

1                                   A bill to be entitled  
 2           An act relating to diesel exhaust fluid; creating s.  
 3           330.401, F.S.; requiring the presence, storage, or use  
 4           of diesel exhaust fluid on the premises of a public  
 5           airport to be phased out by a certain date; requiring  
 6           the manager of each public airport that meets certain  
 7           criteria to create a diesel exhaust fluid safety  
 8           mitigation and exclusion plan for submission to the  
 9           Department of Environmental Protection; providing plan  
 10          requirements; requiring annual certification of the  
 11          plan by the department until all diesel exhaust fluid  
 12          has been removed; prohibiting the presence, storage,  
 13          or use of diesel exhaust fluid on the premises of a  
 14          public airport after a certain date; providing an  
 15          effective date.

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

18  
 19           Section 1. Section 330.401, Florida Statutes, is created  
 20 to read:

21           330.401 Phase-out of diesel exhaust fluid; reports and  
 22 certification; prohibition.-

23           (1) The presence, storage, or use of diesel exhaust fluid,  
 24 including the use of such fluid to treat the exhaust of a  
 25 selective catalytic reduction engine, on the premises of a

26 public airport as defined in s. 330.27 must be phased out by  
27 October 1, 2030, as provided in this section.

28 (2) (a) The manager of each public airport at which:

29 1. Aviation fuels receive onsite treatment with fuel  
30 system icing inhibitors by means of injection or mixing systems;  
31 and

32 2. Any aircraft fuel delivery vehicle or ground service  
33 equipment the exhaust system of which is being treated with  
34 diesel exhaust fluid is operated within 150 feet of any aircraft

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36 shall create a diesel exhaust fluid safety mitigation and  
37 exclusion plan.

38 (b) The plan must include, at a minimum:

39 1. A full inventory of all diesel exhaust fluid on the  
40 premises of the airport.

41 2. Designation of specific areas where diesel exhaust  
42 fluid is to be stored on the premises of the airport. Such areas  
43 may not be located within or on a vehicle operated for the  
44 fueling or servicing of aircraft or at any aviation fuel  
45 transfer facility or bulk aviation fuel storage facility.

46 3. Designation of specific areas where a vehicle the  
47 exhaust system of which is being treated with diesel exhaust  
48 fluid is to be refueled or treated with such fluid. Such areas  
49 must be segregated from all aircraft operating areas.

50 (3) The diesel exhaust fluid safety mitigation and

51 exclusion plan must be approved by the regulatory authority  
52 having jurisdiction over the airport by September 1, 2020. The  
53 manager must, by October 1, 2020, submit the plan to the  
54 Department of Environmental Protection and certify that all such  
55 fluid and vehicles have been secured within the premises of the  
56 airport.

57 (4) (a) The diesel exhaust fluid safety mitigation and  
58 exclusion plan must be fully implemented on the premises of the  
59 airport by January 1, 2021.

60 (b) Each year thereafter, the manager shall review the  
61 plan and shall submit the plan, including applicable amendments,  
62 to the Department of Environmental Protection for certification.  
63 If the department determines that the use of diesel exhaust  
64 fluid is being phased out as described in subsection (1), the  
65 department shall certify the plan for that year.

66 (c) Once all diesel exhaust fluid and all vehicles the  
67 exhaust system of which were being treated with such fluid have  
68 been removed from the premises of the airport, the manager must  
69 submit a written report to the department certifying such  
70 removal. If the department determines that such removal has been  
71 accomplished, the annual certification provided in paragraph (b)  
72 is no longer required.

73 (5) The presence, storage, or use of diesel exhaust fluid  
74 on the premises of a public airport as described in subsection  
75 (1) is prohibited after October 1, 2030.

HB 569

2020

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Section 2. This act shall take effect July 1, 2020.