

Bill No. CS for CS for SB 330

Barcode 213346

CHAMBER ACTION

Senate

House

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

2/AD/2R  
05/04/2005 02:30 PM

.  
. .  
. .  
. .  
. .  
. .

Senator Dockery moved the following amendment:

**Senate Amendment (with title amendment)**

On page 3, line 23 through page 5, line 30, delete those lines

and insert:

BOUNDARIES.--If at any time during site rehabilitation conducted pursuant to s. 376.3071(5), s. 376.3078(4), s. 376.81, or s. 376.30701 the person responsible for site rehabilitation, the person's authorized agent, or another representative of the person discovers from laboratory analytical results that comply with appropriate quality assurance protocols specified in department rules that contamination as defined in applicable department rules exists in any medium beyond the boundaries of the property at which site rehabilitation was initiated pursuant to s. 376.3071(5), s. 376.3078(4), s. 376.81, or s. 376.30701, the person responsible for site rehabilitation shall give actual notice as soon as possible, but no later than 10 days from such discovery, to the Division of Waste Management at the

Bill No. CS for CS for SB 330

Barcode 213346

1 department's Tallahassee office. The actual notice shall be  
2 provided on a form adopted by department rule and mailed by  
3 certified mail, return receipt requested. The person  
4 responsible for site rehabilitation shall simultaneously mail  
5 a copy of such notice to the appropriate department district  
6 office, county health department, and all known lessees and  
7 tenants of the source property. The notice shall include the  
8 following information:

9       (a) The location of the property at which site  
10 rehabilitation was initiated pursuant to s. 376.3071(5), s.  
11 376.3078(4), s. 376.81, or s. 376.30701 and contact  
12 information for the person responsible for site  
13 rehabilitation, the person's authorized agent, or another  
14 representative of the person.

15       (b) A listing of all record owners of any real  
16 property, other than the property at which site rehabilitation  
17 was initiated pursuant to s. 376.3071(5), s. 376.3078(4), s.  
18 376.81, or s. 376.30701, at which contamination has been  
19 discovered; the parcel identification number for any such real  
20 property; the owner's address listed in the current county  
21 property tax office records; and the owner's telephone number.  
22 The requirements of this paragraph do not apply to the notice  
23 to known tenants and lessees of the source property.

24       (c) Separate tables by medium, such as groundwater,  
25 soil, surface water, or sediment, that list sampling  
26 locations; sampling dates; names of contaminants detected  
27 above cleanup target levels; their corresponding cleanup  
28 target levels; the contaminant concentrations; and whether the  
29 cleanup target level is based on health, nuisance,  
30 organoleptic, or aesthetic concerns.

31       (d) A vicinity map that shows each sampling location

Bill No. CS for CS for SB 330

Barcode 213346

1 with corresponding laboratory analytical results and the date  
 2 on which the sample was collected and that identifies the  
 3 property boundaries of the property at which site  
 4 rehabilitation was initiated pursuant to s. 376.3071(5), s.  
 5 376.3078(4), s. 376.81, or s. 376.30701 and the other  
 6 properties at which contamination has been discovered during  
 7 such site rehabilitation.

8       (3) DEPARTMENT'S NOTICE RESPONSIBILITIES.--Within 30  
 9 days after receiving the actual notice required pursuant to  
 10 subsection (2), or within 30 days of the effective date of  
 11 this act if the department already possesses information  
 12 equivalent to that required by the notice, the department  
 13 shall send a copy of such notice, or an equivalent  
 14 notification, to all record owners of any real property, other  
 15 than the property at which site rehabilitation was initiated  
 16 pursuant to s. 376.3071(5), s. 376.3078(4), s. 376.81, or s.  
 17 376.30701, at which contamination has been discovered. If the  
 18 property at which contamination has been discovered is the  
 19 site of a school as defined in s. 1003.01, the department  
 20 shall also send a copy of the notice to the chair of the  
 21 school board of the district in which the property is located  
 22 and direct said school board to provide actual notice to  
 23 teachers and parents or guardians of students attending the  
 24 school during the period of site rehabilitation. Along with  
 25 the copy of the notice or its equivalent, the department shall  
 26 include a letter identifying sources of additional information  
 27 about the contamination and a telephone number to which  
 28 further inquiries should be directed. The department may  
 29 collaborate with the Department of Health to develop such  
 30 sources of information and to establish procedures for  
 31 responding to public inquiries about health risks associated

Bill No. CS for CS for SB 330

Barcode 213346

1 with contaminated sites.

2       (4) RULEMAKING AUTHORITY.--The department shall adopt  
3 rules and forms pursuant to ss. 120.536(1) and 120.54 to  
4 implement the requirements of this section.

5  
6

7 ===== T I T L E   A M E N D M E N T =====

8 And the title is amended as follows:

9       On page 1, lines 5 through 23, delete those lines

10

11 and insert:

12       376.30702, F.S.; requiring notice when  
13       contamination is discovered as a result of site  
14       rehabilitation activities; providing  
15       requirements for notice; requiring notice when  
16       laboratory analytical results demonstrate that  
17       contamination exists in any medium beyond the  
18       boundaries of the property of the site  
19       rehabilitation; providing requirements for  
20       notice; providing rulemaking authority;  
21       amending ss. 287.0595 and 316.302, F.S.;

22  
23  
24  
25  
26  
27  
28  
29  
30  
31