

Public Hearing – Meeting Summary

Rulemaking- EPB Rule 4

Monday, April 8, 2013

5:00 p.m.

Members Present

Steven T. Jenkins, Chair

Michelle Tappouni, Vice Chair

Bobby L. Baker, P.E.

Tony C. Bellamy, P.E.

Gary Bowers, M.D.

Lucinda Sonnenberg, Ph.D.

Michelle L. Mahoney, P.E.

Members Not Present

Nick Howland

Staff/ Resources Present

Scott Trebatoski Acting Division Chief

James Richardson, EPB Administrator

Ruby Tucker, Executive Secretary I

Cherry Shaw, OGC

Steve Pace, Environmental Engineering Manager Senior

Richard Robinson, P.E., Environmental Engineering Manager

Visitors

Jay Worley, JEA

Scott Shine

Christi Veleta, Interested Citizen

Barbara Broward, Interested Citizen

Call to Order

Chair Jenkins reconvened the Public Hearing to order at 6:12 p.m.

Statement from Chair

Chair Jenkins stated that the continued hearing is relative to rulemaking on JEPB Rule 4 – Noise Pollution Control in response to a Petition for Rulemaking accepted by the EPB on February 8, 2013.

Proposed Language

James Richardson shared that there was a motion at the March Board meeting to return the rule to the Department staff for further development. Staff met to develop possible language for consideration and provided the proposed language at the March 20, 2013 Air and Odor Committee for discussion. The committee members were pleased with the proposed language to remove golf course landscape equipment from 4.207(a) and add a new section (b) for the

staging of golf course landscape equipment with a specific timeframe of 6 am to 7am. The Air & Odor Committee also requested that staff review past permits to consider potential impacts of the language on other industries. Staff was not able to identify any adverse impacts. Staff also reached out to the Golf Course community and received their support for the proposed language. The petitioner has also expressed his support for the language.

Section B Proposed Language (Staff interpretation of EPB Discussion):

4.207 Construction or Maintenance Operations

- A. No person shall operate or permit the operation of construction or maintenance equipment excluding generators, mudhogs and well point pumps used in construction or maintenance during nighttime hours. Generators, mudhogs and well point pumps used during nighttime hours shall not exceed 60 dBA.

- B. The staging of golf course landscaping equipment used in maintenance is allowed from 6 am to 7am during nighttime hours and shall not exceed 60 dBA. The operation of golf course landscaping equipment, during nighttime hours, is expressly prohibited.

Board Discussion

The Board clarified that the proposed language is to remove golf course landscape equipment from 4.207(a) and add section (b) for the staging of golf course landscape equipment with a specific timeframe 6:00am to 7am.

Board Decision

Chair Jenkins entertained a motion to accept the proposed language which was properly seconded and approved unanimously.

Procedural Summary

Cherry Shaw, OGC, stated that the rule has been officially adoption by the Board and will be filed with the Council Secretary and twenty days after filing, it becomes effective.

Comments from Public

Scott Shine commended staff for a good job with the proposed language.

Adjournment

The Public Hearing was closed at 6:28 pm.

Respectfully submitted

Ruby Tucker, Executive Secretary I
Environmental Protection Board