

Department of Environmental Protection

EOG Number: O2014-0028

Problem Statement:

The Florida Legislature enacted the Underground Petroleum Environmental Response Act in 1986 to address the problems of contamination from leaking underground petroleum storage tanks resulting in the establishment of the Petroleum Restoration Program. The Department of Environmental Protection has determined that this program must provide more fiscal accountability for its expenditures, lower the cost of site rehabilitation, and prioritize those sites that pose the greatest risk to human health and the environment. As a result, the department is developing a new program procurement rule for contracted site rehabilitation services and is revising rules that will improve the effectiveness and efficiency of the program.

Specific Appropriation 1668 of the Fiscal Year 2013-14 General Appropriations Act provides \$125 million in Fixed Capital Outlay for the Petroleum Restoration Program, which is to be used for the rehabilitation of sites contaminated with the release of petroleum products under certain eligibility requirements. This appropriation is limited to the following legislative provisions:

- Up to \$50 million is provided for the sole purpose of making payments for pre-approved task assignments, contracts and work orders approved by the department prior to June 30, 2013.
- The remaining \$75 million is placed in reserve until the department has submitted a plan for consideration by the Legislative Budget Commission (LBC) that details how the department will implement the requirements of sections 376.3071, 376.30711 and 376.30713, Florida Statutes, to improve the effectiveness and efficiency of the Petroleum Restoration Program. The plan may include the department's recommendations for legislative changes to the program.
- Upon consideration and approval of the plan by the LBC, the funds placed in reserve may be released by the Executive Office of the Governor quarterly pursuant to sections 216.192 and 216.177, Florida Statutes, to implement the plan approved by the LBC and to make payments for pre-approved task assignments, contracts, and work orders approved by the department on or after July 1, 2013, which comply with the requirements of sections 376.3071, 376.30711, and 376.30713, Florida Statutes.
- No funds may be released after January 1, 2014, unless the department has adopted rules to implement sections 376.3071, 376.30711 and 376.30713, Florida Statutes.

Agency Request:

The Department of Environmental Protection requests the approval of the Petroleum Restoration Program Improvements Plan to improve the effectiveness and efficiency of the Petroleum Restoration Program.

Governor's Recommendation: Recommend approval of the "Petroleum Restoration Program Improvements Plan" in order to improve the effectiveness and efficiency of the Petroleum Restoration Program.	
Senate Committee: Appropriations Subcommittee on General Government Senate Analyst: Jay Howard	House Committee: Agriculture & Natural Resources Appropriations Subcommittee House Analyst: Caleb Helping