

FOR IMMEDIATE RELEASE

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GOV. SCOTT: I AM DIRECTING IMMEDIATE CHANGE TO PUBLIC NOTIFICATION LAWS FOLLOWING POLLUTION INCIDENTS

TALLAHASSEE, Fla. – Today, following the sewage spill in Pinellas County and the sinkhole at Mosaic's New Wales facility, Governor Scott is directing Florida Department of Environmental Protection (DEP) Secretary Jon Stevenson to issue an emergency rule that establishes new requirements for public notification of pollution incidents to take effect immediately. This emergency rule will ensure the public, local governments and DEP are notified within 24 hours by all responsible parties following a pollution incident.

Governor Scott will also propose legislation during the next legislative session to ensure the public is kept informed of incidents of pollution that may cause a threat to public health and to Florida's air and water resources. This legislation will amend current law which only requires public notification when pollution moves off-site of where the incident took place and threatens public health. This legislation will put the 24-hour public notification requirements into law as well as increase the fine amounts and penalties on any violators.

Governor Scott said, "It does not make sense that the public is not immediately notified when pollution incidents occur and that is why I am directing DEP to immediately issue an emergency rule implementing strict requirements for public notification within 24 hours. Today, I am demanding any business, county or city government responsible for a pollution incident to immediately tell the public. That is common sense and our residents deserve that.

"While DEP was on-site to investigate the situation at Mosaic in less than 24 hours and followed current state laws to notify the public, our laws are outdated and must immediately be changed. When we find laws, rules and regulations that aren't common sense, it is incumbent on us to immediately make changes like we are doing today. Not only am I directing an emergency rule to begin today, but I will fight for legislation next session to ensure the 24-hour public notification requirements are codified in law and the penalties to any violators are severely strengthened.

“Tomorrow, I will be at Mosaic’s New Wales facility to get a briefing from company officials and to view the sinkhole. Last week, I directed DEP to immediately investigate the sewage spill in Pinellas County and also to expedite their investigation into the sinkhole at Mosaic. I also directed DOH to immediately assist DEP to ensure our drinking water is safe. Both of these investigations are still ongoing, and should a violation be found, all responsible parties will be held accountable with appropriate penalties and sanctions once DEP concludes their work. We must do everything we can to ensure residents and visitors have access to clean and safe water, and are informed when incidents occur that could potentially have an impact on their health.”

As directed by Governor Scott, the emergency rule will require the owner or operator of any facility, including a city or county government, to provide notification of incidents of pollution within 24-hours to DEP, local governments and the general public through the media.

The new rule will apply regardless of whether the impacts of the pollution remain on-site or not. This will apply to any pollution affecting Florida’s air or water resources, such as unauthorized discharges of treated and untreated wastewater and industrial wastewater releases. The emergency rule will last for 90 days. DEP will also simultaneously begin the formal rulemaking process to gather public input and make the rule change permanent.

Secretary Jon Stevenson said, “The safety of Floridians and our environment is always a top priority of the department. It is extremely important that Floridians are quickly notified of incidents of pollution that could potentially affect public health and the environment, and this emergency rule will give DEP the authority needed to ensure the public is kept informed when these instances occur.”

The following outlines the new notification requirements directed by Governor Scott that will begin immediately:

- Within 24 hours, DEP, local governments and the general public must be notified of pollution by any and all responsible parties;
- Within 48 hours, DEP, local governments and the general public must be notified of any potential risks to public health, safety or welfare and to surrounding areas by any and all responsible parties; and
- Within 24 hours of becoming aware pollution has affected areas off-site, adjacent and nearby property owners, in addition to DEP and local governments, must be notified of any potential health risks by any and all responsible parties.

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