The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Environment and Natural Resources

BILL:	CS/SB 1230
INTRODUCER:	Environment and Natural Resources Committee and Senator Harrell
SUBJECT:	Perfluoroalkyl and Polyfluoroalkyl Substances
DATE:	January 20, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Barriero	Rogers	EN	**Fav/CS**
2.			AEG	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1230 provides that, effective July 1, 2026, aqueous film-forming foam (AFFF) containing intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS) may not be used for any nonemergency instruction, training, or testing, and all entities in possession of AFFF must report inventories to the Department of Environmental Protection (DEP). Effective July 1, 2027, the bill prohibits the sale, purchase, or distribution of AFFF in Florida and requires all entities with remaining inventories to submit a disposal plan to DEP.

Effective July 1, 2028, the bill prohibits the possession and use of AFFF in the state. The bill creates exceptions for (1) federal aviation facilities required to comply with applicable federal rules; (2) military applications where alternatives do not exist; and (3) emergency firefighting situations where alternative firefighting foam is not available.

The bill directs DEP to adopt rules governing the containment, collection, and disposal of AFFF; maintain a registry of firefighting foam alternatives that do not contain PFAS; and provide technical assistance and grants to support the transition to PFAS-free products. The bill also authorizes DEP to administer grants or cost-share programs to assist local fire departments and airports with this transition.

A person who violates the bill is subject to civil penalties of up to $10,000 per violation per day and additional penalties of up to $10,000 per violation per day for failure to report inventories or submit disposal plans. The bill authorizes DEP to seek injunctive relief to enforce compliance.

The bill further requires public entities that dispose of domestic wastewater biosolids and have a designed average daily flow of 25,000 gallons or more to conduct at least one annual biosolids sampling for PFAS and submit the results to DEP.

II. Present Situation:

Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS)

PFAS are a large and complex class of synthetic chemicals that are resistant to heat, water, and oil.[1] Perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) are two of the most widely used and studied chemicals in the PFAS group.[2] PFOA and PFOS have been replaced in the United States with other PFAS in recent years.[3]

PFAS have been used in a wide variety of consumer products and industrial processes since the 1940s.[4] Most people in the U.S. have been exposed to PFAS, primarily through touching, drinking, eating, or breathing in materials containing these chemicals.[5] PFAS may be present in:

- Drinking water in public drinking water systems and private wells;
- Waste sites, including soil and water at or near landfills, disposal sites, and hazardous waste sites;
- Fire extinguishing foam (aqueous film-forming foams or AFFFs) used in training and emergency response events at airports and firefighting training facilities;
- Manufacturing facilities, including chrome plating, electronics, and certain textile and paper manufacturers that produce or use PFAS;
- Consumer products, including stain- or water-repellent, or non-stick products, paints, sealants, and some personal care products;
- Food packaging, including grease-resistant paper, microwave popcorn bags, pizza boxes, and candy wrappers;
- Biosolids, including fertilizer from wastewater treatment plants used on agricultural lands; and
- Food, including fish caught from PFAS-contaminated water and dairy products from livestock exposed to PFAS.[6]

Because PFAS do not break down in the environment, earning them the nickname "Forever Chemicals," concentrations of PFAS can accumulate in people, wildlife, and the environment over time.[7] Even at very low levels, exposure to PFAS can cause serious health problems, including:

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[1] Department of Environmental Protection (DEP), *PFAS Dynamic Plan*, 3 (2022), *available at* https://floridadep.gov/sites/default/files/Dynamic_Plan_March_2022.pdf.
[2] Environmental Protection Agency (EPA), *Our Current Understanding of the Human Health and Environmental Risks of PFAS*, https://www.epa.gov/pfas/our-current-understanding-human-health-and-environmental-risks-pfas (last visited Jan. 12, 2026).
[3] *Id.*
[4] *Id.*
[5] *Id.*
[6] *Id.*
[7] *See* EPA, *Our Current Understanding of the Human Health and Environmental Risks of PFAS*, https://www.epa.gov/pfas/our-current-understanding-human-health-and-environmental-risks-pfas (last visited Jan. 12, 2026).

- Reproductive effects such as decreased fertility or increased high blood pressure in pregnant women.
- Developmental effects or delays in children, including low birth weight, accelerated puberty, bone variations, or behavioral changes.
- Increased risk of some cancers, including prostate, kidney, and testicular cancers.
- Reduced ability of the body's immune system to fight infections, including reduced vaccine response.
- Interference with the body's natural hormones.
- Increased cholesterol levels and/or risk of obesity.[8]

Our understanding of these chemicals and their impact on human health is incomplete, and PFAS regulatory and technical developments are quickly evolving.[9]

PFAS Regulations and Guidance

In April 2024, the Environmental Protection Agency (EPA) announced final drinking water regulations for PFOA, PFOS, and several other PFAS compounds (perfluorohexanesulfonic acid or PFHxS, perfluorononanoic acid or PFNA, GenX, and the hazard index mixture of these three PFAS plus perfluorobutanesulfonic acid or PFBS).[10] At that time, EPA established legally enforceable Maximum Contaminant Levels (MCLs) for these PFAS in drinking water and gave public water systems until 2029 to comply with the MCLs.[11] EPA also finalized a rule to designate PFOA and PFOS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act.[12] EPA has also updated interim guidance on PFAS destruction and disposal, restricted PFAS in federal custodial contracts, and proposed new rules under the Resource Conservation and Recovery Act to regulate additional PFAS as hazardous constituents.[13]

In May 2025, EPA announced it intends to keep the drinking water MCLs for PFOA and PFOS but rescind and reconsider the regulations for the other PFAS compounds (PFHxS, PFNA, GenX, and the hazard index mixture of these three PFAS plus PFBS).[14] EPA also announced its

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[8] *Id.*
[9] DEP, *PFAS Dynamic Plan* at 3.
[10] 89 Fed. Reg. 32532 (Apr. 26, 2024); EPA, *PFAS National Drinking Water Regulation FAQs for Drinking Water Primacy Agencies*, https://www.epa.gov/system/files/documents/2024-04/pfas_npwdr_faqsstates_4.8.24.pdf. Several lawsuits have been filed challenging the regulation. *American Water Works Ass'n. v. EPA*, No. 24-1188 (D.C. Cir. June 7, 2024); *Nat'l Ass'n of Mfrs. v. EPA*, No. 24-1191 (D.C. Cir. June 10, 2024); *The Chemours Co. FC v. EPA*, No. 24-1192 (D.C. Cir. June 10, 2024). The cases have been consolidated with the American Water Works Association case as the lead. Litigation is ongoing.
[11] 89 Fed. Reg. 32532, 32533 (Apr. 26, 2024).
[12] EPA, *Designation of [PFOA and PFOS] as CERCLA Hazardous Substances*, https://www.epa.gov/superfund/designation-perfluorooctanoic-acid-pfoa-and-perfluorooctanesulfonic-acid-pfos-cercla (last visited Jan. 14, 2026). These requires facilities to report releases of PFOA or PFOS at or above the reportable quantity (one pound) within a 24-hour period. 89 Fed. Reg. 39124, 39131 (May 8, 2024); *see also* EPA, *Designation of PFOA and PFOS as hazardous substances under CERCLA Release Reporting Requirements Factsheet*, https://www.epa.gov/epcra/designation-pfoa-and-pfos-hazardous-substances-under-cercla-release-reporting-requirements (last visited Jan. 14, 2026).
[13] *See* EPA, *Key EPA Actions to Address PFAS*, https://www.epa.gov/pfas/key-epa-actions-address-pfas (last visited Jan. 14, 2026).
[14] EPA, *EPA Announces It Will Keep Maximum Contaminant Levels for PFOA, PFOS*, https://www.epa.gov/newsreleases/epa-announces-it-will-keep-maximum-contaminant-levels-pfoa-pfos (last visited Jan. 14,

intent to extend the MCL compliance deadlines for PFOA and PFOS to 2031 and establish a federal exemption framework.[15]

To date, EPA has not finalized standards for PFAS in groundwater or soil. The Department of Environmental Protection (DEP) has set provisional groundwater and soil cleanup target levels for PFOA and PFOS.[16]

PFAS Destruction and Disposal

EPA has identified three existing and potentially available destruction and disposal technologies that may be effective for managing PFAS and PFAS-containing materials: thermal treatment, landfilling, and underground injection.[17]

Thermal treatment devices include hazardous waste combustors, municipal waste combustors, sewage sludge incinerators, and activated carbon reactivation furnaces.[18] Thermal treatment units generally use high-temperature combustion and incineration to destroy organic materials and control organic pollutants.[19] However, there is limited data on the effectiveness of completely removing PFAS through thermal treatment and further research is needed to gain a better understanding of what may be possible in practice as current research has largely been confined to laboratory or pilot studies.[20] Moreover, emissions from thermal treatment activities may contain PFAS if adequate combustion conditions are not achieved or if adequate acid gas scrubbers or other pollution control devices are not used.[21]

Landfills might serve as long-term containment sites; however, it is unclear how effective they are at containing PFAS.[22] While hazardous waste landfills are more effective at minimizing PFAS release into the environment than other landfill types, most modern municipal solid waste (MSW) landfills, when constructed and operated with appropriate controls (e.g., a flexible membrane liner system and leachate and landfill gas collection and management systems), can also help contain PFAS.[23] Research indicates that although MSW landfills contain PFAS for the most part, up to 5 percent of the PFAS may be released in the landfill gas, and 11 percent may be released in the leachate annually.[24] Additionally, leachate may be sent to wastewater treatment

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2026). In September 2025, as part of ongoing litigation, EPA moved the D.C. Circuit Court of Appeals to partially vacate its drinking water regulations for PFAS compounds other than PFOA and PFOS. *See* Respondents' Motion for Partial Vacatur, *American Water Works Ass'n v. EPA*, No. 24-1188 (D.C. Cir. Sept. 11, 2025).

[15] EPA, *EPA Announces It Will Keep Maximum Contaminant Levels for PFOA, PFOS*.

[16] DEP, *PFAS Dynamic Plan*, 10 (2022), *available at* https://floridadep.gov/sites/default/files/Dynamic_Plan_March_2022.pdf.

[17] EPA, *Interim Guidance on the Destruction and Disposal of [PFAS] and Materials Containing [PFAS]*, 42 (2024), *available at* https://www.epa.gov/system/files/documents/2024-04/2024-interim-guidance-on-pfas-destruction-and-disposal.pdf.

[18] *Id.* at 59.

[19] *Id.* at 43.

[20] *Id.* at 47-51, 58-59.

[21] *Id.* at 55.

[22] *Id.*

[23] *Id.* at 66.

[24] *See* Thabet Tolaymat, et al., *A critical review of perfluoroalkyl and polyfluoroalkyl substances (PFAS) landfill disposal in the United States*, Science of the Total Environment, vol. 905, 1 (2023), *available at* https://www.sciencedirect.com/science/article/abs/pii/S0048969723058126?via%3Dihub.

plants that are not capable of treating or destroying PFAS; therefore, the PFAS in landfill leachate may be released to the environment.[25] Because landfills are a method for containment and not destruction of PFAS, PFAS are anticipated to persist in landfills for the life of the compounds, which could be many centuries.[26]

Underground injection wells may be a feasible and effective disposal option to minimize release of PFAS into the environment, and EPA has determined the use of Class I[27] non-hazardous industrial waste and hazardous waste wells for high concentration liquid PFAS waste has a lower potential for environmental release when compared to other PFAS destruction and disposal options.[28] However, underground injection wells are only suited for the disposal of liquids and are restricted to locations with suitable geology.[29] The limited number of wells currently receiving PFAS and accepting off-site waste, well location, and waste transportation logistics may significantly limit the type and quantity of PFAS-containing fluids appropriate for underground injection.[30] In addition, understanding of the long-term fate and transport properties of PFAS (including precursors) in the injection zone is currently limited and further research is needed.[31]

In addition to these existing technologies, EPA has tested several emerging technologies, including mechanochemical degradation,[32] pyrolysis,[33] and supercritical water oxidation,[34] particularly for the disposal of AFFF (discussed in further detail below).[35] However, further research is needed to confirm the efficacy of these technologies and evaluate their performance for PFAS-containing materials beyond AFFF.[36]

Aqueous Film-Forming Foam (AFFF)

PFAS are common in firefighting foams that have been stored and used for fire suppression, fire training, and flammable vapor suppression.[37] These firefighting agents include Class B fluorine-containing firefighting foams, such as AFFF. When mixed with water and discharged, the fluorinated foam forms an aqueous film that quickly cuts off the oxygen to the fire, extinguishing

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[25] EPA, *Interim Guidance on the Destruction and Disposal of [PFAS] and Materials Containing [PFAS]* at 66.
[26] *Id.* at 66, 82.
[27] Class I wells inject into geologic formations below the lowermost USDW and are further subdivided into four categories: municipal wastewater, radioactive waste, hazardous waste, and non-hazardous industrial waste disposal wells. *Id.* at 92.
[28] *Id.*
[29] *Id.*
[30] *Id.*
[31] *Id.* at 97-98.
[32] Mechanochemical degradation is a treatment technology that uses a high-energy ball-milling device, with the option of co-milling reagents, to produce highly reactive conditions to degrade contaminants. *Id.* at 119.
[33] Pyrolysis is a process that decomposes materials at moderately elevated temperatures in an oxygen-free environment. *Id.* at 120.
[34] Supercritical water oxidation is a process that occurs when the temperature and pressure of water is above the critical point. Above the critical point, oxidation processes are accelerated. *Id.* at 120.
[35] *Id.* at 119-120. At this time, EPA is neither recommending nor discouraging the use of any emerging technology for managing PFAS-containing materials. *Id.* at 121.
[36] *Id.* at 121.
[37] Interstate Technology Regulatory Council (ITRC), *PFAS*, https://pfas-1.itrcweb.org/3-firefighting-foams/ (last visited Jan. 16, 2026). *See generally* EPA, *Interim Guidance on the Destruction and Disposal of [PFAS] and Materials Containing [PFAS]* at 23.

it and preventing it from relighting.[38] In the United States, AFFF is used at federal facilities, civil airports, and oil refineries.[39] Civilian fire departments also use or have used AFFF.[40]

AFFFs are complex mixtures that contain both known and unidentified PFAS.[41] Uncontrolled releases of AFFF to the environment can result in adverse environmental impacts, particularly when the foam reaches drinking water sources, groundwater, or surface waters. Depending on the location and circumstances of a discharge, potential impacts include acute aquatic toxicity, increased biological and chemical oxygen demand, and nutrient loading.[42] Studies demonstrate AFFF use at airports is a source of PFAS in soil and groundwater.[43]

DEP has taken steps to assess AFFF contamination at fire training facilities throughout Florida. In 2018, DEP conducted a statewide survey of 45 certified fire training facilities to collect information on each facility's use of AFFFs and the source of its drinking water.[44] The survey also identified the likely locations of nearby public and private potable wells. DEP then completed environmental assessments at 26 fire training facilities where AFFF use was confirmed or suspected. Where contamination was identified, DEP will assist the facility in developing a cleanup plan to remove or contain the contamination and prevent future environmental impacts and human exposure.[45]

Biosolids

The proper treatment and disposal or reuse of domestic wastewater is an important part of protecting Florida's water resources. The majority of Florida's domestic wastewater is controlled and treated by centralized treatment facilities regulated by DEP. Florida has approximately 2,000 permitted domestic wastewater treatment facilities.[46]

When domestic wastewater is treated, solid, semisolid, or liquid residue known as biosolids[47] accumulates in the wastewater treatment plant and must be removed periodically to keep the

[38] ITRC, *PFAS.*
[39] EPA, *Interim Guidance on the Destruction and Disposal of [PFAS] and Materials Containing [PFAS]* at 24.
[40] *Id.*
[41] ITRC, *PFAS.*
[42] *Id.*
[43] Lutz Ahrens, et al., *Stockholm Arlanda Airport as a source of per- and polyfluoroalkyl substances to water, sediment and fish*, Chemosphere, vol. 129, 33-38 (2015), *available at* https://www.sciencedirect.com/science/article/abs/pii/S0045653514005281?via%3Dihub; Xavier Dauchy, et al., *Per- and polyfluoroalkyl substances in firefighting foam concentrates and water samples collected near sites impacted by the use of these foams*, Chemosphere, vol. 183, 53-61 (2017), *available at* https://www.sciencedirect.com/science/article/abs/pii/S0045653517307580?via%3Dihub.
[44] DEP, *Fire Training Facility Preliminary Site Assessments*, https://floridadep.gov/waste/waste-cleanup/content/fire-training-facility-preliminary-site-assessments (last visited Jan. 14, 2026).
[45] *Id.*
[46] DEP, *General facts and statistics about wastewater in Florida,* https://floridadep.gov/water/domestic-wastewater/content/general-facts-and-statistics-about-wastewater-florida (last visited Jan. 14, 2026).
[47] Section 373.4595, F.S., defines biosolids are the solid, semisolid, or liquid residue generated during the treatment of domestic wastewater in a domestic wastewater treatment facility and include products and treated material from biosolids treatment facilities and septage management facilities. The term does not include the treated effluent or reclaimed water from a domestic wastewater treatment facility, solids removed from pump stations and lift stations, screenings and grit removed from the preliminary treatment components of domestic wastewater treatment facilities, or ash generated during the incineration of biosolids.

plant operating properly.[48] Biosolids also include products and treated material from biosolids treatment facilities and septage management facilities regulated by the DEP.[49] The collected residue is high in organic content and contains moderate amounts of nutrients.[50]

DEP has stated that wastewater treatment facilities produce about 340,000 dry tons of biosolids each year.[51] Biosolids can be disposed of in several ways including placement in a landfill, distribution and marketing as fertilizer, and land application to pasture or agricultural lands.[52] Biosolids are subject to regulatory requirements established by DEP to protect public health and the environment.[53]

Biosolids are regulated under Rule 62-640 of the Florida Administrative Code. The rules provide minimum requirements, including monitoring and reporting requirements, for the treatment, management, use, and disposal of biosolids. The rules are applicable to wastewater treatment facilities, appliers, and distributors[54] and include permit requirements for both treatment facilities and biosolids application sites.[55]

There is increasing concern over the presence of PFAS in biosolids. While many PFASs have been found in biosolids, PFOA and PFOS are among the most abundant.[56] PFAS in biosolids is the result of the continued manufacture and use of these compounds throughout society, including by households, as well as industrial discharges of PFAS to wastewater.[57] EPA's Office of Water, the Environmental Council of the States, and the National Association of State Departments of Agriculture have jointly developed Principles for Preventing and Managing PFAS in Biosolids.[58]

III. Effect of Proposed Changes:

Section 1 creates s. 376.911, F.S., regarding aqueous film-forming foam (AFFF). The bill defines AFFF as any firefighting foam containing intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS), including perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) as defined by the United States Environmental Protection Agency. The bill defines "department" as the Department of Environmental Protection (DEP).

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[48] DEP, *Domestic wastewater biosolids*. https://floridadep.gov/water/domestic-wastewater/content/domestic-wastewater-biosolids (last visited Jan. 14, 2026).
[49] Fla. Admin. Code R. 62-640.200(6).
[50] *Id*.
[51] DEP, *Biosolids in Florida*, 5 (2019), *available at* https://www.florida-stormwater.org/assets/MemberServices/Conference/AC19/02%20-%20Frick%20Tom.pdf.
[52] *Id*.
[53] Fla. Admin. Code R. 62-640.
[54] Fla. Admin. Code R. 62-640.100.
[55] Fla. Admin. Code R. 62-640.300.
[56] EPA, *EPA Biosolids PFOA & PFOS Problem Formulation Meeting Summary*, 1 (2020), *available at* https://www.epa.gov/sites/default/files/2021-02/documents/biosolids-pfoa-pfos-meeting-summary-nov-2020.pdf.
[57] EPA, et al., *Joint Principles for Preventing and Managing PFAS in Biosolids*, 1 (2023), *available at* https://www.epa.gov/system/files/documents/2023-07/Joint-Principles-Preventing-Managing-PFAS.pdf.
[58] EPA, *Joint Principles for Preventing and Managing PFAS in Biosolids*, https://www.epa.gov/biosolids/joint-principles-preventing-and-managing-pfas-biosolids (last visited Jan. 16, 2026).

The bill provides that, effective July 1, 2026, AFFF may not be used for any nonemergency instruction, training, or testing. All entities in possession of AFFF must report inventories to DEP. The bill further provides that, effective July 1, 2027:

- The sale, purchase, or distribution of AFFF within this state is prohibited.
- All entities with remaining inventories of AFFF must submit a disposal plan to DEP.

The bill prohibits the possession and use of AFFF in this state effective July 1, 2028. This prohibition does not apply to:

- Federal aviation facilities required to comply with federal rules that regulate the certification and operation of airports.
- Military applications where alternatives do not exist.
- Emergency firefighting situations where alternative firefighting foam is not available.

The bill directs DEP to:

- Adopt rules for containment, collection, and disposal of AFFF.
- Maintain a registry of firefighting foam alternatives that do not contain PFAS.
- Provide technical assistance and grants for transition to products that do not contain PFAS.

The bill allows DEP to administer grants or cost-share programs to assist local fire departments and airports in transitioning to products that do not contain PFAS.

The bill provides that a person who violates this act is subject to:

- Civil penalties not to exceed $10,000 for each violation for each day the violation persists.
- Additional penalties not to exceed $10,000 for each violation for each day for failure to report inventories or submit disposal plans.

The bill allows DEP to seek injunctive relief to enforce compliance with this section of law.

Section 2 amends s. 403.086, F.S., regarding sewage disposal facilities. The bill requires all public entities disposing of domestic wastewater biosolids that have a designed average daily flow of 25,000 or more gallons per day to annually conduct at least one biosolids sampling for PFAS, including PFOA and PFOS, and submit the results to DEP. The sampling must be conducted in accordance with DEP rules regulating biosolids management.

Section 3 provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Private entities may incur indeterminate costs associated with transitioning to aqueous film-forming foam (AFFF) that does not contain perfluoroalkyl and polyfluoroalkyl substances, reporting AFFF inventories to the Department of Environmental Protection (DEP), and developing a disposal plan.

C. Government Sector Impact:

DEP may incur indeterminate costs to adopt rules on AFFF, maintain a registry of alternative firefighting foams, and provide technical assistance and grants for transitioning to PFAS-free AFFF. Public entities that dispose of domestic wastewater biosolids may incur indeterminate costs for annual PFAS testing.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 403.086 of the Florida Statutes.
This bill creates section 376.911 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Environment and Natural Resources on Jan. 20, 2026:

- Clarified that "the department" means the Department of Environmental Protection.
- Clarified that additional penalties for failure to report inventories or submit disposal plans may not exceed $10,000 per day for each violation.

B. Amendments:

None.