

By the Committees on Appropriations; and Environment and Natural Resources

576-03563-22

20227012c1

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.-

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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 governmental
37 entity or private water supplier may not be subject to any
38 administrative or judicial action under this chapter brought by
39 any state or local governmental entity to compel or enjoin site
40 rehabilitation, to require payment for the cost of
41 rehabilitation of environmental contamination, or to require
42 payment of any fines or penalties regarding rehabilitation based
43 on the presence of that 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
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.