

1 A bill to be entitled
 2 An act relating to phosphogypsum stacks; amending s.
 3 403.4154, F.S.; requiring the Department of
 4 Environmental Protection to submit an annual report to
 5 the Governor, Legislature, and certain entities;
 6 providing report requirements; requiring the
 7 department to notify the Governor, Legislature, and
 8 certain entities of imminent hazards within a
 9 specified timeframe; requiring the department to
 10 create and maintain a database on its website;
 11 providing database requirements; requiring the
 12 department to update the database; providing an
 13 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. Paragraphs (c) and (d) of subsection (2) of
 18 section 403.4154, Florida Statutes, are redesignated as
 19 paragraphs (d) and (e), respectively, a new paragraph (c) is
 20 added to subsection (2), paragraph (i) is added to subsection
 21 (3), and subsection (6) is added to that section, to read:

22 403.4154 Phosphogypsum management program.—

23 (2) REGULATORY PROGRAM.—

24 (c) By July 1, 2023, and each July 1 thereafter, the
 25 department shall complete a report on the status of

26 phosphogypsum stacks in the state. The report must include
27 summaries of any reports and inspections, imminent hazards and
28 abatement actions, and material violations from the preceding
29 year for each phosphogypsum stack, and a risk assessment score
30 for each phosphogypsum stack based on risk assessment modeling
31 results and the potential risk to human health, public safety,
32 and the environment. The department shall submit the report to
33 the Governor, the President of the Senate, the Speaker of the
34 House of Representatives, the Division of Emergency Management,
35 and the emergency management agency and board of county
36 commissioners for each county within which a phosphogypsum stack
37 is located.

38 (3) ABATEMENT OF IMMINENT HAZARD.—

39 (i) If the department becomes aware that an imminent
40 hazard exists for a phosphogypsum stack, the department shall
41 immediately notify the Governor, the President of the Senate,
42 the Speaker of the House of Representatives, the Division of
43 Emergency Management, and the emergency management agency and
44 board of county commissioners of the county within which the
45 phosphogypsum stack is located.

46 (6) ONLINE DATABASE.—

47 (a) The department shall create and maintain on its
48 website a database accessible to the public in a standardized,
49 user-friendly, and easily understandable format that lists all
50 phosphogypsum stacks in the state by county.

51 (b) At a minimum, the database must provide the following
 52 information for each phosphogypsum stack:

53 1. A current status summary, which includes a risk
 54 assessment score and brief summaries of any reports and
 55 inspections, imminent hazards and abatement actions, and
 56 material violations.

57 2. Links to any reports or inspections conducted pursuant
 58 to law or department rule.

59 3. Links to information regarding any imminent hazards
 60 that existed at any time and actions taken to abate such
 61 hazards.

62 4. Links to information regarding any material violations
 63 of applicable laws and regulations.

64 (c) The department shall update the database as
 65 information becomes available for a phosphogypsum stack.

66 Section 2. This act shall take effect July 1, 2021.