

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

1 Representative Clarke offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 4488 and 4489, insert:

5 Section 76. Study of exposure risks and potential adverse
6 effects of hurricane wind and storm surge on field-erected
7 aboveground storage tank systems at bulk product facilities.--

8 (1) The Department of Environmental Protection shall
9 contract for a study to evaluate the exposure risks and
10 potential adverse effects of hurricane wind and storm surge on
11 field-erected aboveground storage tank systems, including tanks,
12 pipng, pumps, and related components, at bulk product
13 facilities as defined in s. 376.031(3), Florida Statutes. The
14 study's scope shall include, but need not be limited to:

15 (a) Evaluating the frequency, strength, and probability
16 estimates for hurricane winds and storm surge on the coastal
17 areas of the state where existing bulk product facilities are

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18 located and where new bulk product facilities are likely to be
19 constructed.

20 (b) Evaluating the need and timing for requirements for
21 the establishment of minimum ballast levels for field-erected
22 aboveground storage tanks at bulk product facilities based on
23 the frequency, strength, and probability estimates for hurricane
24 winds and storm surge, and based on levels calculated by a
25 professional engineer specific to each individual field-erected
26 aboveground storage tank, taking into account the type of tank,
27 the type of product stored, tank diameter, tank height, and
28 other relevant factors.

29 (c) Evaluating the need and feasibility for requirements
30 for:

31 1. Professionally engineered permanent anchoring systems
32 for field-erected aboveground storage tanks in high-risk surge
33 zones.

34 2. Professionally engineered temporary cable tie-down
35 systems, which could be preconstructed or prefabricated and
36 retained in storage until needed, that would not interfere with
37 normal daily operations and that could be set up in advance of
38 an approaching storm.

39 (d) Evaluating the need for potential siting
40 considerations or engineering mitigation that would prevent or
41 limit the installation of new field-erected aboveground storage
42 tank systems at bulk product facilities in areas that are
43 potentially high-risk areas for hurricane winds and storm surge
44 unless the systems are designed and engineered to withstand
45 hurricane winds and storm surge.

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46 (e) Identifying all current and proposed industry
47 standards for professionally engineered dike fields surrounding
48 field-erected aboveground storage tanks at bulk product
49 facilities, including standards for materials and designs that
50 will withstand hurricane winds and storm surges yet allow access
51 for emergency firefighting vehicles in accordance with industry
52 reference standards contained in National Fire Protection
53 Association publication NFPA No. 30.

54 (2) The study shall include recommendations for changes,
55 if needed, to aboveground storage tank system laws and agency
56 rules in order to decrease damage from hurricanes and improve
57 recovery of field-erected aboveground storage tank systems after
58 storm damage. All recommendations shall be accompanied by a
59 cost-benefit analysis, which shall include an analysis of:

60 (a) The costs for modifying existing field-erected
61 aboveground storage tank systems and dike fields, and the costs
62 associated with new construction of field-erected aboveground
63 storage tank systems and dike fields, to meet any proposed new
64 requirements.

65 (b) The potential adverse effect on petroleum inventory
66 capacity in the state resulting from any proposed new
67 requirements. All industry segments with field-erected
68 aboveground storage tanks, including, but not limited to, those
69 used for petroleum and electric utility, shall be included in
70 the petroleum inventory capacity analysis.

71 (3) The department shall report the findings and
72 recommendations of the study to the Governor, the President of
73 the Senate, and the Speaker of the House of Representatives by
74 March 1, 2008.

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75 (4) The Department of Environmental Protection is
76 authorized to use up to \$250,000 from the Inland Protection
77 Trust Fund for the 2006-2007 and 2007-2008 fiscal years for the
78 cost of the study set forth in this section.

79 Section 77. Compilation and review of existing data and
80 information relating to environmental risks associated with oil
81 and natural gas exploration and production in the eastern Gulf
82 of Mexico.--

83 (1) The Department of Environmental Protection shall
84 compile and review existing data and information to evaluate the
85 environmental risks from all activities associated with the
86 possible future exploration for and production of oil and
87 natural gas in the eastern Gulf of Mexico currently subject to
88 federal moratoria. The department shall immediately request from
89 the appropriate state agencies and private research institutes
90 all available data and information necessary to complete this
91 task. The appropriate state agencies must submit the data and
92 information to the department at the earliest possible date, and
93 private research institutes are encouraged to submit relevant
94 data and information to the maximum extent practicable. The
95 department's effort shall include data and information available
96 through appropriate federal executive branch agencies. To the
97 maximum extent practicable, the department's efforts shall take
98 into consideration current technologies for controlling
99 discharges from oil and gas exploration rigs and production
100 platforms and shall include, but need not be limited to:

101 (a) Evaluating the probability of a discharge from oil and
102 gas exploration rigs and production platforms.

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103 (b) Evaluating the magnitude of any probable discharge
104 from oil and gas exploration rigs and production platforms.

105 (c) Evaluating the Gulf of Mexico currents and circulation
106 patterns and the likelihood of any probable discharge's reaching
107 the coastal waters and shorelines of the state.

108 (d) Evaluating the environmental impacts of any probable
109 discharge on the fish and wildlife resources in the coastal
110 waters of the state.

111 (2) The department shall report the findings of the
112 evaluation to the Governor, the President of the Senate, and the
113 Speaker of the House of Representatives within 120 days after
114 the effective date of this act.

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116

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

118 Remove lines 313 and insert:
119 grants program; providing appropriations; directing the
120 Department of Environmental Protection to contract for a
121 study of exposure risks and potential adverse effects of
122 hurricane wind and storm surge on field-erected
123 aboveground storage tank systems at bulk product
124 facilities; providing requirements for the scope of the
125 study; providing an appropriation from the Inland
126 Protection Trust Fund for the cost of the study; directing
127 the department to compile and review existing data and
128 information relating to environmental risks associated
129 with oil and natural gas exploration and production in the
130 eastern Gulf of Mexico; providing requirements and
131 criteria for the evaluation of such risks; requiring the

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132 | department to submit a report to the Governor and the
133 | Legislature; providing an