

*Environmental Protection Division*

**Proposed Amendments to  
Chapter 15, Article III  
Air Quality Control**

**July 16, 2019**



# Background

- **1965 – Orange County established the Air and Water Pollution Control Act**
- **1985 – FDEP designated EPD as a “locally approved Air Program” & authorized funding**
- **1989**
  - **General Operating Agreement (GOA) delineated each agency’s authorities**
  - **GOA delegates duties & responsibilities under a Specific Operating Agreement (SOA)**



# Background

## ▪ Specific Operating Agreement

- Renewed every three years
- Requires ordinance to be compatible with state requirements & DEP rules
- Outlines responsibilities
  - Air Program Management
  - Air Permitting, Compliance & Enforcement
  - Asbestos Management
  - Ambient Air Monitoring



Winter Park Ambient Air Monitoring Site



Solar Co-ops



Asbestos Management



Argos Ready Mix Plant



# Ordinance Review

- **EPA's National Emission Standards for Hazardous Air Pollutants (NESHAPs) and the Florida Administrative Code (F.A.C.)**
- **Minor changes incorporated to F.A.C. as follows:**

F.A.C Rule	Summary of Change
62-204.800	Adoption of state and federal rules by reference
62-210.200	Deletes definitions no longer required
62-210.300	Amended categorical permit exemptions for specific facilities, emissions units, and pollutant-emitting activities if they are subject to volatile organic compounds (VOC) based on reasonably achievable control technology (RACT) rules; removes reference to Clean Air Interstate Rule (CAIR) program for small external combustion heating units; increases gasoline usage threshold for stationary reciprocating internal combustion engines (RICE); and amends annual test period from federal fiscal year to calendar year for asphalt concrete plants



# Ordinance Review

- **Minor changes incorporated to F.A.C. as follows:**

F.A.C Rule	Summary of Change
62-210.310	Allows the use of multiple general permits at a single facility; adds a new general permit for asphalt concrete plants
62-210.550	Replaces the Stack Height Policy by adopting the federal stack height requirements
62-210.700	Postpones sunset date of subsections 210.700(1) & (2) from 5/22/2018 to 5/22/2020
62-210.900	Removes the Clean Air Interstate Rule (CAIR) and Instructions; Amends the Facility Relocation Notification Form



# Ordinance Review

- Required minor code amendment changes to Ch. 15, Article III

Section	Title	Code Amendment Change
15-90	Adoption of state and federal rules by reference	Correction to federal rule reference from “40 CFR” to “40 CFR Part 61”; Updated reference year from 2018 to 2019
15-96	Prohibitions	Replaced “vegetative” language with “land clearing” and “tree cutting debris” in section 15-96(b)(4)
15-104	Recreational open burning	Replaced “vegetative” language with “tree cutting debris” in section 15-104



# Summary

- **Only minor ordinance amendments are required to reflect changes in State and Federal air pollution control rules to maintain compliance with the SOA**
- **Proposed amendments are not expected to have substantial impact on development of real property within the County**



## Action Requested

- **Determine that the Proposed Ordinance will not have a substantial impact on the development of real property within Orange County; and Adopt Ordinance pertaining to Air Quality and Air Pollution Control; Amending Section 15-90, Adoption of State and Federal Rules by Reference; Amending Section 15-96, Prohibitions; Amending Section 15-104, Recreational Open Burning; and Providing an Effective Date. All Districts**