

1 A bill to be entitled
 2 An act relating to cleanup of perfluoroalkyl and
 3 polyfluoroalkyl substances; creating s. 376.91, F.S.;
 4 defining terms; requiring the Department of
 5 Environmental Protection to adopt rules for statewide
 6 cleanup target levels for perfluoroalkyl and
 7 polyfluoroalkyl substances in soil and groundwater by
 8 a specified date; prohibiting such rules from taking
 9 effect until ratified by the Legislature; providing
 10 that certain persons are not subject to administrative
 11 or judicial action under certain circumstances;
 12 providing that certain statutes of limitations are
 13 tolled from a specified date; providing construction;
 14 providing a directive to the Division of Law Revision;
 15 providing an effective date.

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

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 19 Section 1. Section 376.91, Florida Statutes, is created to
 20 read:

21 376.91 Statewide cleanup of perfluoroalkyl and
 22 polyfluoroalkyl substances.-

23 (1) DEFINITIONS.-As used in this section, the term:

24 (a) "Department" means the Department of Environmental
 25 Protection.

26 (b) "PFAS" means perfluoroalkyl and polyfluoroalkyl
 27 substances, including perfluorooctanoic acid (PFOA) and
 28 perfluorooctane sulfonate (PFOS).

29 (2) STATEWIDE CLEANUP TARGET LEVELS.—

30 (a) By January 1, 2023, the department shall adopt by rule
 31 statewide cleanup target levels for PFAS in soil and groundwater
 32 using criteria set forth in s. 376.30701, with priority given to
 33 PFOA and PFOS. The rules for statewide cleanup target levels may
 34 not take effect until ratified by the Legislature.

35 (b) Until the department's rule for a particular PFAS
 36 constituent has been ratified by the Legislature, a person may
 37 not be subject to any administrative or judicial action under
 38 chapter 376 or chapter 403 brought by any state or local
 39 governmental entity to compel or enjoin site rehabilitation, to
 40 require payment for the cost of rehabilitation of environmental
 41 contamination, or to require payment of any fines or penalties
 42 regarding rehabilitation based on the presence of that
 43 particular PFAS constituent.

44 (c) Until site rehabilitation is completed or rules for
 45 statewide cleanup target levels are ratified by the Legislature,
 46 any statute of limitations that would bar a state or local
 47 governmental entity from pursuing relief in accordance with its
 48 existing authority is tolled from the effective date of this
 49 act.

50 (d) This section does not affect the ability or authority

HB 1475

2022

51 to seek any recourse or relief from any person who may have
52 liability with respect to a contaminated site and who did not
53 receive protection under paragraph (b).

54 Section 2. The Division of Law Revision is directed to
55 replace the phrase "the effective date of this act" wherever it
56 occurs in this act with the date this act becomes a law.

57 Section 3. This act shall take effect upon becoming a law.