

May 1, 2023

Governor Ron DeSantis
The Florida Capitol
400 S. Monroe St., Plaza Level
Tallahassee, FL 32399

Delivered via email to GovernorRon.Desantis@eog.myflorida.com

RE: VETO HB 1191 “USE OF PHOSPHOGYPSUM”

Dear Governor DeSantis,

We, the 35 below-signed organizations and businesses, ask you to veto HB 1191 (Use of Phosphogypsum). Phosphogypsum is the radioactive waste from processing phosphate into phosphoric acid for fertilizer. This bill would permit the use of phosphogypsum in Florida road construction.

While HB 1191 would require the Florida Department of Transportation to complete a study on the feasibility of phosphogypsum for road construction, the unreasonably short study period ending on April 1, 2024, cannot even begin to thoroughly review the health and safety consequences. To even begin the study would be a tremendous waste of Florida taxpayer dollars; EPA has already extensively studied the use of phosphogypsum in roads and concluded it is not safe.

Water quality and public health are especially threatened by HB 1191: Phosphogypsum is radioactive, releasing cancer-causing radon gas. It can also contain other carcinogens and toxic, heavy metals like antimony, arsenic, barium, cadmium, chromium, copper, fluoride, lead, mercury, nickel, silver, sulfur, thallium, and zinc. Phosphogypsum presents very high levels of gross alpha and beta radiation, 10 to 100 picocuries per gram (pCi/g), relative to levels in typical soils which are approximately 1 pCi/g.

- EPA has prohibited the use of phosphogypsum in roads since 1992 because it found numerous scenarios that would expose the public — particularly road construction workers — to an unacceptably dangerous cancer risk. EPA found that phosphogypsum “contains appreciable quantities of radium-226, uranium, and other uranium decay products.” Radium-226 has a 1,600-year half-life and will outlive many roads throughout the state.
- EPA found that the use of phosphogypsum in roads can cause adverse effects to nearby surface and groundwater resources through leaching of trace metals and radionuclides and that these toxins may also be resuspended into the air by wind and vehicle traffic.

Using radioactive phosphogypsum in roads is not a solution to the fertilizer industry’s toxic waste problem. Florida should not be a test subject in the industry’s reckless experiment.

To protect the health and safety of Florida residents, and to preserve water and air quality across the state, we respectfully ask that you **VETO HB 1191**.

Sincerely,

ASBRO LLC

E. Allen Stewart III P.E.
Principal Manager

Atchafalaya Basinkeeper

Dean Wilson
Executive Director

Catalyst Miami

Zelalem Adefris
Chief Executive Officer

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Ragan Whitlock
Staff Attorney

**Concerned Citizens of Bayshore
Community, Inc.**

Steven Brodtkin
Vice President/Secretary

Defenders of Wildlife

Elizabeth Fleming
Senior Florida Representative

**Environmental Coalition of Southwest
Florida (ECOSWF)**

Becky Ayech
President

Florida Water Conservation Trust

Terry Brant
Legislative Affairs

**Florida Keys Chapter of the Izaak
Walton League of America**

Michael F. Chenoweth
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Florida Oceanographic Society

Mark Perry
Executive Director and CEO

Florida Springs Council

Ryan Smart
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**Friends of Arthur R. Marshall
Loxahatchee National Wildlife Refuge**

Josh Weller
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Friends of the Everglades

Eve Samples
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Friends of Warm Mineral Springs, Inc.

Juliette Jones
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Heal Our Harbor

Dr. Richard Whitman
Director

Healthy Gulf

Christian Wagley
Coastal Organizer, Florida-Alabama

IDEAS For Us

Caroline Chomanics
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Maria Revelles
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Lake Worth Waterkeeper

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League of Women Voters of Florida

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Glenn Compton
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Peace Myakka Waterkeeper

Andre Mele
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People for Protecting Peace River

Brooks Armstrong
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River Rise Resort, LLC

Jane Blais
Managing Owner

**Sanibel-Captiva Conservation
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Matt DePaolis
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Jill McGuire
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Stacey Gallagher
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Sierra Club Florida

Emily Gorman
Chapter Director

START (Solutions To Avoid Red Tide)

Sandy Gilbert
Chief Executive Officer

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Suncoast Waterkeeper

Abbey Tyrna
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Emma Haydocy
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George Gann
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