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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/09/2017	.	
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The Committee on Environmental Preservation and Conservation
(Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete lines 61 - 141
and insert:
"reportable release" means the release or discharge of pollution
which is not authorized by law and is required to be reported to
the State Watch Office.

(2) OWNER AND OPERATOR RESPONSIBILITIES.-

(a) In the event of a reportable release, any person who is
an owner or operator of the installation at which the reportable



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11 release occurred must provide a notice with the following
12 information, to the extent known at the time of such notice, to
13 the department within 24 hours after its discovery:

14 1. The name and address of the installation where the
15 reportable release occurred.

16 2. The name and title of the reporting person and the
17 nature of his or her relationship to the installation.

18 3. The identification number for any active department
19 permits, variances, registrations, or orders that are relevant
20 to the reportable release.

21 4. The name and telephone number of a contact person for
22 further information.

23 5. The substance released.

24 6. The estimated quantity of the substance released and, if
25 applicable, the estimated quantity that has since been
26 recovered.

27 7. The cause of the release.

28 8. The source of the release.

29 9. The location of the release.

30 10. The date, time, and duration of the release.

31 11. The medium into which the substance was released, such
32 as, but not limited to, the outdoor air, land, groundwater,
33 aquifer, or specified waters or wetlands.

34 12. Whether the released substance has migrated to land or
35 waters of the state outside the property boundaries of the
36 installation and the location of such migration.

37 13. To the extent available, toxicological information
38 associated with the substance released as specified on a safety
39 data sheet or comparable source published by the Occupational



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40 Safety and Health Administration or the Centers for Disease
41 Control and Prevention, or their successor agencies.

42
43 The owner or operator may also include in the notice any other
44 information he or she wishes in order to assist in the
45 protection of the public health, safety, and welfare.

46 (b) If multiple parties are subject to the notification
47 requirements based on a single reportable release, a single
48 notification made by one party in accordance with this section
49 constitutes compliance on behalf of all parties subject to the
50 requirement. However, if the notification is not made in
51 accordance with this section, the department may pursue
52 enforcement against all parties subject to the requirement.

53 (c) If the installation owner or operator determines, after
54 providing notice pursuant to paragraph (a), that a reportable
55 release did not occur or that an amendment to the notice is
56 warranted, the installation owner or operator may submit a
57 letter to the department documenting such determination.

58 (3) DEPARTMENTAL RESPONSIBILITIES.—

59 (a) The department shall publish, on a website accessible
60 to the public, all notices submitted by an owner or operator
61 pursuant to subsection (2) within 24 hours of receipt.

62 (b) The department shall create an electronic mailing list
63 for such notices and allow the public, including local
64 governments, health departments, news media, and other
65 interested persons, to subscribe to and receive periodic direct
66 announcement of any notices submitted pursuant to subsection
67 (2). The department shall establish regional electronic mailing
68 lists, such as by county or district boundaries, to allow



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69 subscribers to determine the notices they wish to receive by
70 geographic area.

71 (c) The department shall establish an e-mail address and an
72 online form as options for owners and operators to provide the
73 notice specified in paragraphs (2) (a) and (b).

74 (4) ADMISSION OF LIABILITY OR HARM.—Providing notice under
75 subsection (2) does not constitute an admission of liability or
76 harm.

77 (5) VIOLATIONS.—For failure to provide the notification
78 required by paragraph (2) (a), the owner or operator shall be
79 subject to the civil penalties specified in s. 403.121.

80 (6) ADOPTION OF RULES.—The department shall adopt rules

81
82 ===== T I T L E A M E N D M E N T =====

83 And the title is amended as follows:

84 Delete lines 10 - 13

85 and insert:

86 defining the term "reportable release"; requiring an
87 owner or