



604202

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/02/2022	.	
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Appropriations Subcommittee on Agriculture, Environment, and  
General Government (Brodeur) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

376.91 Statewide cleanup of perfluoroalkyl and  
polyfluoroalkyl substances.—

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

(a) "Department" means the Department of Environmental



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11 Protection.

12 (b) "PFAS" means perfluoroalkyl and polyfluoroalkyl  
13 substances, including perfluorooctanoic acid (PFOA) and  
14 perfluorooctane sulfonate (PFOS).

15 (2) STATEWIDE CLEANUP TARGET LEVELS.—

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

21 (b) Until the department's rule for a particular PFAS  
22 constituent has been ratified by the Legislature, a governmental  
23 entity or private water supplier may not be subject to any  
24 administrative or judicial action under this chapter brought by  
25 any state or local governmental entity to compel or enjoin site  
26 rehabilitation, to require payment for the cost of  
27 rehabilitation of environmental contamination, or to require  
28 payment of any fines or penalties regarding rehabilitation based  
29 on the presence of that particular PFAS constituent.

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

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



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

43           Section 3. This act shall take effect upon becoming a law.  
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45 ===== T I T L E   A M E N D M E N T =====

46 And the title is amended as follows:

47           Delete everything before the enacting clause  
48 and insert:

49   A bill to be entitled  
50           An act relating to cleanup of perfluoroalkyl and  
51 polyfluoroalkyl substances; creating s. 376.91, F.S.;

52 defining terms; requiring the Department of  
53 Environmental Protection to adopt rules for statewide  
54 cleanup target levels for perfluoroalkyl and  
55 polyfluoroalkyl substances in soil and groundwater by  
56 a specified date; prohibiting such rules from taking  
57 effect until ratified by the Legislature; providing  
58 that certain persons are not subject to administrative  
59 or judicial action under certain circumstances;

60 providing that certain statutes of limitations are  
61 tolled from a specified date; providing construction;

62 providing a directive to the Division of Law Revision;

63 providing an effective date.