



Broward County

Legislation Details (With Text)

File #:	21-251	Version:	1
		Status:	Agenda Ready
		In control:	Resilient Environment - Environmental Permitting Division
On agenda:	3/9/2021	Final action:	3/9/2021
Title:	MOTION TO APPROVE renewal of the Air Pollution Control Specific Operating Agreement between the Florida Department of Environmental Protection (FDEP) and Broward County, authorizing the Environmental Protection and Growth Management Department (EPGMD) to act on behalf of FDEP to implement state and federal air quality programs in Broward County; and authorize the Mayor and Clerk to execute same.		
Sponsors:			
Indexes:	Established Commission Goals		
Code sections:			
Attachments:	1. Exhibit 1 - SOA Agreement Summary, 2. Exhibit 2 - SOA Agreement		

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Broward County Commission Regular Meeting

Director's Name: Leonard Vialpando

Department: Environmental Protection

Division: Environmental Engineering & Permitting

Information

Requested Action

MOTION TO APPROVE renewal of the Air Pollution Control Specific Operating Agreement between the Florida Department of Environmental Protection (FDEP) and Broward County, authorizing the Environmental Protection and Growth Management Department (EPGMD) to act on behalf of FDEP to implement state and federal air quality programs in Broward County; and authorize the Mayor and Clerk to execute same.

Why Action is Necessary

Section 125.01(1)p, Florida Statutes authorizes the Board to enter into agreements with other governmental agencies. Board action is required for agreement approval.

What Action Accomplishes

This action provides Broward County with continued authority and responsibility to implement and manage state and federal air quality programs in Broward County.

Is this Action Goal Related

Yes

Previous Action Taken

None.

Summary Explanation/Background

THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT AND THE ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This item supports the County's Value of "Encouraging investments in renewable energy, sustainable practices and environmental protection" and Goal 1: "Seek funding for, implement policies and pursue projects promoting the use of alternative energies and sustainable practices."

The Specific Operating Agreement (SOA) (Exhibit 2) establishes the duties and responsibilities of the Local Agency (Broward County) to act on FDEP's behalf as an approved local air pollution control program in accordance with Section 403.182, Florida Statutes. The SOA authorizes the Environmental Engineering and Permitting Division to implement and administer state and federal air quality programs including ambient air monitoring, permitting and compliance assurance, enforcement, asbestos inspections, complaint response, mobile source control, and public outreach. The SOA promotes streamlined air quality protection, provides more effective service to the regulated community, and assures more effective compliance. Additionally, the SOA ensures eligibility for the Title V Permitting and Compliance Agreement between FDEP and Broward County. Broward County has been successfully implementing and administering the SOA since January 1991. The SOA in effect at this time expires on August 31, 2021; this agreement renewal will remain in effect until August 31, 2024.

Because this is an agreement under which the County is the recipient of benefits from a State agency, it does not include the County's standard agreement provisions. However, this agreement was approved as to form by the Office of the County Attorney.

Source of Additional Information

Sermin Turegun, Director, Environmental Engineering and Permitting Division, (954) 519-1460

Fiscal Impact

Fiscal Impact/Cost Summary

The SOA ensures continuity of Broward County's status as a FDEP approved local air pollution control program, resulting in eligibility for the FDEP Title V Contract, in the approximate amount of \$70,000 annually, and eligibility for the Air Pollution Control Trust Fund revenues, in the approximate amount of \$1.4 million annually. In addition, Broward County retains 100% of the fees collected for state air permit application processing and permit issuance, equivalent to an estimated average of \$20,000 annually. The revenue described above collectively fund air quality program activities. Performing SOA activities does not require general fund monies.