

ENROLLED

CS/HB 1475

2022 Legislature

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 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 drinking water,  
 8 groundwater, and soil under a specified condition;  
 9 prohibiting such rules from taking effect until  
 10 ratified by the Legislature; providing that certain  
 11 governmental entities and water suppliers are not  
 12 subject to administrative or judicial action under  
 13 certain circumstances; providing that certain statutes  
 14 of limitations are tolled from a specified date;  
 15 providing construction; providing a directive to the  
 16 Division of Law Revision; providing an effective date.

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

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

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

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

25 (a) "Department" means the Department of Environmental

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26 Protection.

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

30 (2) STATEWIDE CLEANUP TARGET LEVELS.—

31 (a) If the United States Environmental Protection Agency  
 32 has not finalized its standards for PFAS in drinking water,  
 33 groundwater, and soil by January 1, 2025, the department shall  
 34 adopt by rule statewide cleanup target levels for PFAS in  
 35 drinking water, groundwater, and soil using criteria set forth  
 36 in s. 376.30701, with priority given to PFOA and PFOS. The rules  
 37 for statewide cleanup target levels may not take effect until  
 38 ratified by the Legislature.

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

48 (c) Until site rehabilitation is completed or rules for  
 49 statewide cleanup target levels are ratified by the Legislature,  
 50 any statute of limitations that would bar a state or local

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51 governmental entity from pursuing relief in accordance with its  
52 existing authority is tolled from the effective date of this  
53 act.

54 (d) This section does not affect the ability or authority  
55 to seek any recourse or relief from any person who may have  
56 liability with respect to a contaminated site and who did not  
57 receive protection under paragraph (b).

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

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