

**SUMMARY OF REVISIONS TO BROWARD COUNTY CODE  
CHAPTER 27, ARTICLE IV, AIR QUALITY  
April 2006**

<b>SECTION</b>	<b>REVISIONS</b>	<b>PURPOSE</b>	<b>FINANCIAL IMPACT</b>
<b>Sec. 27-171. Declaration of Intent</b>	<ul style="list-style-type: none"> <li>• Streamline the language.</li> </ul>	These revisions provide clarification of intent.	None
<b>Sec. 27-172. Applicability</b>	<ul style="list-style-type: none"> <li>• Clarifies that Article IV does not apply to vapor pollution controls at petroleum storage tank facilities or open burn licensing.</li> <li>• Clarifies that Article IV applies to open burning to the extent that it causes or contributes to a violation of Article IV.</li> <li>• Clarifies that disposal of asbestos containing waste is subject to Article IV.</li> </ul>	These revisions provide corrections and clarification consistent with existing requirements.	None
<b>Sec. 27-173. Documents Incorporated by Reference</b>	<ul style="list-style-type: none"> <li>• Incorporates 62-257 F.A.C. Asbestos Program, by reference.</li> <li>• Updates the name of 62-256 F.A.C., Open Burning.</li> <li>• Clarifies that in the event of a conflict between Article IV and any state or federal regulation adopted in Article IV, the more stringent provisions of the code shall apply.</li> </ul>	These revisions reflect updates of Florida Administrative Code (F.A.C.)	None
<b>Sec. 27-174. Definitions</b>	<ul style="list-style-type: none"> <li>• Amends the definition of Parking Facility(ies).</li> <li>• Deletes definitions without a reference in code.</li> </ul>	These revisions clarify current definitions and delete irrelevant definitions.	None

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<p><b>Sec. 27-175. General Prohibitions</b></p>	<ul style="list-style-type: none"> <li>• Corrects Sec. 27-175(h) to reference Sec. 27-177(b) instead of Sec.27-177(a) (2).</li> <li>• Revises Sec. 27-175(h) by deleting the reference to opacity or Process Weight Table.</li> <li>• Revises Sec. 27-175(j) to modify the term “visible emissions from motor vehicles” to “visible smoke from motor vehicles”.</li> </ul>	<p>These revisions provide correction to existing code requirements, deletion of irrelevant references, and clarification of existing requirements, resulting in enhanced compliance with Article IV.</p>	<p>None</p>
<p><b>Sec. 27-176. General License and Permit Requirements; Exemptions; Application Requirements; Actions on Licenses and Permits; and Criteria for Issuance or Denial</b></p>	<ul style="list-style-type: none"> <li>• Revises Sec.176 (a) (2) (a-c) to replace the term “vehicles” with “parking spaces” and clarifies that the modification of any facility which will result in an increase to 1,000 parking spaces or more will require an air license.</li> <li>• Deletes requirement for air modeling for vacuum extraction systems and air strippers.</li> <li>• Deletes requirement for providing minimum ground concentration isopleths for vacuum extraction systems and air strippers.</li> </ul>	<p>These revisions provide clarification of Article IV applicability for parking facility licensing and delete obsolete requirements for vacuum extraction and air stripper systems licensing.</p>	<p>None</p>

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<p><b>Sec. 27-177. General License and Permit Standards</b></p>	<ul style="list-style-type: none"> <li>• Revises Sec. 27-177(b), regarding reasonable precautions to control emissions of fugitive particulate matter by:               <ol style="list-style-type: none"> <li>(1) Adding: “Use of pollution control devices or systems or operational methods consistent with industry standards or best management practices”.</li> <li>(2) Deleting Sec. 27-177(b) (3) “use of oil and chemicals as dust suppressants.”</li> <li>(3) Adding Sec. 27-177(b) (10): Limiting the height of open storage piles.</li> </ol> </li> </ul>	<p>These revisions provide broader options for facilities to control unconfined emissions of particulate matter, resulting in enhanced compliance with Article IV.</p>	<p>None</p>
<p><b>Sec. 27-178. Pollution Prevention Planning</b></p>	<ul style="list-style-type: none"> <li>• Deletes reference to the effective date of Article IV.</li> </ul>	<p>This revision assures that the originally intended applicability continues to be effective.</p>	<p>None</p>

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<p><b>Sec. 27-179. Human Crematories and Animal Crematories</b></p>	<ul style="list-style-type: none"> <li>• Updates the title of Sec. 27-179.</li> <li>• Deletes current requirements. The provisions of the F.A.C., which also incorporate the C.F.R. for crematories, are adopted by reference in Sec. 27-173.</li> </ul> <p>The following sections have been added:</p> <ul style="list-style-type: none"> <li>• Sec. 27-179(a) defines applicability to new and existing crematories and that requirements are beyond those defined in F.A.C.</li> <li>• Sec. 27-179(b) requires that new and existing crematories demonstrate compliance with the visible emissions, particulate matter, and carbon monoxide emissions standards by testing of the crematory; requires that EPD be notified at least 15 days in advance of an emissions test; requires that test reports be submitted to EPD within 45 days of completing a test.</li> <li>• Sec. 27-179(b) states that submittal of an identical unit test will not be acceptable.</li> <li>• Sec. 27-179(c) requires that a visible emissions test be conducted annually and the particulate emissions and carbon monoxide testing be conducted at the time of permit renewal.</li> </ul>	<p>Makes the Broward County code for crematories consistent with the F.A.C. and the C.F.R. which are incorporated by reference.</p> <p>Prohibits the use of emissions compliance tests from “identical facilities” located elsewhere in Florida or the Unites States to demonstrate compliance for facilities in Broward County. The reason is that an “identical unit” does not provide a true representation of the subject facility in Broward County. EPD has reviewed identical unit test submittals and found that they did not satisfy the requirements of the code.</p> <p>Broward County is a densely populated urban area. These changes are intended to help protect the public health by assuring compliance with the emission limitations for crematories.</p>	<p>There are seven crematory facilities with a total of thirteen crematory units in Broward County. Six crematory units of the thirteen, will require a one-time equipment retrofit to accommodate the test equipment, at a cost of \$250 - \$500 per unit. The emissions compliance test will be conducted for each unit, at a five year frequency. The cost of a test ranges from \$3,000 - \$4,500, if performed by a Florida based provider to \$ 7,000 - \$8,500, if performed by an out-of-state provider. The overall annual test cost impact for the industry is \$11,700 assuming an average test cost of \$4,500.</p>

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<p><b>Sec. 27-180.</b> <b>Asbestos</b></p>	<p>New section establishes Asbestos compliance requirements in addition to the F.A.C. and C.F.R.</p> <ul style="list-style-type: none"> <li>• Sec. 27-180(a) establishes applicability to all asbestos removal, building demolition or building renovation projects; requires submittal of Statement of Responsibilities Regarding Asbestos 10 days before initiation of work; requires submittal of Notice of Asbestos Renovation or Demolition form accompanied by an asbestos survey prepared by or under the direction of a Florida Licensed Asbestos Consultant.</li> <li>• Sec. 27-180(b) requires that a copy of the survey be retained at the project site, in the event no asbestos containing material is found to be present; requires that the asbestos survey be conducted using an established sampling protocol; states that Phase I site surveys which do not include an asbestos survey conducted using an established asbestos sampling protocol will not be acceptable; requires that the facility performing the analysis of the asbestos samples be nationally accredited.</li> <li>• Sec. 27-180(c) requires that the owner or operator responsible for projects take reasonable precautions to prevent unconfined emissions of particulate matter.</li> </ul>	<p>This is a new section of Article IV that will help ensure compliance with the federal asbestos regulations, and protect the public from potential exposure to asbestos from building demolition and renovation projects. The new section clarifies existing requirements of the federal regulations and codifies current practices and procedures.</p>	<p>None.</p> <p>Submittal of the Statement of Responsibilities Regarding Asbestos, submittal of the 10-day notification form, and conducting an asbestos survey of a building to be demolished or renovated is already required.</p>