

**Air Odor Noise Committee**  
Lucinda Sonnenberg, Ph.D. – Chair  
Amy Fu, P.E.  
Nick Howland  
Mobeen Rathore, M.D.

**Education & Public Outreach**  
Steven Jenkins  
Michelle Tappouni  
Lucinda Sonnenberg, Ph.D.  
Tony Bellamy, P.E.



**Water Committee**  
Bobby L. Baker, P.E. – Chair  
Steven Jenkins  
Tony C. Bellamy, P.E.  
Roi Dagan, M.D.

**Michelle Tappouni – Chairman**  
**Nick Howland – Vice Chairman**  
**Lucinda Sonnenberg, Ph.D., Steven Jenkins,**  
**Roi Dagan, M.D., Tony C. Bellamy, P.E.**  
**Bobby L. Baker, P.E., Mobeen Rathore, M.D., Amy Fu, P.E.**

## **Meeting Notice and Agenda**

Monday, April 11, 2016

5:00 p.m. - Ed Ball Building

214 N. Hogan Street - 5<sup>th</sup> Floor Conference Room West

## **BOARD MEETING AGENDA**

### **CALL TO ORDER**

**MICHELLE TAPPOUNI**

#### **I. CHAIRMAN'S REMARKS**

#### **II. APPROVAL OF MARCH BOARD MEETING SUMMARIES**

- March 14, 2016 – Board Meeting

#### **III. APPROVAL OF MARCH COMMITTEE MEETING SUMMARIES**

- March 28, 2016 Water Committee
- March 28, 2016 Air & Odor Committee

#### **IV. COMMENTS FROM THE PUBLIC**

*The public is invited to address the board at this time. All those who wish to address the Board should complete a request to speak card and give it to the EPB staff. When making comments, please identify yourself, stating your full name and address. Comments should be addressed to the Board as a body and not to any member directly and will be limited to 3 minutes each.*

#### **V. NEW BUSINESS (a)**

- **COJ LID Project Information**

**MELISSA LONG**

#### **VI. CONSENT ORDERS**

**TREE KILBOURN**

(Air/Odor/Noise)

- **none**

(Water/Haz Mat)

- **NPC International, Inc. d/b/a Pizza Hut #4267 (WP-16-01)** - Unlawful discharge of sewage or other untreated waste or wastewater; Unlawful bypass of wastewater collection/transmission system or treatment facility [septic system] – proposed settlement: **\$960** [\$1,200 less 20% good faith efforts to cooperate] [discharge not in public access area, not to storm water or surface waters]
- **Samjazz Jax Palm Terrace, LLC (WP-15-32)** - Unlawful discharge of sewage or other untreated waste or wastewater; Failure to maintain collection lines to function as intended; Unlawful bypass of wastewater collection/transmission system or treatment facility – proposed settlement: **\$1,150** [\$4,600 less the mitigation credit of 75% or \$3,450] [discharge of wastewater to public access areas]

- **Grace Farms Investments, LLC and DeMay, Inc. (WP-15-29)** - Unlawful discharge of other material; failure to comply with erosion and sediment control standards – proposed settlement: **\$4,800** [\$8,000 less 20% good faith efforts to cooperate and 20% unique circumstances] [discharge to storm water ditches and conveyances]
- **Family Dollar Stores of Florida, Inc. (Amended WP-15-13)** - Failure to have a compliant OMR agreement; Unlawful discharge of wastewater – proposed settlement: **\$6,400** [\$8,000 less 20% unique circumstances] [discharge to storm water drain]

(Negotiated Settlement)

- **SEP in Settlement Agreement for City of Jacksonville, Department of Public Works and JEA (WP-13-18)** - Failure to comply with erosion and sediment control standards; Unlawful discharge to surface waters; Exceedance of water quality standards for surface waters

## VII. ENFORCEMENT REPORT

**TREE KILBOURN**

## VIII. PRESENTATION(s)

- None

## IX. COMMISSION UPDATES

- Waterways Commission
- KJB Commission

**STEVE JENKINS**  
**NICK HOWLAND**

## X. PUBLIC HEARING(s)

- **Funding Request – Groundwork Jacksonville**
- **Funding Request – EQD Microbe Pilot Study**
- **Funding Request – EPB Education & Outreach**

## XI. EPB ADMINISTRATOR REPORT

**JAMES RICHARDSON**

## XII. DEPARTMENTAL REPORT

**MELISSA LONG**

## XIII. OLD BUSINESS

- Seismic Gun Testing Resolution/Letter (referred to EPO Committee) - **Update**
- Jacksonville Harbor Deepening Project - Environmentally focused forum/town hall (referred to EPO Committee)
- EPB Policy Positions (referred to EPO Committee)

## XIV. NEW BUSINESS

- Discussion – Environmentally Sensitive Lands and Cell Tower Siting

## XV. ITEMS REFERRED TO COMMITTEES

## XVI. COMMENTS FROM THE PUBLIC

## XVII. NEXT SCHEDULED BOARD MEETING(s)

- EPB Committees
  - Water Committee – April 25, 2016 at 4:30 pm
  - Air & Odor Committee – April 25, 2016 at 5:00 pm
- EPB monthly meeting – May 9, 2016 at 5:00 pm

## XVIII. ADJOURNMENT



**MEMORANDUM**

**TO:** Jacksonville Environmental Protection Board Steering Committee

**THROUGH:** Melissa M. Long, P.E., Division Chief

**FROM:** Tree Kilbourn, Environmental Enforcement Officer

**DATE:** March 25, 2016

**SUBJECT: PROPOSED PRESENTATION TO JEPB APRIL 11, 2016  
APPROVAL OF CONSENT ORDER SETTLEMENTS**

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**Water**

**NPC International, Inc. d/b/a Pizza Hut #4267 (WP-16-01)**

Unlawful discharge of sewage or other untreated waste or wastewater; Unlawful bypass of wastewater collection/transmission system or treatment facility [septic system]

**Samjaz Jax Palm Terrace, LLC (WP-15-32)**

Unlawful discharge of sewage or other untreated waste or wastewater; Failure to maintain collection lines to function as intended; Unlawful bypass of wastewater collection/transmission system or treatment facility

**Grace Farms Investments, LLC and DeMay, Inc. (WP-15-29)**

Unlawful discharge of other material; failure to comply with erosion and sediment control standards

**Family Dollar Stores of Florida, Inc. (Amended WP-15-13)**

Failure to have a compliant OMR agreement; Unlawful discharge of wastewater

c: Ms. Kimberly Scott, Director  
Mr. Jason Teal, OGC  
Ms. Sondra Fetner, OGC  
Mr. James Richardson, Program Administrator, EPB  
EQD Branch Managers

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**THE ENVIRONMENTAL PROTECTION BOARD  
CITY OF JACKSONVILLE, FLORIDA  
APRIL 11, 2016**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE  
REGULATORY COMPLIANCE  
DEPARTMENT,**

**-vs-**

**NPC International, Inc. d/b/a Pizza Hut  
#4267,**

**Petitioner,**

**Respondent.**

Type of alleged violation(s): Unlawful discharge of sewage or other untreated waste or wastewater; Unlawful bypass of wastewater collection/transmission system or treatment facility

Source of alleged violation(s): Wastewater collection/transmission system with onsite sewage treatment and disposal at 3035 Dunn Avenue, Jacksonville, FL

Date of alleged violation(s): On or before 10/16/15 to 12/4/15

Method of determining alleged violation(s): Field investigations and file reviews

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.103B and I

RCD response to alleged violation(s): Cease and Desist Citation WP-16-01 issued 1/4/16

Respondent's corrective actions: Repairs to septic system made pursuant to DCHD requirements  
Area cleaned and limed  
New maintenance schedule implemented

Consent Order settlement fee: \$960 [\$1,200 less 20% good faith efforts to cooperate]  
[discharge not in public access area, not to storm water or surface waters]

Consent Order requirements: None

Previous/Other enforcement actions: None

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**CITY OF JACKSONVILLE  
REGULATORY COMPLIANCE  
DEPARTMENT,**

**-vs-**

**Samjaz Jax Palm Terrace, LLC,**

**Petitioner,**

**Respondent.**

Type of alleged violation(s): Unlawful discharge of sewage or other untreated waste or wastewater; Failure to maintain collection lines to function as intended; Unlawful bypass of wastewater collection/transmission system or treatment facility

Source of alleged violation(s): Gravity wastewater collection/transmission system located at 4646 Moncrief Road, Jacksonville, Florida

Date of alleged violation(s): On or before 9/17/15

Method of determining alleged violation(s): Field investigations and file reviews

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.103B, G and I

RCD response to alleged violation(s): Cease and Desist Citation WP-15-32 issued 9/28/15

Respondent's corrective actions: Collection system lines jetted

Consent Order settlement fee: **\$1,150** [\$4,600 less the mitigation credit of 75% or \$3,450]  
[discharge of wastewater to public access areas]

Consent Order requirements: SEP - installation of locking cleanout caps on all wastewater collection/ transmission line cleanouts throughout the property by 5/13/16 [includes installing some new "necks" in the collection system lines]

Previous/Other enforcement actions: None

**THE ENVIRONMENTAL PROTECTION BOARD  
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APRIL 11, 2016**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE  
REGULATORY COMPLIANCE  
DEPARTMENT,**

**-vs-**

**Grace Farms Investments, LLC and DeMay, Inc.,**

**Petitioner,**

**Respondents.**

Type of alleged violation(s):      Unlawful discharge of other material; Failure to comply with erosion and sediment control standards

Source of alleged violation(s):      Construction project located at 12360 East Joda Lane, Real Estate No. 157245-0165, Jacksonville, Florida

Date of alleged violation(s):      On or before 8/17/15

Method of determining alleged violation(s):      Field investigations

Rules allegedly violated:      FS §403.161(1)(b), JEPB Rules 3.103B and 3.604

RCD response to alleged violation(s):      Cease and Desist Citation WP-15-29 issued 9/21/15

Respondent's corrective actions:      Equipment removed from pond and measurements reestablished

Consent Order settlement fee:      **\$4,800** [\$8,000 less 20% good faith efforts to cooperate and 20% unique circumstances]  
[discharge to storm water ditches and conveyances]

Consent Order requirements:      None

Previous/Other enforcement actions:

NTC JEP15-2015(2)A issued 8/20/15 to DeMay, Inc. for failure to comply with erosion and sediment control standards and unlawful discharge. Referred to enforcement.

NTC JEP15-2015(1)A issued 9/20/15 to Grace Farms Investments, LLC for failure to comply with erosion and sediment control standards and unlawful discharge. Referred to enforcement.

Others for DeMay, Inc.:

NTC KMJ0508 issued 11/2/05 to DeMay, Inc. for failure to comply with erosion and sediment control measures (Fort Caroline Harbor). Closed.

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CITY OF JACKSONVILLE, FLORIDA  
APRIL 11, 2016**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE  
REGULATORY COMPLIANCE  
DEPARTMENT,**

**-vs-**

**Family Dollar Stores of Florida, Inc. ,**

**Petitioner,**

**Respondent.**

Type of alleged violation(s): Failure to have a compliant OMR agreement; Failure to maintain the wastewater collection/ transmission system to function as intended; Unlawful discharge of wastewater; Failure notify EQD of a release or discharge of wastewater; Failure to perform required maintenance and maintain log records

Source of alleged violation(s): Wastewater collection/transmission system located at 5799 Fort Caroline Road with a lift station located on RE Parcel No. 128167-0020 and serving RE Parcel No. 128167-0010, Jacksonville, FL

Date of alleged violation(s): On or before 1/30/15, 2/24/15, 2/26/15, 7/28/15 (records)

Method of determining alleged violation(s): Field investigations and file reviews

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.103B, D and G, 3.405A.7.a, 3.405A.5.a, 3.405A.5.c and 3.405A.5.g.

RCD response to alleged violation(s): Amended Cease and Desist Citation WP-15-13 issued 8/7/15 to TRC Fort Caroline, LLC, Realty Income Properties 13, LLC and Family Dollar Stores of Florida, Inc.  
Referred to Office of General Counsel on 9/3/15

Respondent's corrective actions: Lift station system jetted and cleaned  
Lift station maintenance performed with records system established  
Amendment to OMR agreement recorded 3/12/16

Consent Order settlement fee: **\$6,400** [\$8,000 less 20% unique circumstances]  
[discharge to storm water drain]

Consent Order requirements: None

Previous/Other enforcement actions:

Citation AP-15-13 issued 5/6/15 to TRC Fort Caroline, LLC, Family Dollar Stores of Florida, Inc. and Realty Income Properties 13, LLC. Amended.

NTCs CW150378A&B issued 2/24/15 to Family Dollar Stores of Florida, Inc. and Realty Income Properties 13, LLC for unlawful discharge of wastewater. Referred to Enforcement.