

1 Section 1. Chapter 27, Article IV, Section 27-176, General license and permit
2 requirements; exemptions; application requirements; actions on licenses and permits;
3 and criteria for issuance or denial is hereby amended to clarify that initial and continued
4 operation of a source of air pollution is subject to regulation under this section and shall
5 read as follows:

6 (a) General License and Permit Requirements:

- 7 (1) The owner or operator of any source which emits or can reasonably be
8 expected to emit any air pollutant, shall obtain a valid license from EPD
9 before beginning construction or modification, or initial or continued
10 operation of the source, unless exempted pursuant to this section.

11 . . .

12 Section 2. Chapter 27, Article IV, Section 27-179, Human and animal
13 crematory emissions is hereby amended to correct a typographical error, to delete
14 references to the Florida Administrative Code that are obsolete or in conflict with the
15 Broward County Code of Ordinances, to provide for initial and future compliance testing
16 consistent with amendments to the Florida Administrative Code and to delete provisions
17 conflicting with new initial compliance testing and shall read as follows:

18 (a) Applicability:

- 19 (1) This section shall apply to all new and existing human and animal
20 crematories.
- 21 (2) To operate a human or animal crematory, the owner or operator must
22 meet the appropriate requirements set forth in this section and all the
23 applicable requirements of Rule 62-210.300, F.A.C., and Rule 62-296.401,
24 F.A.C.

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underscored type are additions.

1 (b) Compliance Demonstration:

2 (1) New and existing facilities shall demonstrate individual emissions unit
3 compliance with the applicable visible emissions standard, particulate
4 emission standard, and carbon monoxide emission standard specified in
5 Rule 62-296.401, F.A.C., by submission to EPD of a test report based on
6 testing conducted at the subject facility.

7 (2) The owner or operator shall notify EPD, at least fifteen (15) days prior to
8 the date on which each formal compliance test is to begin, of the date,
9 time, and place of each such test, and the test ~~contract~~ contact person
10 who will be responsible for coordinating and having such test conducted
11 for the owner or operator.

12 (3) Compliance test reports shall be filed with EPD as soon as practicable but
13 not later than forty-five (45) days after the last sampling run of each test is
14 completed.

15 (4) Submission of a test report from an identical unit ~~as specified in Rule~~
16 ~~62-296.401(5) or (6), F.A.C.,~~ will not be acceptable to EPD.

17 (c) Frequency of Testing:

18 (1) ~~During each fiscal year (October 1 – September 30), the owner or operator~~
19 ~~of each emission unit shall demonstrate compliance with the visible~~
20 ~~emissions standard.~~ The owner or operator of any crematory unit using
21 an air General Permit shall have a performance test conducted for visible
22 emissions no later than thirty (30) days after the unit commences
23 operation and annually thereafter.
24

1 (2) ~~Within sixty (60) days prior to submittal of a new or renewal air permit~~
2 ~~application or General Permit notification or registration, the owner or~~
3 ~~operator of each new or existing emissions unit shall demonstrate~~
4 ~~compliance with the particulate matter and carbon monoxide emissions~~
5 ~~standard.~~ Within one (1) year from the effective date of this Section and
6 no less than once every five (5) years thereafter, the owner or operator of
7 each emissions unit shall demonstrate compliance with the particulate
8 matter and carbon monoxide emissions standards.

9 (3) For emissions units that have been tested to demonstrate compliance with
10 the particulate matter and carbon monoxide emissions standards within
11 one (1) year prior to the effective date of this Section, the owner or
12 operator shall demonstrate compliance with the particulate matter and
13 carbon monoxide emissions standards within five (5) years of the date of
14 the compliance demonstration and no less than once every five (5) years
15 thereafter.

16 (4) For emissions units that commence operation after the effective date of
17 this Section and that have not been tested within the prior year pursuant to
18 Section 27-179(c)(2), the owner or operator shall demonstrate compliance
19 with the particulate matter and carbon monoxide emissions standards
20 within three (3) months of commencing operation and no less than once
21 every five (5) years thereafter.

22 Section 3. SEVERABILITY.

23 If any portion of this Ordinance is determined by any Court to be invalid, the
24 invalid portion shall be stricken, and such striking shall not affect the validity of the

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1 remainder of this Ordinance. If any Court determines that this Ordinance, or any portion
2 hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies),
3 or circumstance(s), such determination shall not affect the applicability hereof to any
4 other individual, group, entity, property, or circumstance.

5 Section 4. INCLUSION IN CODE.

6 It is the intention of the Board of County Commissioners that the provisions of
7 this Ordinance shall become and be made a part of the Broward County Code; and that
8 the sections of this Ordinance may be renumbered or re-lettered and the word
9 "ordinance" may be changed to "section," "article," or such other appropriate word or
10 phrase in order to accomplish such intentions.

11 Section 5. EFFECTIVE DATE.

12 This ordinance shall become effective as provided by law.

13 ENACTED

14 FILED WITH THE DEPARTMENT OF STATE

15 EFFECTIVE

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22 MCO/sc
23 04/11/07
24 CrematoriesAirQualityO01b.doc
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