

1 A bill to be entitled
 2 An act relating to the Florida Safe Drinking Water
 3 Act; amending s. 403.851, F.S.; revising state policy;
 4 amending s. 403.853, F.S.; requiring the Department of
 5 Environmental Protection to adopt and implement rules
 6 for statewide maximum contaminant levels for specified
 7 pollutants by a date certain; providing requirements
 8 for adopting and implementing such rules; requiring
 9 the department to annually review specified studies
 10 and laws and initiate certain rulemaking; providing an
 11 effective date.

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

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 15 Section 1. Section 403.851, Florida Statutes, is amended
 16 to read:

17 403.851 Declaration of policy; intent.—It is the policy of
 18 the state that the citizens of Florida shall be protected from
 19 harmful toxins in drinking water and assured of the availability
 20 of safe drinking water. Recognizing that this policy encompasses
 21 both environmental and public health aspects, it is the intent
 22 of the Legislature to provide a water supply program operated
 23 jointly by the department, in a lead-agency role of primary
 24 responsibility for the program, and by the Department of Health
 25 and its units, including county health departments, in a

26 | supportive role with specific duties and responsibilities of its
27 | own. Without any relinquishment of Florida's sovereign powers
28 | and responsibilities to provide for the public health, public
29 | safety, and public welfare of the people of Florida, the
30 | Legislature intends:

31 | (1) To give effect to Pub. L. No. 93-523 promulgated under
32 | the commerce clause of the United States Constitution, to the
33 | extent that interstate commerce is directly affected.

34 | (2) To encourage cooperation between federal, state, and
35 | local agencies, not only in their enforcement role, but also in
36 | their service and assistance roles to city and county elected
37 | bodies.

38 | (3) To provide for safe drinking water at all times
39 | throughout the state, with due regard for economic factors and
40 | efficiency in government.

41 | Section 2. Subsection (3) of section 403.853, Florida
42 | Statutes, is amended to read:

43 | 403.853 Drinking water standards.—

44 | (3) (a) The department shall adopt and implement adequate
45 | rules specifying procedures for the enforcement of state primary
46 | and secondary drinking water regulations, including monitoring
47 | and inspection procedures, that comply with regulations
48 | established by the administrator pursuant to the federal act.

49 | (b) By January 1, 2021, the department shall adopt and
50 | implement adequate rules for statewide drinking water maximum

51 contaminant levels for the following:

52 1. Perfluorooctanesulfonic acid.

53 2. Perfluorooctanoic acid.

54 3. Per- and Polyfluoroalkyl compounds.

55 4. Chromium-6.

56 5. 1,4-Dioxane.

57 6. Any other pollutants for which two or more states have
58 set limits for or issued guidance on.

59 (c) In adopting and implementing rules pursuant to this
60 subsection, the department shall review the studies and
61 scientific evidence reviewed by other states, including, but not
62 limited to, information regarding the pollutants listed in the
63 United States Environmental Protection Agency Toxic Substances
64 and Disease Registry and the most recent peer reviewed science
65 and independent or government agency studies regarding
66 pollutants.

67 (d) Any maximum contaminant level adopted by the
68 department must protect the public health, including vulnerable
69 subpopulations such as pregnant and nursing women, infants,
70 children, and financially disadvantaged small communities as
71 defined in s. 403.1838(2), and may not exceed any maximum
72 contaminant level or health advisory promulgated by the United
73 States Environmental Protection Agency.

74 (e) The department shall annually review the most recent
75 peer reviewed science and independent or government agency

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76 | studies and the laws of other states regarding pollutants and
77 | shall initiate additional rulemaking if needed to comply with
78 | this subsection.

79 | Section 3. This act shall take effect July 1, 2020.