

City of Jacksonville, Florida
ENVIRONMENTAL PROTECTION BOARD
Monday, August, 2016
5:00 p.m.
Board Meeting Summary

Members Present

Michelle Tappouni, Chair
Nick Howland, Vice Chair
Tony C. Bellamy, P.E.
Roi Dagan, M.D.
Steven Jenkins
Mobeen Rathore, M.D.
Amy Fu, P.E.

Members Not Present

Bobby Baker, P.E.
Lucinda Sonnenberg, Ph.D.

Staff/ Resources Present

James Richardson, EPB Administrator
Sondra Fetner, OGC
Tree Kilbourn, EQD Enforcement

Visitors

Gabriel DuPree
Chris Buckley
Dan Durbec
Gabriel Dupree

Call to Order

Chair Michelle Tappouni called the monthly meeting of the Environmental Protection Board (EPB) to order at 5:04 p.m.

Chairman's Remarks

None.

Comments from the Public

none

Approval of July Board Minutes

Chair Tappouni entertained a motion to approve the meeting summary of the July 11, 2016 Board Meeting.

Comments from the Public

None

The motion made to approve the meeting summary (Jenkins) was properly seconded (Rathore) and approved by the body.

Approval of June Committee Minutes

Chair Tappouni entertained a motion to approve the meeting summary of the July 25th EPB Water Committee meeting summary.

Comments from the Public
None

The motion to approve the meeting summary (Jenkins) was properly seconded (Howland) and approved by the body.

Chair Tappouni entertained a motion to approve the meeting summary of the July 25th EPB Air & Odor Committee meeting summary.

Comments from the Public
None

A motion was made to approve the meeting summary (Fu) was properly seconded (Howland) and was approved by the body.

Chair Tappouni entertained a motion to approve the meeting summaries of the July 26th and August 1st EPB Education & Outreach Committee meetings summaries.

Comments from the Public
None

A motion was made to approve the meeting summaries (Jenkins) was properly seconded (Rathore) and was approved by the body.

Consent Agenda (Air/Odor/Noise)

- **Advanced Disposal Services of Jacksonville, LLC (NP-16-01, NP-16-03 and NP-16-05)** - Permitting the operation of a trash or refuse service using a mechanical device between the hours of 10:00 p.m. and 7:00 a.m. within 200 meters of property that is in a Class A or Class B areas – **proposed settlement \$5,000**

Comments from the Public
None

A motion was made to approve the consent order(s) (Rathore) which was properly seconded (Howland) and approved by the body.

(Water/Haz Mat)

- **Vallencourt, Inc. (WP-16-06)** - Unlawful discharge to surface waters – **proposed settlement \$6,400** [*\$8,000 less 20% good faith efforts to cooperate*]

Comments from the Public
None

A motion was made to approve the consent order(s) (Howland) which was properly seconded (Rathore) and approved by the body.

Enforcement Report none

Presentations(s)

Chris Buckley, KJB Chair, made a brief presentation to the Board thanking them for the support of KJB and encouraging greater participation and working together. She would like to see the two entities partner on some initiatives in the future and maybe see if the EPB could fund some activities where the two have common interests and priorities.

Commission Updates

Waterways Commission - Board Member Steven Jenkins shared: have a new chair, CM Aaron Bowman. CW Boyer came and asked the commission to take a look at how to activate the waterfront. Dr. White shared that there had been 10 manatee deaths and that they had begun migrating south. What triggers that is the length of the day and not water temperature. The commission will be hearing from FDEP and the St Johns Riverkeeper at the next meeting concerning the Human Health Criteria Water Quality Standards. Will also hear a presentation on how enforcement of the irrigation rules occur.

KJB Commission – Nick Howland shared: The annual retreat took place on August 27th. They are having fundraising issues and that is why they are looking at partnering with the EPB more. Recycling will be a focus.

There was some discussion regarding the frequency of recycling pickups over waste pickups. Clint Noble shared that he would like to see greater recycling pickup. Mr. Richardson shared information on composting programs.

EPB Administrator Report

Mr. Richardson shared:

- Membership – two members rolling off and have had some expressed interest in the positions. Discussed with Mr. Jenkins some industry representations. Want to submit names to Mayor's Office in the next few weeks.
- Legislation to reappoint Mr. Baker and Ms. Fu should be introduced shortly.
- Vote on EPB leadership will occur at September meeting. If there are any nominations or questions, please contact me directly.
- Two legislative items of interest – 2016-521 requires annual review of Boards and Commissions and EPB is on the list. More information to come. 2016-536 is resolution from CM Love opposing the HHC Water Quality Standards.

There was discussion of how to increase participation on Boards and Commissions. One way would be to allow electronic participation.

EQD Report

None.

Old Business

The EPO Committee discussed several things at their meeting and suggested some items be removed as noted below:

- The Seismic Gun Testing Resolution – was discussed and has already been dealt with.
- Jacksonville Harbor Deepening Project – Environmentally focused forum/town hall – decided to continue to monitor the status of the project and may do something at a later time.
- EPB Policy Positions – poll was distributed to members seeking input and will be discussed at a later time.

New Business

- EPB Awards – (attached recommendations) the Chair expressed the challenge of getting more nominations and increasing the quality of the submissions. The criteria have been tweaked over the years and what we have is actually working.

The chair entertained a motion to approve the Awards Committee recommendations (Rathore) which was properly seconded (Dagan). There were no public comments. The motion was approved by the body.

Item(s) referred to Committees

Resolution 2016-536 - was referred to Water Committee

Comments from the Public

none

Next Scheduled Board Meeting(s)

EPB Committees

- a. Water Committee – August 22, 2016 at 4:30pm
- b. Air & Odor Committee – August 22, 2016 at 5:00 pm
- c. Education & Public Outreach – August 22, 2016 5:30 pm

EPB Steering Committee – September 7, 2016

EPB Monthly Meeting September 12, 2016 at 5:00 pm

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 6:07 p.m.

Respectfully Submitted

James Richardson, Program Administrator



MEMORANDUM

TO: Jacksonville Environmental Protection Board Steering Committee

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

FROM: Tree Kilbourn, Environmental Enforcement Officer

DATE: July 28, 2016

**SUBJECT: PROPOSED PRESENTATION TO JEPB AUGUST 8, 2016
APPROVAL OF CONSENT ORDER SETTLEMENTS**

Air

Advanced Disposal Services of Jacksonville, LLC (NP-16-01, NP-16-03 and NP-16-05)

Permitting the operation of a trash or refuse service using a mechanical device between the hours of 10:00 p.m. and 7:00 a.m. within 200 meters of property that is in a Class A or Class B areas

Water

Vallencourt, Inc. (WP-16-06)

Unlawful discharge to surface waters

c: Ms. Kimberly Scott, Interim 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
AUGUST 8, 2016**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,**

-vs-

Advanced Disposal Services of Jacksonville, LLC,

Petitioner,

Respondent.

Type of alleged violation(s): Permitting the operation of a trash or refuse service using a mechanical device between the hours of 10:00 p.m. and 7:00 a.m. within 200 meters of property that is in a Class A or Class B areas

Source of alleged violation(s): Properties located at 5197 Big Island Dr., 3726 St. Augustine Rd., 2008 Riverside Ave., 1045 Riverside Ave, and 819 Park St., Jacksonville, Florida

Date of alleged violation(s): March 2, 2016
819 Park St. at 2:34 a.m.
1045 Riverside Ave. at 2:40 a.m.
2008 Riverside Ave. at 2:50 a.m.

March 3, 2016 at:
3726 St. Augustine Road at 3:00 a.m.

March 4, 2016 at:
5197 Big Island Dr. at 5:08 a.m.

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

Rules allegedly violated: JEPB Rule 4.211A

ND response to alleged violation(s): Cease and Desist Citation NP-16-01 issued 3/8/16
Cease and Desist Citation NP-16-03 issued 4/8/16
Cease and Desist Citation NP-16-04 issued 4/8/16

Respondent's corrective actions: Met with EQD regarding identifying Class A and B Lands along their routes, routes noted for no early pickup

Note: On 4/1/16, EQD initiated a system where one courtesy e-mail would be sent to all waste haulers (as an e-mail contact group) regarding complaints received. Waste haulers provided the e-mail addresses to be used by EQD.

Consent Order settlement fee: \$5,000

Consent Order requirements: None

Enforcement actions:

NP-16-04 issued 4/8/16 to Advanced Disposal Services of Jacksonville, LLC (819 Park St., 1045 Riverside Ave., 2008 Riverside Ave.).

NP-16-03 issued 4/8/16 to Advanced Disposal Services of Jacksonville, LLC (3726 St. Augustine Road).

NP-16-01 issued 3/8/16 to Advanced Disposal Services of Jacksonville, LLC (2008 Riverside Ave).

EQD dumpster violation procedure letter with penalty guidelines issued 7/2/15 to Advanced Disposal.

Consent Order

NP-16-01, NP16-02, NP-16-03

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Previous Enforcement with Advanced Disposal for operation of a trash or refuse service between 10pm and 7am:

NP-10-01 issued 6/30/10 to Advanced Disposal Services, Inc., Managing Member of Advanced Disposal Services of Jacksonville, LLC, Montreux at Deerwood Lake, LLC, and Montreux of Deerwood Lake Condominium Association, Inc. (8550 Touchton). \$3,000 civil penalty paid. Case closed.

NP-09-06 issued 9/23/09 to Advanced Disposal and Ibex Food Mart, Inc. (5407 San Juan Ave.). \$1,500 civil penalty paid. Case closed.

NP-09-05 issued 8/20/09 to Advanced Disposal, Starlite Café, and 1044 Park Street, LLC (1044 Park Street). \$3,000 civil penalty paid. Case closed.

NP-09-03 issued 3/6/09 to Advanced Disposal (5021 Quan St.). \$1,500 civil penalty paid. Case closed.

NP-08-03 issued 6/13/08 to Advanced Disposal and Cedar Hills Shopping Center (3606 Blanding Blvd.). \$1,200 civil penalty paid. Case closed.

NP-07-06 issued 10/25/07 to Advanced Disposal and Colonial Properties (5613 San Jose Blvd.). \$1,200 civil penalty paid. Case closed.

NP-04-05 issued 2/20/04 to Advanced Disposal and Argyle Ventures, Inc. (8540 Argyle Forest Blvd.). \$1,200 civil penalty paid. Case closed.

NTCs for Advanced Disposal:

3/4/16 for 3726 St. Augustine Rd. Referred to Enforcement.

3/2/16 for 2008 Riverside Ave. Referred to Enforcement.

9/4/09 for 3631 New Berlin Rd. Closed.

8/12/09 for 3925 Athore Dr. Closed.

7/22/09 for 8550 Touchton Road. Referred to Enforcement.

7/16/09 for 1044 Park St. Referred to Enforcement.

6/23/10 for 8550 Touchton Road. Referred to Enforcement.

5/4/09 for 3726 St. Augustine Rd. Closed.

3/16/09 for 1044 Park St. Referred to Enforcement.

3/2/09 to 2519 Bayview Rd. Closed.

2/26/09 for 5407 San Juan Ave. Referred to Enforcement.

1/8/09 for 5021 Quan Dr. Referred to Enforcement.

12/15/08 for 2006 Park St. Closed.

12/15/08 for 2007/2005 Park St. Closed.

11/3/08 for 7445 103rd Street. First under new property owner. Closed.

7/23/08 for 7445 103rd St. Closed.

5/28/08 for 3606/3752 Blanding Blvd. Referred to Enforcement.

11/20/07 for 5021 Quan Ave. Referred to Enforcement.

8/16/07 for 3901 University Boulevard South. Closed.

8/12/07 for 3606/3752 Blanding Blvd. Referred to Enforcement.

6/5/07 for 8823 San Jose Blvd. Referred to Enforcement.

5/29/07 for 5613 San Jose Blvd. Referred to Enforcement.

5/25/07 for 620 Chaffee Road South. Closed.

5/4/05 for 5613 San Jose Blvd. Closed.

5/4/05 for 5612 San Jose Blvd. Closed.

1/14/04 for 8540 Argyle Forest Blvd. Referred to Enforcement.

10/17/03 for 8540 Argyle Forest Blvd. Closed.

Last Inspection: 3/4/16

**THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE, FLORIDA
AUGUST 8, 2016**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,**

-vs-

Vallencourt, Inc.,

Petitioner,

Respondent.

Type of alleged violation(s): Unlawful discharge to surface waters

Source of alleged violation(s): Construction project located at 1616 Cassat Avenue, Jacksonville, Florida

Date of alleged violation(s): On or before 2/10/16

Method of determining alleged violation(s): Field investigations

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

ND response to alleged violation(s): Cease and Desist Citation WP-16-06 issued 4/21/16

Respondent's corrective actions: Dewatering operations ceased

Consent Order settlement fee: \$6,400 [\$8,000 less 20% good faith efforts to cooperate]

Consent Order requirements: None

Previous/Other enforcement actions:

WP-15-38 issued 11/2/15 to Duval Ford, LLC and Vallencourt, Inc. for failure to comply with erosion and sediment control standards [all offsite impacts corrected]. \$100 penalty paid. Case closed.

NTCs LTJ50915 issued 9/18/15 to Duval Ford and Vallencourt, Inc. for failure to comply with erosion and sediment control standards. Referred to Enforcement.

Other properties for Erosion and Sediment Control:

Citation WP-03-20 issued 4/28/03 to Vallencourt Construction Company for unlawful discharge, exceedance of water quality standards and failure to comply with erosion and sediment control measures (Morse Avenue west of Jammes Road). \$10,800 penalties and attorneys' fees paid. Case closed.

NTC LTJ20715 issued 7/16/15 to Vallencourt, Inc. for failure to comply with erosion and sediment control standards (9069 San Jose Blvd.). Referred to Enforcement

NTC LTJ050314 issued 3/6/14 to Vallencourt Construction for failure to comply with erosion and sediment control standards (Old Middleburg Road south Taylor Field Road). Closed.

NTC RM032408A issued 3/31/08 to Vallencourt Construction for failure to comply with erosion and sediment control standards (Falcon Collins at Kendal West). Closed.

NTC A5201 issued 3/17/03 to Vallencourt Construction Co. for inadequate erosion and sediment controls (Gentle Woods Subdivision Morse). Closed.

Air Odor Noise Committee

Lucinda Sonnenberg, Ph.D. – Chair
Nick Howland
Amy Fu, P.E.
Mobeen Rathore, M.D.

Education & Public Outreach

Tony Bellamy, P.E.
Steven Jenkins
Lucinda Sonnenberg, Ph.D.
Michelle Tappouni



Water Committee

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

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

Recommendation from the EPB Education & Public Outreach Committee:

2016 EPB Environmental Awards

2016 Charles E. Bennett – Champion of the Environment Award

Barbara Goodman - Barbara's career in the national park system spanned 33 years, with the last 17 years serving as the superintendent of the 46,000 acre Timucuan Ecological & Historic Preserve where she demonstrated her passion and dedication to preserving and protecting one of Jacksonville's most pristine natural assets. With her leadership a tri-governmental partnership was formed which also included the Florida State Parks and the City of Jacksonville Preservation Parks. This model has become a blueprint throughout the country for other similar partnerships, and Barbara was the spokesperson for the national parks in leading this national effort. Even though Barbara has "retired" she is far from sitting idle. She currently serves on an international National Park Service committee where retired superintendents travel abroad to help other countries establish national parks and learn about best management practices within their national parks. She also chairs the Timucuan Parks Foundation, the support organization for the parks and is very active with other member organizations.

2016 Christi P. Veleta Environmental Award

Lucy Cortese - For four decades Lucy has actively demonstrated a commitment to protecting and enhancing environmental quality in our community. She organized the Westside Citizens for Environmental Controls whose activism prompted the City of Jacksonville to begin odor and air quality testing, monitoring of odor and air regulations, and set up a complaint line for air pollution. As Tree Hill Nature Center's first paid Executive Director, for over 20 years she reached out to thousands of students, teachers and visitors from Duval County and surrounding areas. She has developed environmental education curricula to supplement science district and state objectives. Her lasting gift to the community is the Annual Butterfly Festival which is now in its 15th year.

2016 EPB Environmental Achievement Awards

EPB-DCPS Environmental Champion Award

Brent Sawdy – Lake Shore Middle School (approved at May 2016 meeting) - Brent has participated in the Green Champions program for the past two years. In his brief time period, he has led what has already become one of the top programs. Under his leadership, Lakeshore was a Bronze awardee their first year and achieved Platinum level this year. His program was so impressive that DCPS created a new award, Most Improved. He has provided exceptional leadership in securing the support and activation of students, faculty and parents at Lakeshore. His group of students, 6th graders, created and maintain a club website and two social media accounts where they share pictures of their efforts and "memes" that are earth friendly and advocate sustainable living. Many aspects of the recycling and energy and water saving efforts have been fully incorporated into the school and have changed the behavior of the faculty and students.

Government/Institutional

Naval Air Station Jacksonville (NAS JAX) - In June of 2016, Naval Air Station Jacksonville (NAS Jax) completed one of its largest construction projects in decades: the complete reconstruction of the main runway of Towers Field, from which military aircraft have been flying since 1940. The last major rebuild of the runway was in 1967. This \$52 million project took a full year to complete, having started in summer 2015. This megaproject, and the commitment to sustainable operations it represents, showcases the NAS Jax philosophy and practice of conducting its military mission in ways that reduce energy use, reduce the use of fossil fuels, protect the environment, and do more with less through innovation and progressive thinking.

North Florida Clean Fuels Coalition - In 2016 the North Florida Clean Fuels Coalition, hosted by the North Florida TPO, was designated as an official Clean Cities Coalition by the U.S. Department of Energy. Over the past year they funded 25 EV charging stations, two public access CNG stations, CNG conversion for government fleets, and LNG conversion for FEC locomotives. Through strategic investments and educational events, the North Florida Clean Fuels Coalition is making our region the alternative energy hub of the Southeast.

Community/Civic

Greenstate Environmental Club - The Sandalwood High School GreenState Environmental Club consists of 267 students who provided over 4000 documented service hours. They focus on community outreach centered on the environment. The club serves many purposes, including fostering environmental awareness throughout Jacksonville through activities such as beach-clean ups and direct action.

Business

Florida Blue - Florida Blue is committed to positive contributions to our communities in a culturally, socially and environmentally responsible manner. Their approach to social responsibility involves every business area in the company and is framed by four components measuring: community impact, employee engagement, reputation and sustainability. As related to sustainability, ambitious company-wide goals target reductions in energy consumption, water usage and waste to landfill. Recent initiatives spearheaded to maintain a healthy environment include: Lighting changes to lower energy use bulbs such as LED lights, building HVAC automation programs, Chiller Plant Replacement, the use of reclaimed water for irrigation and numerous recycling programs which diverts more than 80 percent of all waste generated to recycling streams instead of landfills. They also deploy a number of new and creative ways to reduce their impact on the environment such as the use of a specially trained canine to minimize the goose population on the main campus, grass eating Carp to control aquatic vegetation, to help reduce the number of employees that drive to work, they encourage and support telecommuting and work-from-home opportunities and the Deerwood Corporate Campus in Jacksonville has recently opted to install a solids-based chemical control system for their condensing water system. This system is replaces a liquids-based system and significantly reduces the amount of spillable liquid hazardous material inventory maintained on the campus.