

1 A bill to be entitled
 2 An act relating to soil and groundwater contamination;
 3 creating s. 376.3061, F.S.; providing legislative
 4 findings; providing that certain airports are not
 5 liable for costs, damages, or penalties relating to
 6 certain contamination, discharge, evaluation,
 7 assessment, or remediation of per- and polyfluoroalkyl
 8 substances; directing the Office of Program Policy
 9 Analysis and Government Accountability to conduct a
 10 specified analysis of the assessment and cleanup of
 11 soil and groundwater contamination in other states and
 12 submit a report to the Governor and Legislature by a
 13 specified date; providing an effective date.

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

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 17 Section 1. Section 376.3061, Florida Statutes, is created
 18 to read:

19 376.3061 Per- and polyfluoroalkyl substances.-

20 (1) The Legislature finds that:

21 (a) Addressing the protection of aquifers and drinking
 22 water supplies impacted by per- and polyfluoroalkyl substances
 23 used to prevent, extinguish, and control fires is a matter of
 24 the highest urgency and priority.

25 (b) Per- and polyfluoroalkyl substances are a large group

26 | of related, human-made fluorinated organic chemicals exhibiting
27 | high degrees of chemical and thermal stability that improve the
28 | firefighting performance of aqueous film-forming foam.

29 | (c) Aqueous film-forming foam containing per- and
30 | polyfluoroalkyl substances has been used at airports in this
31 | state to prevent, extinguish, and control Class B fires and to
32 | train firefighters in compliance with federal requirements and
33 | procedures.

34 | (d) Federal requirements and procedures obligate airport
35 | firefighters to discharge aqueous film-forming foam containing
36 | per- and polyfluoroalkyl substances periodically to test the
37 | performance of airport systems and equipment.

38 | (e) Discharges of per- and polyfluoroalkyl substances into
39 | aquifers and drinking water supplies have occurred as result of
40 | such federal requirements and procedures.

41 | (2) An airport that reports detections of per- and
42 | polyfluoroalkyl substances on or within the airport property or
43 | surrounding areas is not liable for any costs, damages, or
44 | penalties for contamination resulting the discharge of aqueous
45 | film-forming foam containing per- and polyfluoroalkyl
46 | substances.

47 | (3) An airport that dispenses aqueous film-forming foam in
48 | compliance with federal requirements and procedures is not
49 | liable to the state under any general law, or to any other
50 | person seeking to enforce any general law, for any costs,

51 damages, or penalties relating to the discharge, evaluation,
52 contamination, assessment, or remediation of per- and
53 polyfluoroalkyl substances.

54 Section 2. (1) The Office of Program Policy Analysis and
55 Government Accountability shall conduct an analysis of programs
56 in other states for the assessment and cleanup of soil and
57 groundwater contamination, including programs for brownfields,
58 petroleum, drycleaning solvents, and other chemical
59 contamination. Based on its analysis, the office shall recommend
60 any changes to Florida's current programs that would improve the
61 state's ability to effectively address environmental
62 contamination assessment and cleanup, including the efficacy of
63 consolidating the state's programs into a single remediation
64 program. The analysis shall include, at a minimum:

65 (a) Funding mechanisms and sources of funding.

66 (b) Funding eligibility requirements.

67 (c) Current levels of funding.

68 (d) An evaluation of best practices for successful cleanup
69 programs and single remediation programs in other states and how
70 such practices and programs address the needs of investigation
71 and remediation stakeholders.

72 (e) A comparison of best practices for successful cleanup
73 programs and single remediation programs in other states and
74 cleanup and remediation programs in this state.

75 (2) The office shall submit a report of its findings and

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76 | any recommendations to the Governor, the President of the
77 | Senate, and the Speaker of the House of Representatives by
78 | January 1, 2022.

79 | Section 3. This act shall take effect July 1, 2021.