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## New Emergency Rule in Florida Requires Responsible Parties to Quickly Notify Public of Pollution Spills

On Sept. 26, 2016, Governor Scott ordered the Florida Department of Environmental Protection to immediately issue an emergency rule requiring immediate notification of pollution spills to the general public, FDEP, and local governments. FDEP provides a copy of the [Governor's order and related materials on its website](#).

During an investigation of two recent pollution spills that had the potential to impact drinking water, the Governor concluded that the public should be immediately notified by responsible parties when pollution incidents occur. This is not required under current law.

Under the new emergency rule, the owner or operator of any facility must now report any pollution spill within 24 hours of the incident to FDEP, local governments, and the public through the media. The notification form is provided on the [FDEP's website](#). This includes businesses and local governments responsible for the release of any pollution into the water or air.

Additionally, within 24 hours of becoming aware that a pollution spill has travelled off-site, responsible parties must also report the incident to adjacent and/or nearby properties, the FDEP, and local governments.

Responsible parties have additional notification obligations under the emergency rule. Any potential risks to public health, safety, or welfare associated with the pollution spill must also be reported to FDEP, local governments, and the general public within 48 hours.

Governor Scott is expected to propose legislation during the next legislation session to codify this new public notification rule and to assess penalties for any violations of the new public notice requirements.

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