



553024

LEGISLATIVE ACTION

Senate	.	House
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Senator Bennett moved the following:

Senate Amendment (with title amendment)

Between lines 121 and 122
insert:

Section 4. Paragraph (b) of subsection (11) of section
376.3071, Florida Statutes, is amended to read:

376.3071 Inland Protection Trust Fund; creation; purposes;
funding.—

(11)

(b) Low-scored site initiative.—Notwithstanding s.
376.30711, any site with a priority ranking score of 10 points
or less may voluntarily participate in the low-scored site
initiative, whether or not the site is eligible for state



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14 restoration funding.

15 1. To participate in the low-scored site initiative, the
16 responsible party or property owner must affirmatively
17 demonstrate that the following conditions are met:

18 a. Upon reassessment pursuant to department rule, the site
19 retains a priority ranking score of 10 points or less.

20 b. No excessively contaminated soil, as defined by
21 department rule, exists onsite as a result of a release of
22 petroleum products.

23 c. A minimum of 6 months of groundwater monitoring
24 indicates that the plume is shrinking or stable.

25 d. The release of petroleum products at the site does not
26 adversely affect adjacent surface waters, including their
27 effects on human health and the environment.

28 e. The area of groundwater containing the petroleum
29 products' chemicals of concern is less than one-quarter acre and
30 is confined to the source property boundaries of the real
31 property on which the discharge originated.

32 f. Soils onsite that are subject to human exposure found
33 between land surface and 2 feet below land surface meet the soil
34 cleanup target levels established by department rule or human
35 exposure is limited by appropriate institutional or engineering
36 controls.

37 2. Upon affirmative demonstration of the conditions under
38 subparagraph 1., the department shall issue a determination of
39 "No Further Action." Such determination acknowledges that
40 minimal contamination exists onsite and that such contamination
41 is not a threat to human health or the environment. If no
42 contamination is detected, the department may issue a site



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43 rehabilitation completion order.

44 3. Sites that are eligible for state restoration funding
45 may receive payment of preapproved costs for the low-scored site
46 initiative as follows:

47 a. A responsible party or property owner may submit an
48 assessment plan designed to affirmatively demonstrate that the
49 site meets the conditions under subparagraph 1. Notwithstanding
50 the priority ranking score of the site, the department may
51 preapprove the cost of the assessment pursuant to s. 376.30711,
52 including 6 months of groundwater monitoring, not to exceed
53 \$30,000 for each site. The department may not pay the costs
54 associated with the establishment of institutional or
55 engineering controls.

56 b. The assessment work shall be completed no later than 6
57 months after the department issues its approval.

58 c. No more than \$10 million for the low-scored site
59 initiative shall be encumbered from the Inland Protection Trust
60 Fund in any fiscal year. Funds shall be made available on a
61 first-come, first-served basis and shall be limited to 10 sites
62 in each fiscal year for each responsible party or property
63 owner.

64 d. Program deductibles, copayments, and the limited
65 contamination assessment report requirements under paragraph
66 (13) (c) do not apply to expenditures under this paragraph.

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68
69 ===== T I T L E A M E N D M E N T =====

70 And the title is amended as follows:

71 Delete line 25



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72 and insert:
73 permit; amending s. 376.3071, F.S.; exempting program
74 deductibles, copayments, and certain assessment report
75 requirements from expenditures under the low-scored
76 site initiative; providing an effective date.