

By the Committee on Environment and Natural Resources; and
Senator Harrell

592-02041-26

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A bill to be entitled

An act relating to perfluoroalkyl and polyfluoroalkyl substances; creating s. 376.911, F.S.; defining terms; 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-sharing 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)(a) 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 by the United States Environmental

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30 Protection Agency.

31 (b) As used in this section, the term "department" means
32 the Department of Environmental Protection.

33 (2) Effective July 1, 2026:

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

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

38 (3) Effective July 1, 2027:

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

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

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

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

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

48 (b) Military applications for which alternatives do not
49 exist.

50 (c) Emergency firefighting situations in which alternative
51 firefighting foam is not available.

52 (6) The department shall:

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

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

58 (c) Provide technical assistance and grants for transition

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to products that do not contain perfluoroalkyl and polyfluoroalkyl substances.

(7) The department may administer grants or cost-sharing programs to assist local fire departments and airports in transitioning to products that do not contain perfluoroalkyl and polyfluoroalkyl substances.

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

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

(b) Additional penalties not to exceed \$10,000 for each violation for each day for failure to report inventories or submit disposal plans.

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

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

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

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

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