

Guidance for the Public to Report Pollution

On September 26, 2016, the Florida Department of Environmental Protection (FDEP) issued an emergency rule governing “public notice of pollution.” This rule is in effect. The following information is intended to assist entities confronted with an unpermitted discharge or other incident that may trigger the new rule’s reporting requirements.

This rule imposes new, supplemental pollution reporting requirements for owners and operators of installations in Florida to provide written notice of incidents of pollution to FDEP, local governments and the general public through the media.

The emergency rule applies to incidents of pollution. This includes FDEP permit violations, spills and unpermitted wastewater discharges or air emissions (including odor) **that exceed reportable quantities** under FDEP rules or Florida Statutes. Incidents that can be remediated per the de minimis guidelines do not need to be reported. A good rule of thumb is if you would need to report the incident to the State Warning Point, you need to report this incident pursuant to this emergency rule.

There is a \$1000 administrative penalty per noncompliance event.

The rule has a three-step noticing requirement: an **initial notice**, a **follow-up** notice concerning potentially affected areas, and an **offsite impact notice**.

Initial Notice: you must report incident in writing within **24 hours** to:

- FDEP via email pollution.notice@dep.state.fl.us
- Either mayor/city manager or county commission chair and county administrator
- General Public through the media (see below for media contact information)

Follow-up Notice: Determine potentially affected areas beyond the property boundary and potential risk to public health, safety and welfare and report, in writing, within **48 hours** to FDEP, local officials and media.

Offsite Impact Notice: Within **24-hours** of becoming aware of effects beyond the property of the installation, notify those property owners of the affected areas in writing. Also notify FDEP and local officials.

*An operator or owner of a facility may meet all three of these notification requirements through a single, timely and comprehensive noticing to all listed entities. You may provide information required as part of a “Follow-up Notice” with the “Initial Notice” to limit repetitive outreach. The required information for the written notice and contact list is on a separate sheet.

If any questions on reporting guidelines, please visit <http://www.dep.state.fl.us/pollutionnotice/> or contact FDEP.

The written notice must contain the following information:

- Name of reporting party
- Installation Name
- Installation Address
- Installation Location
- Contact person for further information
- Permit Number (if facility/installation holds a permit)
- Date and time of the incident or discovery
- Location of the incident or discovery
- Suspected source and cause of incident or discovery
- Type of pollution, including substance or contaminant name(s)
- Amount of pollution, including substance or contaminant name(s)
- Medium (e.g. land, water, air) affected by pollution

- Potentially affected areas beyond installation property boundary [if known/applicable to the notice]
- Potential risk to the public health, safety, or welfare [if known/applicable to the notice]
- Identification of other parties notified of incident and time notification occurred
- Any other information that may be helpful

Media Contact List as of 10/5/16:

'albartlett@naplesnews.com'; news@colliercitizen.com; WGCUnews@wgcu.org; 'news@fox4now.com';
 'ibnews@newszap.com'; 'mayela@mediavista.tv'; 'hernan@mediavista.tv'; 'publisher@swflroidabusinessstoday.com';
 'naouillette@marcoeagle.com'; 'news@naplesnews.com'; 'news_dept@nbc-2.com'; 'assignmenteditor@water.net';
 'newstips@nbc-2.com'; 'vpkeomanyvong@naplesnews.com'; 'epfreeman@naplesnews.com'; 'tlaten@naplesnews.com';
 'emstaats@naplesnews.com'; 'johnaosborne1@gmail.com'; 'BEBatten@Naplesnews.com';
 'jfschlichter@naplesnews.com'; 'llayden@naplesnews.com'; 'djosborn@naplesnews.com'; 'pmoore@naplesnews.com';
 'mharris@news-press.com'; 'smcquilkinn@news-press.com'; 'peter@swspotlight.com'; 'prof@swspotlight.com';
 'kathy@swspotlight.com'; 'rroan@naplesherald.com'; 'carolyn.brewster@winknews.com';
 'kim.powell@winknews.com'; editor@misuntimes.com; business@news-press.com; nestor.mato@nbc-2.com; devin.turk@nbc-2.com; ewilliams@floridaweekly.com; rwilliams@floridaweekly.com; nicole.papageorge@winknews.com; alexandra.glorioso@naplesnews.com; paul@wavv101.com; kennylamb@wavv101.com; Thelsland981@yahoo.com; rspencer@naplesherald.com; ginavossedwards@gmail.com; molly.dalllen@winktv.com; greg.stanley@naplesnews.com; diane.hutchison@fmbcmail.com; val@coastalbreezenews.com; Jeanne@coastalbreezenews.com

Local Government Contacts as of 11/28/16:

Naples Mayor Bill Barnett: mayorbill@naplesgov.com

Naples City Council: citycouncil@naplesgov.com; Linda Penniman: LPenniman@naplesgov.com; Reg

Buxton: RBuxton@naplesgov.com; Doug Finlay: dfinlay@naplesgov.com; Michelle McLeod: MMcLeod@naplesgov.com;

Sam Saad: ssaad@naplesgov.com; Eileen Seigel: ESeigel@naplesgov.com

Bill Moss, Naples City Manager: citymanager@naplesgov.com

Everglades City: dsmallwood@cityofeverglades.org

Marco Island City Manager Roger Hernstadt: rhernstadt@cityofmarcoisland.com

Marco Island City Council: council@marcocitycouncil.com

Collier County Commissioners: Donna Fiala: donnaafiala@colliergov.net; Andy Solis, Esq: AndySolis@colliergov.net; Burt

L. Saunders: BurtSaunders@colliergov.net; William L. McDaniel, Jr.: BillMcDaniel@colliergov.net; Penny

Taylor: pennyntaylor@colliergov.net

County Manager Leo Ochs: leoochs@colliergov.net

Deputy County Manager Nick Casalanguida: nickcasalanguida@colliergov.net

Updated 11-28-16 *contact information may not be current

