



Environmental Protection and Growth Management Department
ENVIRONMENTAL AND CONSUMER PROTECTION DIVISION
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License Conditions

The Hazardous Material Facility Management License will contain general conditions and wellfield specific conditions.

The general conditions are found on all Hazardous Material Facility Management Licenses. The wellfield specific conditions are prepared specific to the facility's inventory, location within the wellfield protected area and type of business. The license will contain a minimum of eight wellfield conditions. Licenses for water treatment plants, multi-tenant facilities or facilities that have obtained a variance will have additional conditions. The summary of wellfield specific conditions below provide a general description of the typical license conditions.

General Conditions

1. The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and must be completed by the Licensee and are enforceable by the Environmental Protection and Growth Management Department (EPGMD) pursuant to the Code. EPGMD will review this license periodically and may revoke or suspend the license, and initiate administrative and/or judicial action for any violation of the conditions by the Licensee, its agents, employees, servants or representatives.
2. This license is valid only for the specific uses set forth in the license application and any deviation from the approved uses may constitute grounds for revocation, suspension and/or enforcement action by EPGMD.
3. In the event the Licensee is temporarily unable to comply with any of the conditions of the license or with the Code, the Licensee shall notify EPGMD within eight (8) hours or as stated in the specific section of the Code. Within three (3) working days of the event, the Licensee shall submit a written report to EPGMD that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention regarding the repair, replacement and reconstruction of destroyed facilities and a schedule of events leading toward operation within the license condition.
4. The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to the public or private property or any invasion of personal rights, or any violation of federal, state or local laws or regulations.
5. This license must be available for inspection on the Licensee's premises during the entire life of the license.
6. By accepting this license, the Licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this licensed facility or activity, that are submitted to the County, may be used by the County as evidence in any enforcement proceeding arising under the Code, except where such use is prohibited by Section 403.111, Florida Statutes.

7. The Licensee agrees to comply and shall comply with all provisions of the most current version of the Code.
8. Any new owner or operator of a licensed facility shall apply by letter for transfer of license within thirty (30) days after sale or legal transfer. The Transferor shall remain liable for performance in accordance with the license until the Transferee applies for and is granted a transfer of license. The Transferee shall be liable for any violation of the Code that results from the Transferee's activities. The Transferee shall comply with the Transferor's original license conditions when the Transferee has failed to obtain its own license.
9. The Licensee, by acceptance of this license, specifically agrees to and shall allow EPGMD personnel access to the licensed source, activity or facility for the purposes of inspection and testing to determine compliance with this license and the Code.
10. This license does not constitute a waiver or approval of any other license, approval, or regulatory requirement by this or any other governmental agency that may be required.
11. Enforcement of the terms and provisions of this license shall be at the reasonable discretion of EPGMD, and any forbearance on behalf of EPGMD to exercise its rights hereunder in the event of any breach by the licensee, shall not be deemed or construed to be a waiver of EPGMD's rights hereunder.

Wellfield Specific Conditions

- Condition 1 requires the licensee to notify the department when a change of inventory has occurred or prior to a change in the facility including cessation of activities and to seek approval prior to that change. A license modification may be required for changes occurring at the facility.
- Condition 2 lists the chemicals containing regulated substances that were reported or discovered at the facility. The chemicals listed are based on the most recent approved inventory. The condition assigns responsibility to the licensee for proper storage of hazardous materials onsite.
- Condition 3 describes the requirements for monitoring wells and samples. The specific number and locations of monitoring wells are described. All wells are to be constructed in accordance with the most recent version of the Environmental and Consumer Protection Division's (ECPD) Minimum Criteria for Monitoring Well Installation and Sampling. All groundwater samples will be collected in accordance with the most recent version of ECPD's Minimum Criteria for Monitoring Well Installation and Sampling. The regulated substances to be analyzed as well as analytical test methods are listed. The deadlines for submitting the water analyses are included in this condition.
- Condition 4 requires the disposal of hazardous material in accordance to Federal, State of Florida, and Broward County requirements. This condition affects licensed hazardous transporters in accordance with [Article XVII](#) of the Natural Resource Protection Code (Chapter 27).
- Condition 5 requires the licensee to submit a [Spill Prevention and Control Plan Form](#) on the department's form within 30 days from the receipt of an original license. After receiving regulatory approval, the plan is required to be kept at the facility and updated by the licensee as needed.
- Condition 6 contains information about emergency response and reporting requirements for a release of a hazardous material to the environment. Verbal reports are to be made to the Environmental and Consumer Protection Division at 954-519-1499. Written reports are to be made to the Environmental and Consumer Protection Division.

- Condition 7 requires the licensee to have training for personnel to ensure the facility is operated in accordance with Chapter 27 of the Code of Broward County. The condition describes the content and frequency of the training. Recordkeeping requirements are included in the condition.
- Condition 8 requires the licensee to be responsible for the proper storage, handling, use, production and disposal of all hazardous materials stored at their facility as part of construction, renovation and repair activities by contractors, subcontractors, consultants and other parties. The licensee is required under Condition 1 of this license to notify ECPD of an inventory change when hazardous materials used for construction, renovation and repair activities are moved to the facility and when the activities cease. This condition assigns responsibility to the licensee for chemical releases resulting from such activities.

Other conditions may be included in the license. For example, a condition for water treatment plants will include the raw water sampling plan and the requirements for submittal of the water analyses. Facilities with variances will have conditions based on the Final Order of their variance hearing.