

By Senator Justice

16-00199A-09

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1 A bill to be entitled

2 An act relating to site contamination notification;  
3 amending s. 376.30702, F.S.; requiring the Department  
4 of Environmental Protection to provide notice to  
5 certain property owners within a 1-mile radius of  
6 contaminated property; providing an effective date.  
7

8 Be It Enacted by the Legislature of the State of Florida:  
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10 Section 1. Subsection (3) of section 376.30702, Florida  
11 Statutes, is amended to read:

12 376.30702 Contamination notification.—

13 (3) DEPARTMENT'S NOTICE RESPONSIBILITIES.—

14 (a) Within 30 days after receiving the actual notice  
15 required pursuant to subsection (2), ~~or within 30 days of the~~  
16 ~~effective date of this act if the department already possesses~~  
17 ~~information equivalent to that required by the notice,~~ the  
18 department shall send a copy of such notice, or an equivalent  
19 notification, to all record owners of any real property, other  
20 than the property at which site rehabilitation was initiated  
21 pursuant to s. 376.3071(5), s. 376.3078(4), s. 376.81, or s.  
22 376.30701, at which contamination has been discovered. If the  
23 property at which contamination has been discovered is the site  
24 of a school as defined in s. 1003.01, the department shall also  
25 send a copy of the notice to the chair of the school board of  
26 the district in which the property is located and direct the  
27 ~~said~~ school board to provide actual notice to teachers and  
28 parents or guardians of students attending the school during the  
29 period of site rehabilitation. Along with the copy of the notice

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30 or its equivalent, the department shall include a letter  
31 identifying sources of additional information about the  
32 contamination and a telephone number to which further inquiries  
33 should be directed. The department may collaborate with the  
34 Department of Health to develop such sources of information and  
35 to establish procedures for responding to public inquiries about  
36 health risks associated with contaminated sites.

37 (b) Within 60 days after receiving the actual notice  
38 required pursuant to subsection (2), the department shall send a  
39 copy of such notice, or an equivalent notification, to all  
40 record owners of any real property, other than the property at  
41 which site rehabilitation was initiated pursuant to s.  
42 376.3071(5), s. 376.3078(4), s. 376.81, or s. 376.30701, within  
43 a 1-mile radius of the property at which contamination has been  
44 discovered or the current location of the contamination. If a  
45 property that lies within the 1-mile radius is the site of a  
46 school as defined in s. 1003.01, the department shall also send  
47 a copy of the notice to the chair of the school board of the  
48 district in which the property is located and direct the school  
49 board to provide actual notice to teachers and parents or  
50 guardians of students attending the school. Along with the copy  
51 of the notice or its equivalent, the department shall include a  
52 letter identifying sources of additional information about the  
53 contamination and a telephone number to which further inquiries  
54 should be directed.

55 Section 2. This act shall take effect July 1, 2009.