

By Senator Harrell

31-01361A-26

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A bill to be entitled

An act relating to perfluoroalkyl and polyfluoroalkyl substances; creating s. 376.911, F.S.; defining the term "aqueous film-forming foam"; prohibiting, beginning on a specified date, certain use and the sale, purchase, or distribution of aqueous film-forming foam; requiring, beginning on a specified date, certain entities to submit aqueous film-forming foam inventories and disposal plans to the Department of Environmental Protection; prohibiting, beginning on a specified date, the possession and use of aqueous film-forming foam; providing applicability; providing duties of the department; authorizing the department to administer certain grants or cost-share programs; providing penalties and injunctive relief; amending s. 403.086, F.S.; requiring certain public entities disposing of domestic wastewater biosolids to annually conduct specified samplings and submit the results to the department; providing an effective date.

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

Section 1. Section 376.911, Florida Statutes, is created to read:

376.911 Aqueous film-forming foam.—

(1) As used in this section, the term "aqueous film-forming foam" means any firefighting foam containing intentionally added perfluoroalkyl and polyfluoroalkyl substances, including perfluorooctanoic acid and perfluorooctane sulfonate as defined

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by the United States Environmental Protection Agency.

(2) Effective July 1, 2026:

(a) Aqueous film-forming foam may not be used for any nonemergency instruction, training, or testing.

(b) All entities in possession of aqueous film-forming foam must report inventories to the department.

(3) Effective July 1, 2027:

(a) The sale, purchase, or distribution of aqueous film-forming foam within this state is prohibited.

(b) All entities with remaining inventories of aqueous film-forming foam must submit a disposal plan to the department.

(4) Effective July 1, 2028, possession and use of aqueous film-forming foam is prohibited in this state.

(5) The prohibition under subsection (4) does not apply to:

(a) Federal aviation facilities required to comply with 14 C.F.R. part 139.

(b) Military applications where alternatives do not exist.

(c) Emergency firefighting situations where alternative firefighting foam is not available.

(6) The department shall:

(a) Adopt rules for containment, collection, and disposal of aqueous film-forming foam.

(b) Maintain a registry of firefighting foam alternatives that do not contain perfluoroalkyl and polyfluoroalkyl substances.

(c) Provide technical assistance and grants for transition to products that do not contain perfluoroalkyl and polyfluoroalkyl substances.

(7) The department may administer grants or cost-share

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59 programs to assist local fire departments and airports in
60 transitioning to products that do not contain perfluoroalkyl and
61 polyfluoroalkyl substances.

62 (8) A person who violates this act is subject to:

63 (a) Civil penalties not to exceed \$10,000 for each
64 violation for each day the violation persists.

65 (b) Additional penalties for failure to report inventories
66 or submit disposal plans.

67 (9) The department may seek injunctive relief to enforce
68 compliance with this section.

69 Section 2. Subsection (12) is added to section 403.086,
70 Florida Statutes, to read:

71 403.086 Sewage disposal facilities; advanced and secondary
72 waste treatment.—

73 (12) All public entities disposing of domestic wastewater
74 biosolids that have a designed average daily flow of 25,000 or
75 more gallons per day must annually conduct at least one
76 biosolids sampling for perfluoroalkyl and polyfluoroalkyl
77 substances, including perfluorooctanoic acid and perfluorooctane
78 sulfonate, and submit the results to the department. The
79 sampling must be conducted in accordance with department rules
80 adopted under s. 403.0855.

81 Section 3. This act shall take effect July 1, 2026.