

PFAS

FDEP Required to Set PFAS Target Levels by 2025 Unless EPA Intervenes:

[House Bill 1475](#) concerns the cleanup of perfluoroalkyl and polyfluoroalkyl substances (“PFAS”). The bill gives the United States Environmental Protection Agency until January 1, 2025 to adopt standards for PFAS in drinking water. If it fails to do so by this date, then the bill requires the Florida Department of Environmental Protection (“FDEP”) to adopt statewide cleanup target levels for PFAS in drinking water, groundwater, and soil using the criteria found in s. 376.30701: the Pollutant Discharge Prevention and Removal Act.

Once the FDEP promulgates these rules, they will not take effect until they are ratified by the state. Until the rules are ratified, governmental entities and private water suppliers are immune to administrative or judicial actions brought by any state or local governmental entity to compel or enjoin site rehabilitation, require payment for the cost of rehabilitation, or require the payment of any fines or penalties regarding rehabilitation. However, until these rules are ratified, the statute of limitations is tolled from the effective date of the act. Parties other than state or local governmental entities may continue to bring such actions notwithstanding the ratification of statewide cleanup target levels. HB 1475 was signed into law and became effective on June 20, 2022.