

By Senator Albritton

26-01482-20

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1                   A bill to be entitled  
2           An act relating to diesel exhaust fluid; creating s.  
3           330.401, F.S.; requiring the presence, storage, or use  
4           of diesel exhaust fluid on the premises of a public  
5           airport to be phased out by a certain date; requiring  
6           the manager of each public airport that meets certain  
7           criteria to create a diesel exhaust fluid safety  
8           mitigation and exclusion plan for submission to the  
9           Department of Environmental Protection; providing plan  
10          requirements; requiring the plan to be fully  
11          implemented on the airport premises by a certain date;  
12          requiring annual certification of the plan by the  
13          department until all diesel exhaust fluid and certain  
14          vehicles have been removed from the airport premises;  
15          prohibiting the presence, storage, or use of diesel  
16          exhaust fluid on the premises of a public airport  
17          after a certain date; providing an effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

20  
21           Section 1. Section 330.401, Florida Statutes, is created to  
22           read:

23           330.401 Phase-out of diesel exhaust fluid; reports and  
24           certification; prohibition.—

25           (1) The presence, storage, or use of diesel exhaust fluid,  
26           including the use of such fluid to treat the exhaust of a  
27           selective catalytic reduction engine, on the premises of a  
28           public airport as defined in s. 330.27 must be phased out by  
29           October 1, 2030, as provided in this section.

26-01482-20

20201036\_\_

30 (2) (a) The manager of each public airport at which:

31 1. Aviation fuels receive onsite treatment with fuel system  
32 icing inhibitors by means of injection or mixing systems; and

33 2. Any aircraft fuel delivery vehicle or ground service  
34 equipment, the exhaust system of which is being treated with  
35 diesel exhaust fluid, is operated within 150 feet of any  
36 aircraft

37  
38 shall create a diesel exhaust fluid safety mitigation and  
39 exclusion plan.

40 (b) The plan must include, at a minimum:

41 1. A full inventory of all diesel exhaust fluid on the  
42 premises of the airport.

43 2. Designation of specific areas where diesel exhaust fluid  
44 is to be stored on the premises of the airport. Such areas may  
45 not be located within or on a vehicle operated for the fueling  
46 or servicing of aircraft or at any aviation fuel transfer  
47 facility or bulk aviation fuel storage facility.

48 3. Designation of specific areas where a vehicle, the  
49 exhaust system of which is being treated with diesel exhaust  
50 fluid, is to be refueled or treated with such fluid. Such areas  
51 must be segregated from all aircraft operating areas.

52 (3) The diesel exhaust fluid safety mitigation and  
53 exclusion plan must be approved by the regulatory authority  
54 having jurisdiction over the airport by September 1, 2020. The  
55 manager must, by October 1, 2020, submit the plan to the  
56 Department of Environmental Protection and certify that all such  
57 fluid and vehicles have been secured within the premises of the  
58 airport.

26-01482-20

20201036\_\_

59       (4) (a) The diesel exhaust fluid safety mitigation and  
60 exclusion plan must be fully implemented on the premises of the  
61 airport by January 1, 2021.

62       (b) Each year thereafter, the manager shall review the plan  
63 and shall submit the plan, including applicable amendments, to  
64 the Department of Environmental Protection for certification. If  
65 the department determines that the use of diesel exhaust fluid  
66 is being phased out as described in subsection (1), the  
67 department shall certify the plan for that year.

68       (c) Once all diesel exhaust fluid and all vehicles, the  
69 exhaust system of which were being treated with such fluid, have  
70 been removed from the premises of the airport, the manager must  
71 submit a written report to the department certifying such  
72 removal. If the department determines that such removal has been  
73 accomplished, the annual certification provided in paragraph (b)  
74 is no longer required.

75       (5) The presence, storage, or use of diesel exhaust fluid  
76 on the premises of a public airport as described in subsection  
77 (1) is prohibited after October 1, 2030.

78       Section 2. This act shall take effect July 1, 2020.