



Pinellas County

Legislation Details (With Text)

File #: 18-993A **Version:** 1

Type: Contract/Agreement **Status:** Passed

File created: 6/21/2018 **In control:** Parks and Conservation Resources

On agenda: 8/7/2018 **Final action:** 8/7/2018

Title: Air Pollution Control Specific Operating Agreement between the State of Florida Department of Environmental Protection and Pinellas County.

Sponsors:

Indexes:

Code sections:

Attachments: 1. FE Air Pollution Control Specific Operating Agreement with FDEP, 2. CONTRACT.RVW-PCR-27Jun18-18-993A-TitleV-FY18_FY21.pdf, 3. 18-993A Risk Review Air Pollution Control Specific Operating Agreement Between FDEP and Pinellas County FINAL VEH .pdf, 4. Prior Specific Operating Agreement for 2015 to 2018 period., 5. Cover-Sheet-Item-for-Chairmans-Signature, 6. Air Pollution Control Specific Agreement

Date	Ver.	Action By	Action	Result
8/7/2018	1	Board of County Commissioners	approved	Pass

Subject:

Air Pollution Control Specific Operating Agreement between the State of Florida Department of Environmental Protection and Pinellas County.

Recommended Action:

Execute Air Pollution Control Specific Operating Agreement with the State of Florida Department of Environmental Protection.

Strategic Plan:

- Practice Superior Environmental Stewardship
- 3.3 Protect and improve the quality of our water, air, and other natural resources
- Deliver First Class Services to the Public and Our Customers
- 5.1 Maximize partner relationship and public outreach

Summary:

This Agreement is entered into between the Florida Department of Environmental Protection (FDEP) and Pinellas County for the Air Quality Division of Pinellas County (PCAQD or Local Agency) to act on FDEP’s behalf as an approved local air pollution control program. Both parties will work together to protect the air quality of the county according to the provisions of Florida Statutes (F.S.), Section §403.182. Once signed by both parties, the Agreement shall remain in effect for a term of three (3) years.

Background Information:

On January 26, 1986, FDEP Division of Air Resources Management (DARM) and PCAQD entered into a General Operating Agreement (GOA). The GOA, requires that the Secretary of FDEP must further authorize the delegation of specific authorities under a Specific Operating Agreement (SOA).

The SOA must specify the FDEP programs or duties to be conducted by the Local Agency, and will include such specific terms as are necessary to clearly delineate each party's right and obligations. The SOA defines the rights and responsibilities of the Local Agency to act on FDEP's behalf as an approved local air pollution control program under Section §403.182 and §403.087 and the GOA. This SOA recognizes the Local Agency as an "approved local air pollution control program" for purpose of Sections §320.03 and §376.60. In the event that FDEP disapproves the local air pollution control for cause, as provided in Section §403.182(4), FDEP and the Local Agency will address fee remittances consistent with the provisions of Section §320.03 and §376.60.

Fiscal Impact:

As an approved local air pollution control program pursuant to Section §403.182 and the terms of this Agreement, Pinellas County is eligible to receive a portion of state tag fee monies pursuant to Section §320.03(6). In addition, as an approved local air pollution control program, Pinellas County is eligible to receive federal grant monies from EPA through 42 USC Section 7403 (the "103 Grant) and 42 USC Section 7405 (the "105 Grant). FY 17 Tag Fees generated \$1,358,945.25 in revenue to operate Pinellas County's local air program. No match is required. Funds are budgeted under the County's Tag Fee fund and General Fund.

Staff Member Responsible:

Ajaya K. Satyal, Air Quality Division Manager, Parks and Conservation Resources

Partners:

State of Florida Department of Environmental Protection

Attachments:

Air Pollution Control Specific Agreement