

ENFORCEMENT UPDATE

December 4, 2018

ENVIRONMENTAL QUALITY DIVISION

AIR COMMITTEE UPDATE - AIR/ODOR (AP-) AND NOISE (NP-)

CITATION CASES

	<u>ALLEGED VIOLATOR</u>	<u>ALLEGED VIOLATION</u>	<u>CITATION NO.</u>	<u>STATUS</u>	<u>NOTES</u>
1.	TAYLOR MADE FIBERGLASS, INC.; SOUTHERN FIBERGLASS, INC.	OPERATING AN AIR POLLUTION SOURCE WITHOUT A PERMIT	AP-18-10	CASE CLOSED	CONSENT ORDER APPROVAED AT NOV. JEPB. MTG. PENALTY DUE 12/13/18. PENALTY PAID. CASE CLOSED.
2.	FRZ, LLC DBA PRESSING AGENDA [0310463], FORMER AG PERMIT TO JLSH, INC.	OPERATING AN AIR POLLUTION SOURCE WITHOUT A PERMIT; FAILURE TO REGISTER FOR AIR GENERAL PERMIT	AP-18-03	PENALTY DUE 10/10/18	CONSENT ORDER APPROVED AT SEPT. JEPB MTG. PENALTY DUE 10/10/18. EQD FOLLOW-UP REGARDING PAYMENT 10/17/18. EQD FOLLOW-UP 11/26/18.

WATER COMMITTEE UPDATE - WATER (WP-), GROUNDWATER (GW-) AND HAZMAT (HM-)

CITATION CASES

	<u>ALLEGED VIOLATOR</u>	<u>ALLEGED VIOLATION</u>	<u>CITATION NO.</u>	<u>STATUS</u>	<u>NOTES</u>
1.	JEA [PARK ST., SAN JOSE BLVD., GAY AVE.]	UNLAWFUL DISCHARGE OF SEDIMENT AND/OR TURBID WATER; FAILURE TO COMPLY WITH EROSION AND SEDIMENT CONTROL STANDARDS	WP-18-CP1	COMPLIANCE PLAN PENALTY DUE 9/30/19	CONSENT ORDER APPROVED AT SEPT. JEPB MTG. SEP PROPOSAL OR PENALTY DUE BY 9/30/19.
2.	JAX AVALON, LLC [7557 ARLINGTON EXPY]	REPAIR/MODIFY SYSTEM TO DESIGN STANDARDS	VCP	COMPLIANCE PLAN COMPLETE WORK BY 6/30/19	CONSENT ORDER WITH COMPLIANCE PLAN WITH NEW OWNER APPROVED AT SEPT. JEPB MTG. ALL WORK TO BE COMPLETE BY 6/30/19. STATUS REPORT RECV'D 10/15/18, 11/15/18..
3.	IPR SOUTHEAST, LLC; [BARKWOOD DR. AT RIDGEPINE DR.]	UNLAWFUL DISCHARGE TO STORMWATERS; FAILURE TO COMPLY WITH EROSION AND SEDIMENT CONTROL STANDARDS	WP-18-65	CASE CLOSED	CONSENT ORDER APPROVED AT NOV. JEPB MTG. PENALTY DUE 12/13/18. PENALTY PAID. CASE CLOSED.

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4.	BH SARAHS, LLC; AMERICAN CLASSIC HOMES, LLC [1205 SARAHS LANDING, ET AL]	UNLAWFUL DISCHARGE OF SEDIMENT AND TURBID WATER TO STORMWATER; FAILURE TO COMPLY WITH EROSION AND SEDIMENT CONTROL STANDARDS	WP-18-60	CONSENT ORDER 10/3/18	CONSENT ORDER READY FOR APPROVAL AT DEC. JEPB MTG.
5.	JAX ESPERANZA, LLC DBA LA ESPERANZA APARTMENTS [3800 UNIVERSITY BLVD. S.]	UNLAWFUL DISCHARGE OF WASTEWATER; FAILURE TO MAINTAIN SYSTEM; UNLAWFUL BYPASS OF TREATMENT FACILITY	WP-18-45	CONSENT ORDER 11/26/18	CONSENT ORDER READY FOR APPROVAL AT DEC. JEPB MTG.
6.	IM500, LLC; THE CONLAN COMPANY; PATTILLO INDUSTRIAL REAL ESTATE [5560 IMESON RD]	UNLAWFUL DISCHARGE OF OTHER WASTEWATER OR MATERIALS TO STORMWATERS AND SURFACE WATERS; FAILURE TO COMPLY WITH EROSION AND SEDIMENT CONTROL STANDARDS	WP-18-43	PENALTY DUE 12/13/18	CONSENT ORDER APPROVED AT NOV. JEPB MTG. PENALTY DUE 12/13/18.
7.	KB HOME JACKSONVILLE, LLC; PETTICOAT SCHMITT CIVIL CONTRACTORS, INC. [O HOOD RD.]	UNLAWFUL DISCHARGE TO STORMWATERS AND SURFACE WATERS; FAILURE TO COMPLY WITH EROSION AND SEDIMENT CONTROL STANDARDS	WP-18-40	CONSENT ORDER 11/16/18	CONSENT ORDER READY FOR APROVAL AT DEC. JEPB MTG.
8.	HOOSE HOMES & INVESTMENTS, LLC; AMERICAN CLASSIC HOMES, LLC [O HARE AVE]	UNLAWFUL DISCHARGE TO STORMWATERS; FAILURE TO COMPLY WITH EROSION AND SEDIMENT CONTROL STANDARDS	WP-18-39	PENALTY DUE 12/13/18	CONSENT ORDER APPROVED AT NOV. JEPB MTG. PENALTY DUE 12/13/18.
9.	IM6282, LLC; ARCO DESIGN/BUILD, INC.; PATTILLO INDUSTRIAL REAL ESTATE [O IMESON RD.]	UNLAWFUL DISCHARGE OF OTHER WASTEWATER OR MATERIALS TO STORMWATERS AND SURFACE WATERS; FAILURE TO COMPLY WITH EROSION AND SEDIMENT CONTROL STANDARDS	WP-18-36	PENALTY DUE 12/13/18	CONSENT ORDER APPROVED AT NOV. JEPB MTG. PENALTY DUE 12/13/18.
10.	DUVAL INVESTMENT GROUP, LLC; W. GARDNER, LLC [12118 DUVAL RD]	UNLAWFUL DISCHARGE TO STORMWATERS; FAILURE TO COMPLY WITH EROSION AND SEDIMENT CONTROL MEASURES	WP-18-29	CONSENT ORDER 11/21/18	CONSENT ORDER READY FOR APPROVAL AT DEC. JEPB MTG.

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11.	COMMONS ON ANNISTON, LLC C/O STRATEGIC DIVERSIFIED REAL ESTATE HOLDINGS, LLC, ITS MANAGER [NEW OWNER 12/17]	UNLAWFUL DISCHARGE; FAILURE TO MAINTAIN SYSTEM; BYPASS OF TREATMENT FACILITY; FAILURE TO COMPLY WITH DESIGN STANDARDS	WP-18-15	COMPLIANCE PLAN Report/Permit 3/31/19 Urgent Repairs 4/30/19 Pay or SEP 10/31/19 All complete 11/12/23 Monthly Status Report due 12/15/18 then quarterly as of 4/15/19	CONSENT ORDER WITH COMPLIANCE PLAN APPROVED AT NOV. JEPB MTG. FINAL DEADLINE 11/12/13.
12.	AQUA DEERWOOD, LLC D/B/A ARIUM DEERWOOD	UNLAWFUL DISCHARGE; FAILURE TO MAINTAIN; BYPASS OF TREATMENT FACILITY; FAILURE TO COMPLY DESIGN STANDARDS; FAILURE TO NOTIFY EQD	WP-18-03	PENALTY DUE 11/7/18	CONSENT ORDER READY FOR APPROVAL AT OCT. JEPB MTG. CONSENT ORDER APPROVED AT OCT. JEPB MTG. PENALTY DUE 11/7/18. SECONDARY CORRECTIVE ACTIONS BY ENGINEER COMPLETED AND EQD ABEYANCE OF CONSENT ORDER RESOLUTION REMOVED 11/29/18. PENALTY NOW DUE.
13.	PARADISE VILLAGE LIMITED, LTD	UNLAWFUL DISCHARGE OF WASTEWATER; FAILURE TO MAINTAIN COLLECTION LINES; UNLAWFUL BYPASS OF TREATMENT FACILITY	WP-17-47	CONSENT ORDER REPORT DUE 4/15/19 DEP REQ. APPROVAL DUE 3/30/2020	CONSENT ORDER APPROVED AT NOV. JEPB MTG. PENALTY DUE 12/13/18. PENALTY PAID. DEP REQUEST FOR APPROVAL DUE 3/30/20.
14.	WEN SOUTH, LLC; KFC U.S. PROPERTIES, INC.; KENTUCY FRIED CHICKEN OF JACKSONVILLE, INC.; NORTH FLORIDA FOODS, L.L.C.; LRIC JACKSONVILLE L.P.; FERRIGNO PROPERTY 2, LLC [UNIVERSITY AND POWERS]	UNLAWFUL DISCHARGE OF WASTEWATER; FAILURE TO MAINTAIN COLLECTION LINES; UNLAWFUL BYPASS OF TREATMENT FACILITY; FAILURE TO NOTIFY EQD	WP-17-45	CONSENT ORDER 11/13/18	CONSENT ORDER READY FOR APPROVAL AT DEC. JEPB MTG.
15.	PROPERTY MANAGEMENT SUPPORT, INC. AS TRUSTEE FOR ST. JOHNS VILLAGE LAND TRUST	UNLAWFUL DISCHARGE OF WASTEWATER; FAILURE TO MAINTAIN COLLECTION LINES; UNLAWFUL BYPASS OF TREATMENT FACILITY; FAILURE TO COMPLY WITH SEWERAGE DESIGN STANDARDS	WP-17-42	PENALTY PAID DEP REQUEST FOR APPROVAL DUE 11/30/18	CONSENT ORDER READY FOR APPROVAL AT OCT. JEPB MTG. CONSENT ORDER APPROVED AT OCT. JEPB MTG. PENALTY DUE 11/7/18. PENALTY PAID. WAITING ON DEP REQUEST FOR APPROVAL.

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16.	FORT FRANCIS, LLC D/B/A ROYAL ESTATES APARTMENTS	UNLAWFUL DISCHARGE; FAILURE MAINTAIN; ILLICIT CONNECTION TO MS4; EXCEEDANCE OF WATER QUALITY STANDARDS; FAILURE COMPLY WITH DESIGN STANDARDS; FAILURE TO POST SIGN; FAILURE TO NOTIFY	WP-14-01	COMPLIANCE PLAN 6/30/19	CONSENT ORDER APPROVED AT FEB. JEPB MTG. COMPLIANCE PLAN COMPLETE BY 7/14/17. MODIFICATION APPROVED AT JUNE JEPB MEETING. REQUEST FOR APPROVAL FINAL DEADLINE IS 11/17/17. EQD NOTIFIED BY CONTRACTOR THAT SECOND UNDERGROUND UTILITY BACKED OUT OF PROJECT. EQD FOLLOW-UP WITH MCCD AND OWNER RE NEWS ARTICLES 7/24/17. UPDATE RECV'D 7/26/17. STATUS REPORTS RECV'D 8/22/17 AND 8/28/17. UPDATE RECV'D 10/5/17 AND 10/18/17. 10/31/17 UPDATE ADVISED THAT PROJECT WILL NOT BE COMPLETED BY DEADLINE. RESPONDENT TO PROVIDE INFORMATION AT NOV. JEPB MTG. MODIFICATION APPROVED 11-13-17. DEADLINE 1-12-18. PROVIDE UPDATE AT 1-8-18 JEPB MTG. STATUS REPORT RECV'D 11/29/17. EQD FOLLOW-UP 12-15-17. THIRD CONSENT ORDER MODIFICATION APPROVED 1/8/18 WITH MILESTONES AND FINAL DEADLINE OF 6/30/18. UPDATE RECV'D 1/12/18. RESPONDENTS REQUEST FOR FURTHER MODIFICATION SCHEDULED FOR MAY JEPB MTG. 4 TH CONSENT ORDER MODIFICATION APPROVED AT 5/14/18 JEPB MTG. – FINAL DEADLINE 6/30/19. OCT. 2018 STATUS REPORT RECV'D.
17.	CITY OF JACKSONVILLE / DEPARTMENT OF PUBLIC WORKS (UNIVERSITY POINT STORMWATER POND)	FAILURE TO COMPLY WITH EROSION AND SEDIMENT CONTROL STANDARDS; EXCEEDANCE OF WATER QUALITY STANDARDS	WP-03-04 [SEE ALSO WP-03-06]	COMPLIANCE PLAN [LAWSUIT VS. ACE CONSTRUCTORS]	CONSENT ORDER WITH COMPLIANCE PLAN APPROVED AT SEPT. 2013 JEPB MTG. PENALTY DUE 10/09/13. PENALTY PAID. TRACKING COMPLIANCE PLAN REQUIREMENTS. JAN. QUARTERLY REPORT RECEIVED. APRIL QUARTERLY REPORT RECEIVED. JULY QUARTERLY REPORT RECV'D. EQD PROVIDED INFORMATION TO PUBLIC WORKS 8/26/14. OCTOBER 2014 QUARTERLY REPORT RECEIVED. SJRWMD RAI RECV'D 1/20/15. SJRWMD SUGGESTED MODIFICATIONS TO REMEDIATION PLAN UNDER REVIEW. EQD LTR. TO SJRWMD SEEKING CLARIFICATION ON REMEDIATION REQUIREMENTS SENT 5/24/16. MTG. WITH SJRWMD HELD 6/8/16. SITE VISIT WITH SJRWMD, PW AND EQD TO BE SCHEDULED. SJRWMD REVISED REMEDIATION SUGGESTION UNDER REVIEW BY CITY. SJRWMD DISCUSSIONS REOPENED.

OFFICE OF GENERAL COUNSEL

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1.	PRESERVE AT ST. NICHOLAS INVESTMENT LLC; THE PRESERVE AT ST. NICHOLAS CONDOMINIUM ASSOCIATION, INC.; FIRSTRESIDENTIAL, INC.	UNLAWFUL DISCHARGE; FAILURE TO MAINTAIN WWCTS; MODIFICATION OF WWCTS WITHOUT PERMIT; FAILURE TO COMPLY DESIGN STANDARDS; FAILURE TO NOTIFY EQD AND SUBMIT DOCUMENTATION	WP-15-10	LAWSUIT	CONSENT ORDER APPROVED AT JULY JEPB MTG. PENALTY DUE 8/10/16. PERMIT APPLICATION DELIVERED TO JEA 7/20/16. PENALTY PAID. STATUS REPORT RECEIVED 8/12/16. STATUS REPORT RECV'D 9/19/16. WWCTS PERMIT APPLICATION SUBMITTED TO EQD AND UNDER REVIEW. COMPLIANCE PLAN COMPLETION DUE 11/30/16. STATUS REPORT RECV'D 11/15/16. WORK COMPLETE – ENGINEER CERTIFICATIONS AND REQUEST FOR APPROVAL PACKAGE IN PROCESS. REQUEST FOR APPROVAL ACCEPTED 1/30/17. SEP COMPLETE, INVOICE PAYMENT IN INSTALLMENTS. EQD WILL MONITOR UNTIL PAID IN FULL. VIOLATIONS AT THE PROPERTY IN OCT. 2017. ENGINEER TO REVIEW PREVIOUSLY COMPLETED WORK AT PROPERTY. CEASE AND DESIST CITATION ISSUED FOR NEW VIOLATIONS. COMPLAINT FOR INJUNCTIVE RELIEF FILED BY OGC 12/20/17. COURT APPOINTED RECEIVER FOR PROPERTY 6/15/18. RECEIVER WORKING ON COMPLETING CORRECTIVE ACTIONS.

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2.	MAYPORT PARTNERS 2, LLC; JEFF KLOTZ; AMERICAN MANAGEMENT GROUP OF NORTH FLORIDA, LLC	FAILURE TO MAINTAIN; FAILURE TO COMPLY WITH DESIGN STANDARDS; FAILURE TO PROVIDE OPERATOR, PERFORM REQUIRED MAINTENANCE AND MAINTAIN LOG	WP-13-25	COMPLIANCE PLAN	<p>CONSENT ORDER APPROVED AT JAN. 2016 JEPB MTG. PENALTY DUE 2/10/16. DISCUSSED POSSIBILITY OF DISSOLVING CONSENT ORDER AT FEB JEPB MTG. RESPONDENT'S ENGINEER CONDUCTING INVESTIGATION OF ALL OLD COLLECTION SYSTEM LINES SINCE LIFT STATION WILL NOT BE REPLACED. WQB REVIEWING SCOPE OF WORK FOR PERMIT DETERMINATION. MODIFICATION OF JEPB CONSENT ORDER WITH COMPLIANCE PLAN WILL BE REQUESTED WHEN REVIEW COMPLETE. INABILITY TO PAY ANALYSIS REQUESTED. MODIFICATION TO CONSENT ORDER WITH COMPLIANCE PLAN APPROVED AT APRIL JEPB MTG. PENALTY DUE 5/11/16. PENALTY PAID. WORK TO BE COMPLETED BY 7/31/16. EQD FOLLOW-UP WITH ENGINEER 5/25/16 RE PERMITTING. PARTIES MAY REQUEST MODIFICATION AT JULY JEPB MTG. DUE TO DELAYS IN PROCESSING PERMIT THROUGH CITY OF ATLANTIC BEACH FOR UTILITY APPROVAL. MODIFICATION APPROVED, DEADLINE FOR COMPLETION 9/15/16. MODIFICATION REQUEST MADE BY RESPONDENTS AT SEPT. 12 MTG. EQD AND RESPONDENT WORKING ON A MODIFIED COMPLIANCE PLAN. EQD'S PROPOSED MODIFICATION BASED UPON RESPONDENT'S PRESENTATION AT SEPTEMBER 12 JEPB MTG. AND SUPPLEMENTAL INFORMATION WAS APPROVED AT NOV. JEPB MTG: EITHER MAINTAIN OCCUPANCY BY 3 REMAINING TENANTS THEN ABANDON LIFT STATION WHEN LAST TENANT VACATES OR BUILD PERMITTED LIFT STATION AND CONTINUE LEASING SPACE TO NEW TENANTS. MONTHLY MAINTENANCE REPORTS TO BE SUBMITTED TO EQD. REPORT RECV'D 11/30/16. REPORT RECV'D 12/30/16. REPORT RECEIVED 1/31/17. OPERATING ON 1 PUMP. MAYPORT REQUESTS EXTENSION OF TIME AS THEY ARE WORKING WITH POSSIBLE NEW TENANT THAT WILL REQUIRE LIFT STATION MODIFICATIONS TO BE COMPLETED. NOTICE OF FINE LETTER FOR NONCOMPLIANCE WITH BOARD ORDER ISSUED 3/28/17. RESPONDENTS REQUEST TO APPEAL THE NOTICE OF FINE REFERRED TO OGC. NOTICE OF IMPOSITION OF CIVIL FINE RESCINDED. OGC TO PROCEED PETITION FOR ENFORCEMENT OF CONSENT ORDER WITH COMPLIANCE PLAN. STATUS REPORT FOR PERMITTED MODIFICATIONS RECV'D 6/13/17. REPAIRS COMPLETED. DEP REQUEST FOR APPROVAL TO BE SUBMITTED. CONTACTED BY OWNER REGARDING DEVELOPMENT PLANS AT PROPERTY. EQD ATTEMPTING TO OBTAIN MORE INFORMATION.</p>
3.	WHITE, OMAR NAIM	FAILURE OF AN OWNER OF A SEPTIC TANK SYSTEM TO CONNECT TO REGIONAL S EWERAGE	WP-10-99	CONSENT ORDER UNPAID	<p>OGC COMPLAINT FILED 6/15/11 – CASE 2011-CA-4704. PLUMBING PERMIT FOR SEWER CONNECTION PASSED 7/25/11. DCHD ABANDONMENT PERMIT ISSUED 7/25/11 AND APPROVED 10/4/11. CONSENT ORDER APPROVED AT DEC. 2011 JEPB MTG. PENALTY DUE 1/11/12. EQD NONPAYMENT LTR. SENT 2/10/12. NO PAYMENT RECEIVED AS OF 3/14/12. OGC TO FILE SEC. 120.69 PETITION TO ENFORCE. OGC OVERSIGHT LTR. SENT 4/25/12. RESPONDENT REQUESTED PAYMENT PLAN. FINANCIAL DOCUMENTS NOT RECEIVED BY EQD AS OF 3/18/14. CASE 2011-CA-4704 REMAINS OPEN. <u>PROPERTY DEEDED TO NEW OWNER 10/31/13.</u> COURT'S NOTICE OF PROPOSED DISMISSAL FOR LACK OF PROSECUTION FILED 9/24/14 – HEARING 12/8/14. NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE FILED 10/2/14. COURT CASE CLOSED. CONSENT ORDER PENALTY REMAINS UNPAID.</p>
4.	SHOUP, SANDRA C. AND JAMES A.	FAILURE OF AN OWNER OF A SEPTIC TANK SYSTEM TO CONNECT TO REGIONAL SEWERAGE	WP-10-73	CONSENT ORDER UNPAID	<p>CONSENT ORDER APPROVED AT MARCH 2011 JEPB MTG. PENALTY DUE 4/13/11. EQD FOLLOW-UP LTR. SENT 5/5/11. NO PAYMENT AS OF 5/31/11. REFERRED TO OGC 6/2/11 FOR OVERSIGHT LTR. OGC OVERSIGHT LTR. SENT 6/21/11.</p>

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5. CARR, ROBERT AND JOYCE	FAILURE OF AN OWNER OF A SEPTIC TANK SYSTEM TO CONNECT TO REGIONAL SEWERAGE	WP-10-36	CONSENT ORDER UNPAID	CONSENT ORDER APPROVED AT OCT. 2010 JEPB MTG. PENALTY PAYMENT SCHEDULE, 3 PAYMENTS DUE 10/30/10, 11/30/10, 12/30/10. NO PENALTY PAYMENTS MADE. REFERRED TO OGC 1/7/11 FOR OVERSIGHT LTR. OGC OVERSIGHT LTR. SENT 4/19/11. OGC TO PROCEED WITH COMPLAINT. NEW DEED RECORDED 4/16/11. EQD REVIEWED DRAFT PETITION TO ENFORCE 6/30/11. POST DEFERRAL PLUMBING PERMIT FOR SEWER CONNECTION FINALIZED 5/23/11. CONSENT ORDER PENALTY REMAINS UNPAID.

ABBREVIATIONS

AQB = AIR QUALITY BRANCH, EQD
DCHD = DUVAL COUNTY HEALTH DEPARTMENT
DEPT. = REGULATORY COMPLIANCE DEPARTMENT
DS = DEVELOPMENT SERVICES
EQD = ENVIRONMENTAL QUALITY DIVISION
EMS = ENVIRONMENTAL MANAGEMENT SYSTEM
EPA - ENVIRONMENTAL PROTECTION AGENCY
HSD = HOUSING SERVICES DIVISION, FORMERLY JACKSONVILLE HOUSING COMM.
JHC = JACKSONVILLE HOUSING COMMISSION, NOW HOUSING SERVICES DIVISION
NOx = NITROGEN OXIDES

OGC = OFFICE OF GENERAL COUNSEL
PM = PARTICULATE MATTER
SEP = SUPPLEMENTAL ENVIRONMENTAL PROJECT
SJRWMD = ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
TOC = TOTAL ORGANIC COMPOUNDS
UTIP = UTILITY TAP-IN PROGRAM
VE = VISIBLE EMISSIONS
VOC = VOLATILE ORGANIC COMPOUNDS
WQB = WATER QUALITY BRANCH, EQD
WWCTS = WASTEWATER COLLECTION/TRANSMISSION SYSTEM

IRRIGATION / FERTILIZER TICKET SUMMARY TO DATE:

TOTAL IRRIG./FERT. WARNING TICKETS ISSUED	141
TOTAL IRRIG./FERT. \$50 TICKETS ISSUED	7
TOTAL IRRIG./FERT. \$250 TICKETS ISSUED	0
HEAT PUMPS VERIFIED	252