

**ENVIRONMENTAL PROTECTION BOARD**  
**City of Jacksonville**  
**Wednesday, August 21, 2013**  
**4:30 p.m.**

**Air Odor and Noise Committee Meeting Summary**

**Members Present:**

Bobby L. Baker, P.E.  
Michelle Tappouni

**Members Not Present:**

Tony Bellamy, P.E., Chair

**Staff/Resources Present:**

Ruby Tucker, Executive Secretary I  
Jody Brooks, OGC  
Steve Pace, P.E., Environmental Engineering Manager Senior  
Dana Brown, Environmental Enforcement Administrator

**Visitors:**

Daniel Hlaig, JEA

**CALL TO ORDER**

Acting Chair Bobby Baker, P.E. called the meeting to order at 4: 33 p.m.

**ENFORCEMENT**

**Board Cases**

Dana Brown, Environmental Enforcement Administrator, asked that the following order be presented to the Board for approval under Consent Order settlements:

- **McCarthy Improvement Company (AP-13-09)** - Failure to schedule and conduct required initial visual emissions compliance test - settlement \$480.
- **Griswold (AP-13-03)** - Failure to schedule and conduct required visual emissions compliance test – settlement \$0 due to inability to pay.

Acting Chair Baker entertained a motion to forward the consent orders to the Steering Committee. As there was consensus by the two members present, the items were forwarded to Steering Committee.

**Legislative Update**

Ms. Brown shared with the committee information on two bills. Sen. Soto has introduced legislation for Springs Protection which requires FDEP to adopt a Springs Protection Plan. It will be monitored because this is historically where all the septic tank connection legislation goes. With regard to the Air Committee, a bill has been filed to repeal Nuclear and Electric Utility Cost Recovery Provisions. There is some support and it might be passed. She advised that it is early in the process, but things are underway.

Ms. Tappouni indicated she was expecting a report from Mr. Trebatoski on orders that had been outstanding for a number of years. Ms. Brown clarified that the cases in question were those where judgments had been entered but payment had not been collected. She explained the process and the difficulty in securing payment as we do not have liening authority. The cases are turned over to Accounting and assigned to a collection agency. After some time, OGC is contacted to see if the City wanted to write the judgment off. Depending on the amount, a different process to do so is involved. The memo was sent to Steve Rohan and was transferred to Jason Teal when he left. At this point it remains there and requires involvement by several levels of government. Discussion occurred about what is needed to clean up the enforcement report. Ms. Tappouni asked for a status update in the future as to the process for collection and what is being done. If possible, she would like to see a report that shows 1) how many judgments there have been, 2) what is that dollar amount, 3) what has been collected and 4) what has not been collected and why.

## **MONTHLY COMPLAINTS**

### **Air and Odor Complaints (July)**

Steve Pace, P.E., Environmental Engineering Manager Senior, reported the following:

- 1 air pollution complaint was received and validated - overspray from an auto repair shop.
- 2 nuisance complaints were received and investigated of which 0 complaint(s) were validated
- 15 odor complaints were received and investigated of which 4 complaints were validated
- 1 open burning permits was issued
- 7 open burning complaints were received and investigated with 2 being validated

Mr. Pace reported that with only two staff dedicated to this, everything is being investigated and closed out within required timeframes. He also reported that with assistance from OGC, we now have a formal agreement in place with the Florida Forestry Service which allows us to oversee open burning for land clearing purposes in Duval County which had been designated solely to them by the legislature.

### **Noise Complaints (July)**

Mr. Pace reported the following:

- 19 noise complaints were received
- 13 warning letters were issued
- 5 complaints were referred to the Jacksonville Sherriff's Office (JSO)

Mr. Pace shared complaints were received from usual sources – Intuition Ale, Endo Exo and Windsor Parke. He called to attention a complaint from Flounder Road under Regulated Sources concerning discharging of firearms. Staff worked with JSO who did not have authority in this instance and called upon EQD to assist them. A visit to the residence by JSO and EQD staff seemed to alleviate the issue for now.

Ms. Tappouni asked if the Intuition Ale issue was something different to which Mr. Pace confirmed it was. She also asked about Windsor Parke and if this was the same continuing issue. Mr. Pace indicated that staff cannot be present at the time of the alleged violations and that JSO personnel trained on noise work at night. As the issue is not consistent, it is not feasible to have staff adjust time to be present when the violations occur.

**DEPARTMENTAL REMARKS**

Mr. Richardson indicated that Mr. Trebatoski planned to be present at the meeting however, the Neighborhoods Department was to have budget hearings the following day and they are deep in preparation. He mentioned the symposium was planned for the 23<sup>rd</sup> and that over 200 people were registered at that point.

**OLD/NEW BUSINESS**

- **Open Variances**

Daniel Hlaig, JEA, provided an update on several variances held by JEA and stated that no noise complaints have been received to date. The Riverside project is about 80% complete with no nighttime work and within the allowed variance limits. The transmission tower repairs have also had no complaints.

- **Health Zone 1 Study**

No report.

- **Metro Park Noise**

Committee continues to meet and is currently considering proposed temporary legislation.

Mr. Pace reported that Mr. Trebatoski continues to try and speak with FDEP regarding the Title V issue so the status remains the same.

**COMMENTS FROM PUBLIC**

None.

**ITEMS FORWARDED TO STEERING COMMITTEE**

Board Case(s) listed above

**DATE SCHEDULED FOR NEXT MEETING**

Wednesday, September 18, 2013.

**ADJOURNMENT**

There being no further business to come before the Air and Odor Committee, the meeting was adjourned at 5:19 p.m.

Respectfully Submitted,

Ruby Tucker, Executive Secretary I  
Environmental Protection Board