An act relating to the Florida Safe Drinking Water Act; amending s. 403.851, F.S.; revising state policy; amending s. 403.853, F.S.; requiring the Department of Environmental Protection to adopt and implement rules for statewide maximum contaminant levels for specified pollutants by a date certain; providing requirements for adopting and implementing such rules; requiring the department to annually review specified studies and laws and initiate certain rulemaking; providing an effective date.

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

Section 1. Section 403.851, Florida Statutes, is amended to read:

403.851 Declaration of policy; intent.—It is the policy of the state that the citizens of Florida shall be protected from harmful toxins in drinking water and assured of the availability of safe drinking water. Recognizing that this policy encompasses both environmental and public health aspects, it is the intent of the Legislature to provide a water supply program operated jointly by the department, in a lead-agency role of primary responsibility for the program, and by the Department of Health and its units, including county health departments, in a supportive role with specific duties and responsibilities of its own. Without any relinquishment of Florida’s sovereign powers and responsibilities to provide for the public health, public safety, and public welfare of the people of Florida, the

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CODING: Words stricken are deletions; words underlined are additions.
Legislature intends:

(1) To give effect to Pub. L. No. 93-523 promulgated under the commerce clause of the United States Constitution, to the extent that interstate commerce is directly affected.

(2) To encourage cooperation between federal, state, and local agencies, not only in their enforcement role, but also in their service and assistance roles to city and county elected bodies.

(3) To provide for safe drinking water at all times throughout the state, with due regard for economic factors and efficiency in government.

Section 2. Subsection (3) of section 403.853, Florida Statutes, is amended to read:

403.853 Drinking water standards.—

(3)(a) The department shall adopt and implement adequate rules specifying procedures for the enforcement of state primary and secondary drinking water regulations, including monitoring and inspection procedures, that comply with regulations established by the administrator pursuant to the federal act.

(b) By January 1, 2021, the department shall adopt and implement adequate rules for statewide drinking water maximum contaminant levels for the following:

1. Perfluorooctanesulfonic acid.
2. Perfluorooctanoic acid.
3. Per- and Polyfluoroalkyl compounds.
5. 1,4-Dioxane.
6. Any other pollutants for which two or more states have set limits for or issued guidance on.
(c) In adopting and implementing rules pursuant to this subsection, the department shall review the studies and scientific evidence reviewed by other states, including, but not limited to, information regarding the pollutants listed in the United States Environmental Protection Agency Toxic Substances and Disease Registry and the most recent peer-reviewed science and independent or government agency studies regarding pollutants.

(d) Any maximum contaminant level adopted by the department must protect the public health, including vulnerable subpopulations, such as pregnant and nursing women, infants, children, and residents of financially disadvantaged small communities, as defined in s. 403.1838(2), and may not exceed any maximum contaminant level or health advisory promulgated by the United States Environmental Protection Agency.

(e) The department shall annually review the most recent peer-reviewed science and independent or government agency studies and the laws of other states regarding pollutants and shall initiate additional rulemaking if needed to comply with this subsection.

Section 3. This act shall take effect July 1, 2020.