

State of Florida Department of Environmental Protection – Fact Sheet

Agency Role.

The Florida Department of Environmental Protection (DEP) has broad environmental protection law, enforcement, and public health responsibilities under Florida law. The Department carries out its role through promulgation and enforcement of rules, permitting activities, facility and site inspections, and both remedial and emergency response activities.

Responsibilities.

- Coordinate the State's response to environmental emergencies that pose a threat to the public health or the environment.
- Oversee the development and implementation of various environmental programs to protect air, surface water, and ground water in the State. This includes the Florida Petroleum Liability and Restoration Insurance Program, the Early Detection Program, the Petroleum Storage Systems Management Program, the Site Screening and Superfund Program, Solid and Hazardous Waste Management Programs, Water Facility Regulation Programs, and Air Quality Management Programs.
- Prepare and maintain the statewide FDEP *Emergency Response Plan* for responding to environmental and public health emergencies.
- Provide a representative to the State Emergency Operations Center for ESF 10 and ESF 16 during an activation.
- Serves as the State of Florida's natural resources trustee. Oversee the development and administration of the state damage assessment process.
- Provide technical and scientific assistance for the identification, containment, removal, and disposal of pollutants and hazardous materials from the environment.
- Collect response reimbursements from responsible parties and the National Pollution Funds Center, as applicable.
- Oversee the acquisition and maintenance of state lands and parks.
- Regulate the activities and development in coastal areas and state waters. Issue permits as necessary.
- Provide law enforcement support for criminal investigations at the site of a pollutant or hazardous substance release or facility, where an environmental crime is suspected to have occurred.
- Serve as the State lead for all chemical dispersant, bioremediation, and in-situ burning issues.
- Manage the RCRA program as delegated by USEPA.
- Regulate and enforce the State's boating laws and coastal fisheries laws.
- Conduct coastal research through the Florida Marine Research Institute.

Capabilities and Abilities.

- FDEP, Bureau of Emergency Response (BER) has a team of statewide SOSCs, which are available 24 hours a day to respond to incidents that threaten the public health or the environment. All SOSCs are fully trained and have up to level C capability, some SOSCs have up to level A capability. BER has on contract private sector emergency services contractors. There are five separate contracts for emergency response operations, six abandoned drum contracts, and one waste disposal contract. Contracts are divided up on a BER District basis.
- The FDEP Site Investigation Teams have drilling rigs to conduct site investigations at hazardous waste sites. They are fully trained for up to level C activities.
- The FDEP Division of Law Enforcement have sworn law enforcement officers to assist with site security and law enforcement issues. They have vessels and both fixed-wing aircraft and helicopters.

- FDEP has trained project managers to oversee long-term remedial actions. Project managers are divided into hazardous substance projects and petroleum contamination cleanup projects. Professional engineers, professional geologists, and environmental specialists are available to assist with technical assistance and scientific review capability.
- FDEP maintains a full service environmental laboratory and a marine research institute.

Response Scenarios.

BER resources are available immediately and may be requested directly through BER, or through the State Warning Point during after-hours, holidays, and weekends. BER will respond to any oil or hazardous material incident, excluding radiological incidents (radiological incidents are handled by the Florida Department of Health). Assistance from other FDEP programs can be obtained through the BER, although, other program personnel are not on-call and may not be available until the next working day.

BER receives funding from three different sources, The Water Quality Assurance Trust Fund, The Inland Protection Trust Fund, and The Coastal Protection Trust Fund. Each fund has limitations as to what types of incidents and/or hazardous materials the fund may be used for. Additionally, federal funds must be used to the maximum extent possible prior to the expenditure of state funds (Chapter 376, Florida Statutes).