tolled from the effective date of this |
| 53 | act. |
| 54 | (d) This section does not affect the ability or authority |
| 55 | to seek any recourse or relief from any person who may have |
| 56 | liability with respect to a contaminated site and who did not |
| 57 | receive protection under paragraph (b). |
| 58 | Section 2. The Division of Law Revision is directed to |
| 59 | replace the phrase "the effective date of this act" wherever it |
| 60 | occurs in this act with the date this act becomes a law. |
| 61 | Section 3. This act shall take effect upon becoming a law. |
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