

By Senator Montford

3-01136-19

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1                   A bill to be entitled  
2       An act relating to public notification of pollution;  
3       amending s. 403.077, F.S.; defining the term  
4       "governmental entity"; redefining the term "reportable  
5       pollution release"; requiring the Department of  
6       Environmental Protection to publish certain notices  
7       received from a governmental entity on a website  
8       accessible to the public; requiring a governmental  
9       entity to notify the owner or operator of an  
10      installation and the department of certain releases or  
11      discharges within a specified timeframe; providing an  
12      effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16       Section 1. Present subsections (4) and (5) of section  
17       403.077, Florida Statutes, are redesignated as subsections (5)  
18       and (6), respectively, a new subsection (4) is added to that  
19       section, and subsection (1) and paragraph (a) of subsection (3)  
20       of that section are amended, to read:

21       403.077 Public notification of pollution.—

22       (1) DEFINITIONS ~~DEFINITION~~.—As used in this section, the  
23       terms: ~~term~~

24       (a) "Governmental entity" means an agency of the state, a  
25       regional or local government created by the State Constitution  
26       or by general or special act, a county or municipality, or any  
27       other entity that independently exercises governmental  
28       authority. The term does not include the Federal Government or  
29       any federal agencies.

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30       (b) "Reportable pollution release" means the release or  
31 discharge of:

32       1. A substance from an installation to the air, land, or  
33 waters of the state which is discovered by a governmental entity  
34 or the owner or operator of the installation, ~~which is not~~  
35 ~~authorized by law,~~ and which is reportable to the State Watch  
36 Office within the Division of Emergency Management pursuant to  
37 any department rule, permit, order, or variance; or-

38       2. Perfluorooctanoic acid or perfluorooctanesulfonic acid  
39 at a measurable level from an installation to the land or waters  
40 of the state which is discovered by a governmental entity or the  
41 owner or operator of the installation.

42       (3) DEPARTMENT RESPONSIBILITIES.-

43       (a) The department shall publish on a website accessible to  
44 the public all notices submitted by an owner or operator  
45 pursuant to subsection (2) or a governmental entity pursuant to  
46 subsection (4) within 24 hours after receipt of the notice.

47       (4) GOVERNMENTAL ENTITY RESPONSIBILITIES.-If a governmental  
48 entity discovers the release or discharge of a substance from an  
49 installation to the air, land, or waters of the state which  
50 meets the criteria specified in paragraph (1) (b), the  
51 governmental entity shall notify the owner or operator of the  
52 installation and the department within 24 hours after such  
53 discovery.

54       Section 2. This act shall take effect July 1, 2019.