



# Pinellas County

## Legislation Details (With Text)

**File #:** 15-814      **Version:** 1

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

**File created:** 11/16/2015      **In control:** Parks and Conservation Resources

**On agenda:** 12/15/2015      **Final action:** 12/15/2015

**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. Attachment 1 - Agreement, 2. Attachment 4 - FE Agreement with FDEP

Date	Ver.	Action By	Action	Result
12/15/2015	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 relationships 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.

**Background Information:**

On January 26, 1986, FDEP Division of Air Resource 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 rights and obligations.

The SOA defines the rights and responsibilities of the Local Agency to act on DEP’s behalf as an

approved local air pollution control program under Sections §403.182 and §403.087 and the GOA. This SOA recognizes the Local Agency as an “approved local air pollution control program” for purposes of Sections §320.03 and §376.60. In the event that FDEP disapproves the local air pollution control program for cause, as provided in Section §403.182(4), FDEP and the Local Agency will address fee remittances consistent with the provisions of Sections §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 15 Tag Fees generated \$1,355,593.50 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 Department

**Partners:**

State of Florida Department of Environmental Protection

**Attachments:**

Air Pollution Control Specific Operating Agreement