



May 20, 2022

TO: Mayor Jerry L. Demings  
-AND-  
County Commissioners

FROM: Jon V. Weiss, P.E., Director  
Planning, Environmental and Development  
Services Department

A handwritten signature in black ink, appearing to read "J. Weiss", written over the printed name of the sender.

**CONTACT PERSON: David D. Jones, CEP, P.E., Manager  
Environmental Protection Division  
(407) 836-1406**

SUBJECT: June 21, 2022 – Consent Item  
Resolution Regarding Fees for Asbestos Removal Projects  
(Related to Public Hearing on Air Ordinance)

In 1985, the Environmental Protection Division (EPD) was designated by the Florida Department of Environmental Protection (FDEP) as a “locally approved air program.” The current Specific Operating Agreement (SOA) between the FDEP and the County was approved by the Board on February 23, 2021. The SOA authorizes the County to act on behalf of the FDEP in matters relating to air pollution control and establishes the County’s duties and responsibilities as a local air program.

One of the duties performed by EPD’s Air Quality Management Program staff under the SOA is review of demolition and asbestos renovation notices, asbestos surveys, and conducting inspections of demolition and renovation projects involving abatement of Regulated Asbestos-Containing Material (RACM). The SOA grants Orange County the authority to charge fees for services provided related to these activities. Currently, the fees are determined using the asbestos removal project fee schedule in 62-257.400, Florida Administrative Code (F.A.C.), which bases the fees on a sliding scale with higher fees charged for projects that involve removal of more RACM. FDEP is proposing to change the fees for asbestos removal projects to a flat rate of \$200 for projects where notices are submitted via hard copy or email, and \$100 if notifications are submitted online through FDEP’s web portal. The proposed change in FDEP’s fee schedule would significantly reduce the amount of fees collected and would not be adequate to recover a significant portion of the costs involved in reviewing documentation and performing inspections.

In accordance with the SOA, Orange County is able to determine the fees that will be charged for asbestos related services and is not bound to charge the fees stipulated in 62-257.400, F.A.C. Other locally approved air programs like Broward County, Hillsborough County, and Miami-Dade County have chosen to adopt their own fee schedule for asbestos program fees. EPD is proposing to include the fee schedule currently included in 62-257.400, F.A.C. in the Orange County Fee Directory. No increase is proposed to fees currently charged for asbestos removal projects.

Page 2

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Resolution Regarding Fees for Asbestos Removal Projects

The Office of Management and Budget has reviewed the recommendation, and concurs with the proposed fees as noted in Exhibit A of the Resolution.

**ACTION REQUESTED: Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Air Quality and Air Pollution Control; adopting a fee schedule for asbestos removal projects; providing for severability; and providing for an effective date. All Districts**

WYP/RHP/DJ:jk

Attachment