

Bill No. SB 2708

Barcode 654372

CHAMBER ACTION

Senate

House

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The Committee on Environmental Preservation (Alexander)  
recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Study of exposure risks and potential  
adverse effects of hurricane wind and storm surge on  
field-erected, aboveground storage tank systems at bulk  
product facilities.--

(1) The Department of Environmental Protection shall  
contract for a study to evaluate the exposure risks and  
potential adverse effects of hurricane wind and storm surge on  
field-erected, aboveground storage tank systems, including  
tanks, piping, pumps, and related components, at bulk product  
facilities as defined in s. 376.031(3), Florida Statutes. The  
study's scope shall include, but need not be limited to:

(a) Evaluating the frequency, strength, and  
probability estimates for hurricane winds and storm surge on  
the coastal areas of the state where existing bulk product

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1 facilities are located and where new bulk product facilities  
2 are likely to be constructed.

3 (b) Evaluating the need and timing for requirements  
4 for the establishment of minimum ballast levels for  
5 field-erected, aboveground storage tanks at bulk product  
6 facilities based on the frequency, strength, and probability  
7 estimates for hurricane winds and storm surge, and based on  
8 levels calculated by a professional engineer specific to each  
9 individual field-erected, aboveground storage tank, taking  
10 into account the type of tank, the type of product stored,  
11 tank diameter, tank height, and other relevant factors.

12 (c) Evaluating the need and feasibility for  
13 requirements for:

14 1. Professionally engineered permanent anchoring  
15 systems for field-erected, aboveground storage tanks in  
16 high-risk surge zones.

17 2. Professionally engineered temporary cable tie-down  
18 systems, which could be preconstructed or prefabricated and  
19 retained in storage until needed, that would not interfere  
20 with normal daily operations and that could be set up in  
21 advance of an approaching storm.

22 (d) Evaluating the need for potential siting  
23 considerations or engineering mitigation that would prevent or  
24 limit the installation of new field-erected, aboveground  
25 storage tank systems at bulk product facilities in areas that  
26 are potentially high-risk areas for hurricane winds and storm  
27 surge unless the systems are designed and engineered to  
28 withstand hurricane winds and storm surge.

29 (e) Identifying all current and proposed industry  
30 standards for professionally engineered dike fields  
31 surrounding field-erected, aboveground storage tanks at bulk

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1 product facilities, including standards for materials and  
 2 designs that will withstand hurricane winds and storm surges  
 3 yet allow access for emergency firefighting vehicles in  
 4 accordance with industry reference standards contained in  
 5 National Fire Protection Association publication NFPA No. 30.

6 (2) The study must include recommendations for  
 7 changes, if needed, to aboveground storage tank system laws  
 8 and agency rules in order to decrease damage from hurricanes  
 9 and improve recovery of field-erected, aboveground storage  
 10 tank systems after storm damage. All recommendations must be  
 11 accompanied by a cost-benefit analysis, which shall include an  
 12 analysis of:

13 (a) The costs for modifying existing field-erected,  
 14 aboveground storage tank systems and dike fields, and the  
 15 costs associated with new construction of field-erected,  
 16 aboveground storage tank systems and dike fields, to meet any  
 17 proposed new requirements.

18 (b) The potential adverse effect on petroleum  
 19 inventory capacity in the state resulting from any proposed  
 20 new requirements. All industry segments with field-erected,  
 21 aboveground storage tanks, including, but not limited to,  
 22 those used for petroleum and electric utility, must be  
 23 included in the petroleum inventory capacity analysis.

24 (3) The department shall report the findings and  
 25 recommendations of the study to the Governor, the President of  
 26 the Senate, and the Speaker of the House of Representatives by  
 27 March 1, 2008.

28 (4) The Department of Environmental Protection may use  
 29 up to \$250,000 from the Inland Protection Trust Fund for the  
 30 2006-2007 and 2007-2008 fiscal years for the cost of the study  
 31 set forth in this section.

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1           Section 2. Compilation and review of existing data and  
2 information relating to environmental risks associated with  
3 oil and natural gas exploration and production in the eastern  
4 Gulf of Mexico.--

5           (1) The Department of Environmental Protection shall  
6 compile and review existing data and information to evaluate  
7 the environmental risks from all activities associated with  
8 the possible future exploration for and production of oil and  
9 natural gas in the eastern Gulf of Mexico currently subject to  
10 federal moratoria. The department shall immediately request  
11 from the appropriate state agencies and private research  
12 institutes all available data and information necessary to  
13 complete this task. The appropriate state agencies shall  
14 submit the data and information to the department at the  
15 earliest possible date, and private research institutes are  
16 encouraged to submit relevant data and information to the  
17 maximum extent practicable. The department's effort shall  
18 include data and information available through appropriate  
19 federal executive branch agencies. To the maximum extent  
20 practicable, the department's efforts shall take into  
21 consideration current technologies for controlling discharges  
22 from oil and gas exploration rigs and production platforms and  
23 shall include, but need not be limited to:

24           (a) Evaluating the probability of a discharge from oil  
25 and gas exploration rigs and production platforms.

26           (b) Evaluating the magnitude of any probable discharge  
27 from oil and gas exploration rigs and production platforms.

28           (c) Evaluating the Gulf of Mexico currents and  
29 circulation patterns and the likelihood of any probable  
30 discharge's reaching the coastal waters and shorelines of the  
31 state.

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1       (d) Evaluating the environmental impacts of any  
2 probable discharge on the fish and wildlife resources in the  
3 coastal waters of the state.

4       (2) The department shall report the findings of the  
5 evaluation to the Governor, the President of the Senate, and  
6 the Speaker of the House of Representatives within 120 days  
7 after the effective date of this act.

8           Section 3. This act shall take effect upon becoming a  
9 law.

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12 ===== T I T L E   A M E N D M E N T =====

13 And the title is amended as follows:

14           Delete everything before the enacting clause

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16 and insert:

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          A bill to be entitled

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          An act relating to the exploration, production,

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          and storage of petroleum and natural gas;

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          directing the Department of Environmental

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          Protection to contract for a study of exposure

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          risks and potential adverse effects of

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          hurricane wind and storm surge on

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          field-erected, aboveground storage tank systems

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          at bulk product facilities; providing

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          requirements for the scope of the study;

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          providing an appropriation from the Inland

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          Protection Trust Fund for the cost of the

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          study; directing the department to compile and

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          review existing data and information relating

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          to environmental risks associated with oil and

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1 natural gas exploration and production in the  
2 eastern Gulf of Mexico; providing requirements  
3 and criteria for the evaluation of such risks;  
4 requiring the department to submit a report to  
5 the Governor and the Legislature; providing an  
6 effective date.

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