

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: October 6, 2009

[X] Consent  
[ ] Ordinance

[ ] Regular  
[ ] Public Hearing

Department

Submitted By: PALM BEACH COUNTY HEALTH DEPARTMENT

Submitted For: ENVIRONMENTAL HEALTH AND ENGINEERING

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) **Adopt** a Resolution authorizing the use of \$31,129 from the Pollution Recovery Trust Fund (PRTF) to purchase a low level mercury vapor analyzer.
- B) **Approve** a budget transfer of \$31,129 in the Pollution Recovery Trust Fund to enable the purchase of the mercury vapor analyzer.
- C) **Approve** a budget amendment of \$31,129 in the Fire Rescue MSTU Fund for the purchase of the mercury vapor analyzer.

**Summary:** This resolution will authorize the transfer of \$31,129 from the PRTF to the Fire-Rescue Department to be used to purchase a low level mercury vapor analyzer that will be used by the County's hazardous materials response teams in responding to mercury spills. The Palm Beach County Health Department supports the use of PRTF for this purpose as it will enable emergency response teams to accurately assess the extent of contamination as a result of mercury spills and make recommendations as to whether an area is safe for occupancy. Countywide (SF)

**Background and Justification:** Elemental mercury, a liquid at room temperature, can vaporize into the air. Mercury vapors are toxic, and pose a health threat at very low levels. As a neurotoxin, children and fetuses are more vulnerable to the exposure of mercury vapors as their nervous systems are still developing.

The hazardous materials response teams in Palm Beach County routinely respond to mercury spills in homes, businesses and public places, and will perform minor cleanup. However, the only method of assessing the effectiveness of the cleanup, and to determine if the area of the spill is safe for occupancy, is to measure the airborne levels of mercury vapor. This requires a very sensitive instrument because the mercury vapors are at very low concentrations. Presently, the Florida Department of Environmental Protection has three mercury vapor analyzers capable of such measurements that it provides for this purpose on a statewide basis. However, there may be a delay in getting one of the mercury vapor analyzers onsite especially if they are in use in other areas of the state. This delay ties up resources of the hazardous materials response teams.

(Continued on page 3)

ATTACHMENTS:

- 1. Proposed Resolution.
- 2. Letter from the Palm Beach County Regional Hazardous Materials Oversight Committee
- 3. Budget Transfer (1227)
- 4. Budget Amendment (1300)

Recommended By: [Signature]  
Department Director

9/19/09  
Date

Approved By: [Signature]

9/22/09

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	<u>2010</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>
Capital Expenditures	<u>\$31,129</u>	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenue	<u>*(\$31,129)</u>	_____	_____	_____	_____
NET FISCAL IMPACT	<u>-0-</u>	_____	_____	_____	_____

Is Item Included In Current Budget?      Yes \_\_\_\_\_ No X

Budget Account No: Fund \_\_\_\_\_ Agency \_\_\_\_\_ Org \_\_\_\_\_ Object \_\_\_\_\_

Reporting Category \_\_\_\_\_

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

\* Pollution Recovery Trust Fund supported by air pollution fines

**III. Review Comments:**

**A. OFMB Fiscal and/or Contract Administration Comments:**

<p><i>[Signature]</i>  <u>9-16-09</u>                  OFMB                  88911809                  9/17/09 9/15/09</p>	<p><i>[Signature]</i>  <u>9/18/09</u>                  Contract Administration</p>
--	--

**B. Legal Sufficiency:**

*[Signature]*  
9-22-09  
 Assistant County Attorney

**C. Other Department Review:**

*[Signature]*  
 Department Director, ERM

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

**Meeting Date: October 6, 2009**

**Background And Justification (Continued):**

It is proposed that funds from the PRTF be used to purchase a mercury vapor analyzer that will be shared by the four hazardous materials response teams in Palm Beach County. The Palm Beach County Health Department supports this action for the public health and environmental benefits. Palm Beach County Fire-Rescue Department will purchase the analyzer and serve as custodian. The purchase will also include an extended warranty.

**RESOLUTION NO. 09-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FIRE-RESCUE DEPARTMENT TO UTILIZE FUNDS FROM THE POLLUTION RECOVERY TRUST FUND TO PURCHASE A LOW LEVEL MERCURY VAPOR ANALYZER FOR RESPONDING TO MERCURY SPILLS.**

**WHEREAS, on April 4, 1989, the Board of County Commissioners adopted Resolution No. R-89-576 which created the Palm Beach County Pollution Recovery Trust Fund for the purpose of receiving monies collected from environmental violations; and**

**WHEREAS, it is appropriate to utilize monies from the Palm Beach County Pollution Recovery Trust Fund for pollution control activities; and**

**WHEREAS, mercury is highly toxic affecting the nervous system and other organs, and thus exposure to mercury vapors poses a health threat; and**

**WHEREAS, pregnant woman and small children are most vulnerable to mercury exposure; and**

**WHEREAS, the hazardous materials teams in Palm Beach County respond to mercury spills in homes, businesses and public places; and**

**WHEREAS, it is desirable to determine mercury vapor concentrations after mitigation efforts to verify safe levels; and**

**WHEREAS, to verify safe levels it is necessary to use a special mercury vapor analyzer capable of accurate measurements at very low levels.**

**WHEREAS, it is desirable that the hazardous materials response teams of Palm Beach County have local access to a low level mercury vapor analyzer that will enable a more effective response to mercury spills and thus better public health protection.**

**Whereas the Director of the Palm Beach County Health Department recommends that \$31,129 from the Pollution Recovery Trust Fund be used by the Palm Beach County Fire-Rescue Department to purchase a low level mercury vapor analyzer that will be shared by the county's hazardous material teams in responding to mercury spills.**

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

**Section 1: The foregoing recitals are hereby adopted and ratified.**

**Section 2: The Board hereby authorizes the Clerk and Comptroller to transfer \$31,129 from the Palm Beach County Pollution Control Trust Fund to the Fire-Rescue Department to purchase a low level mercury vapor analyzer.**

The foregoing resolution was offered by  
Commissioner \_\_\_\_\_, who moved its  
adoption. The motion was seconded by Commissioner  
\_\_\_\_\_ and upon being put to a vote, the vote  
was as follows:

COMM. JOHN F. KOONS, CHAIRMAN	_____
COMM. BURT AARONSON, VICE CHAIRMAN	_____
COMM. KAREN MARCUS	_____
COMM. SHELLY VANA	_____
COMM. STEVEN L. ABRAMS	_____
COMM. JESS R. SANTAMARIA	_____
COMM. PRISCILLA A. TAYLOR	_____

The Chair thereupon declared the Resolution duly  
passed and adopted the \_\_\_\_ day of \_\_\_\_\_,  
2009.

APPROVED AS TO FORM  
& LEGAL SUFFICIENCY:

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

SHARON BOCK, CLERK AND  
COMPTROLLER

BY:  \_\_\_\_\_

BY: \_\_\_\_\_



**PALM BEACH COUNTY  
REGIONAL HAZARDOUS MATERIALS  
OVERSIGHT COMMITTEE**

Ray Carter, Chairperson

Boynton Beach Fire Rescue  
100 E. Boynton Beach Blvd.  
Boynton Beach, FL 33435  
(561) 742-6331

□

**Committee Members**

Ray Carter

Robert Gallo

Michael L. Golor

Robert Madden

David J. Levy

**Palm Beach County  
Board of County  
Commissioners**

Jeff Koons, Chairman

Burt Aeronson, Vice Chairman

Karen T. Marcus

Shalley Vana

Mary McCarty

Jess R. Santamaria

Addie L. Greene

**County Administrator**

Robert Weisman, P.E.

January 22, 2009

Jean Malecki, M.D., M.P.H., F.A.C.P.M.  
Palm Beach County Health Department, Director  
P.O. Box 29  
West Palm Beach, FL 33402

Our committee meets quarterly to discuss and review the regional hazardous responses within Palm Beach County. For some time now the four hazardous materials team coordinators have brought up the subject of mercury spills in homes, businesses and public places. When a team responds for a mercury spill the public is usually aware of the high levels of toxicity associated with mercury.

The responders are generally put under pressure to mitigate the situation with citizens and public officials wanting to know how long before the building can be reoccupied, and if it's safe to go back in the building.

The hazardous materials teams will do minor cleanup using commercially available spill kits but have all expressed concern about the inability to verify that mercury vapor levels, if present, are below the EPA Region IV action guidelines. Presently none of the four teams have the instrumentation to quantitatively verify mercury vapor concentrations, nor do they have the funding to acquire the instrumentation.

In conversation with Al Grasso regarding this issue, he mentioned a pollution control trust fund that may provide funding for such instrumentation. The Palm Beach County Hazardous Materials Oversight Committee is respectfully requesting your consideration in this matter regarding the health and welfare of Palm Beach County's citizens.

Professionally,

Ray Carter, Chairperson  
Palm Beach County Hazardous Materials Oversight Committee

2010 - 0009

BGEX - 090409\*2329

BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA

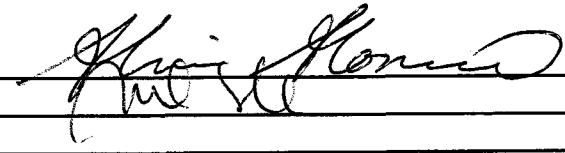
BUDGET TRANSFER  
FUND 1227 Pollution Recovery Trust Fund

ACCOUNT NAME AND NUMBER	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	ENC/EXP 9/4/2009	REMAINING BALANCE
<u>Appropriations</u>							
<u>Reserves</u>							
760-3199 Reserves      9902 Operating Reserves	1,656,621	1,656,621	0	31,129	1,625,492	0	1,625,492
<u>Transfers</u>							
820- 3290 Transfers      9052 Transfer to Fund 1300	0	0	31,129	0	31,129	0	31,129
			31,129	31,129			

Signatures & Dates

BY BOARD OF COUNTY COMMISSIONERS  
AT MEETING OF

Health Department  
INITIATING DEPARTMENT/DIVISION  
Administration/Budget Department Approval  
OFMB Department - Posted

 9/8/09  
9/18/09

October 6, 2009  
Deputy Clerk to the  
Board of County Commissioners

SN  
9/17/09

10 - 0010

**Board of County Commissioners  
Palm Beach County, Florida**

BGRV 440
BGEX 440

Budget Amendment  
Fund 1300 - Fire Rescue MSTU

Account Number and Name		Original Budget	Current Budget	Increase	Decrease	Adjusted Budget	Expended/ Encumbered 10/1/2009	Remaining Balance
<b><u>Revenue</u></b>								
1300-440-4236-8034	Tr From Pollution Trust Fund 1227	0	0	31,129		31,129		
	Total Receipts and Balances	<u>310,000,405</u>	<u>310,000,405</u>	<u>31,129</u>		<u>310,031,534</u>		
<b><u>Appropriations</u></b>								
1300-440-4236-6401	Machinery & Equipment	59,800	59,800	31,129		90,929		
		<u>310,000,405</u>	<u>310,000,405</u>	<u>31,129</u>		<u>310,031,534</u>		

Fire Rescue  
Initiating Department/Division  
Administration/Budget Department Approval  
OFMB Department - Posted

\_\_\_\_\_  
9/8/09  
9/18/09  
\_\_\_\_\_  
\_\_\_\_\_  
9/18/09

By Board of County Commissioners  
At Meeting of  
October 6, 2009  
\_\_\_\_\_  
Deputy Clerk to the  
Board of County Commissioners