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2 An act relating to rulemaking authority with
3 respect to asbestos removal (RAB); amending s.
4 376.60, F.S.; authorizing the Department of
5 Environmental Protection to establish a fee
6 schedule by rule; providing an effective date.
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8 Be It Enacted by the Legislature of the State of Florida:
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10 Section 1. Section 376.60, Florida Statutes, is
11 amended to read:

12 376.60 Asbestos removal program inspection and
13 notification fee.--The Department of Environmental Protection
14 shall charge an inspection and notification fee, not to exceed
15 \$300 for a small business as defined in s. 288.703(1), or
16 \$1,000 for any other project, for any asbestos removal
17 project. The department may establish a fee schedule by rule.
18 Schools, colleges, universities, residential dwellings, and
19 those persons otherwise exempted from licensure under s.
20 469.004(7) are exempt from the fees. Any fee collected must be
21 deposited in the asbestos program account in the Air Pollution
22 Control Trust Fund to be used by the department to administer
23 its asbestos removal program.

24 (1) In those counties with approved local air
25 pollution control programs, the department shall return 80
26 percent of the asbestos removal program inspection and
27 notification fees collected in that county to the local
28 government quarterly, if the county requests it.

29 (2) The fees returned to a county under subsection (1)
30 must be used only for asbestos-related program activities.
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1 (3) A county may not levy any additional fees for
2 asbestos removal activity while it receives fees under
3 subsection (1).

4 (4) If a county has requested reimbursement under
5 subsection (1), the department shall reimburse the approved
6 local air pollution control program with 80 percent of the
7 fees collected in the county retroactive to July 1, 1994, for
8 asbestos-related program activities.

9 (5) If an approved local air pollution control program
10 that is providing asbestos notification and inspection
11 services according to 40 C.F.R. part 61, subpart M, and is
12 collecting fees sufficient to support the requirements of 40
13 C.F.R. part 61, subpart M, opts not to receive the
14 state-generated asbestos notification fees, the state may
15 discontinue collection of the state asbestos notification fees
16 in that county.

17 Section 2. This act shall take effect upon becoming a
18 law.