

ENFORCEMENT UPDATE

July 5, 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.	RIVER CITY CREMATORY, INC. [0310618]; AFFORDABLE CREMATION SOLUTIONS, INC., PROPERTY OWNER	FAILURE TO CONDUCT INITIAL VE TESTING FOR AIR GENERAL PERMIT	AP-18-02	CONSENT ORDER 6/6/18	CONSENT ORDER READY FOR APPROVAL AT JULY JEPB MTG.

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.	CEDAR RIDGE HOLDINGS, LLC DBA CEDAR SPRINGS VILLAGE APARTMENTS [NIBLICK DR.]	UNLAWFUL DISCHARGE FROM GRAVITY LINE; FAILURE TO MAINTAIN WWCTS AS INTENDED	WP-18-30	CONSENT ORDER 6/8/18	CONSENT ORDER READY FOR APPROVAL AT JULY JEPB MTG.
2.	HARMONY FARMS OF JACKSONVILLE, LLC; JAX DIRTWORKS, INC.	UNLAWFUL DISCHARGE TO STORMWATER; FAILURE TO COMPLY WITH EROSION AND SEDIMENT CONTROL STANDARDS	WP-18-12	PENALTY DUE 7/11/18	CONSENT ORDER APPROVED AT JUNE JEPB MTG. PENALTY DUE 7/11/18.
3.	103 BLDG C, LLC	UNLAWFUL DISCHARGE; FAILURE TO MAINTAIN WWCTS; BYPASS OF TREATMENT FACILITY; FAILURE TO PROVIDE OPERATOR AND PERFORM REQUIRED MAINTENANCE; FAILURE TO NOTIFY EQD	WP-17-50	CASE CLOSED	CONSENT ORDER APPROVED AT JUNE JEPB MTG. PENALTY DUE 6/13/18. PENALTY PAID. CASE CLOSED.
5.	SAN JOSE ESTATES, LLC	UNLAWFUL DISCHARGE OF TURBID WATER TO STORMWATER; FAILURE TO COMPLY WITH EROSION AND SEDIMENT CONTROL STANDARDS	WP-17-22	PENALTY DUE 7/11/18	CONSENT ORDER APPROVED AT JUNE JEPB MTG. PENALTY DUE 7/11/18.

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5.	OAKS CONDOMINIUM I ASSOCIATION, INC. C/O INNOVATIVE MANAGEMENT SOLUTIONS OF JAX, INC.	UNLAWFUL DISCHARGE OF WASTEWATER; FAILURE TO MAINTAIN; BYPASS OF WWCTS AND TREATMENT FACILITY	WP-17-08	PENALTY DUE 4/13/18	CONSENT ORDER APPROVED AT MARCH JEPB MTG. PENALTY DUE 4/11/18. SEP COMPLETE 4/13/18. FINANCIAL UPDATE FROM CONDO MANAGEMENT REC'D 3/13/18. REQUESTED FURTHER REVIEW OF ABILITY TO PAY BASED ON FINANCIAL CHANGES IN FIRST QUARTER 2018. ADDITIONAL FINANCIAL RECORDS UNDER REVIEW.
6.	MARTIN, ERNEST T. JR. AND ERNEST B.; CIRCLE K STORES, INC.	UNLAWFUL DISCHARGE OF WASTEWATER; FAILURE TO MAINTAIN; BYPASS OF WWCTS AND TREATMENT FACILITY; FAILURE TO COMPLY WITH DESIGN STANDARDS; FAILURE TO NOTIFY EQD	WP-16-23	CONSENT ORDER 1/10/18	CONSENT ORDER READY FOR APPROVAL AT JULY JEPB MTG.
7.	DRAGADOS USA, INC.; PRINCE CONTRACTING, LLC [FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION I-295 PROJECT]	UNLAWFUL DISCHARGE TO SURFACE WATERS; EXCEEDANCE OF WATER QUALITY STANDARDS [ESC]	WP-15-26	COMPLIANCE PLAN REPORT DUE 7/5/18	CONSENT ORDER WITH COMPLIANCE PLAN APPROVED AT DECEMBER 2015 JEPB MTG. STATUS REPORTS DUE 1/3/16 AND EVERY QUARTER. STATUS REPORT RECEIVED 1/5/16. STATUS REPORT RECEIVED 4/5/16. STATUS REPORT REC'D 7/5/16. STATUS REPORT RECEIVED 10/5/16. EQD FOLLOW UP WITH CONTRACTOR POST HURRICANE. RAIN EVENT 12/6/16 MAY HAVE RESULTED IN VIOLATIONS. EQD CONFIRMATION THAT CP REPORT IS REQUIRED SENT 12/8/16. REQUIRED REPORT RECEIVED 12/13/16 – UNDER REVIEW. DOCUMENTATION CANNOT SUSTAIN VIOLATION AGAINST FDOT. OTHER CONSTRUCTION PROJECTS ONGOING AT THE TIME. STATUS REPORT REC'D 4/4/17. STATUS REPORT REC'D 7/5/17. STATUS REPORT REC'D 10/6/17. EQD EMAIL FOLLOW-UP 1/9/18 AND 1/18/18. STATUS REPORT REC'D. . EPA SEP POLICY EMAILED TO PRINCE 3/13/18. EQD NOTIFIED THAT CONTRACTORS WILL PAY PENALTY. EQD FOLLOW-UP WITH DEP AND SJRWMD 6/1/18 REGARDING ANY CORRECTIVE OR REMEDIAL ACTIONS TO DEEP BOTTOM CREEK.
8.	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 REC'D 7/26/17. STATUS REPORTS REC'D 8/22/17 AND 8/28/17. UPDATE REC'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 REC'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 REC'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.

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9.	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 RECVD. EQD PROVIDED INFORMATION TO PUBLIC WORKS 8/26/14. OCTOBER 2014 QUARTERLY REPORT RECEIVED. SJRWMD RAI RECVD 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

	<u>ALLEGED VIOLATOR</u>	<u>ALLEGED VIOLATION</u>	<u>CITATION NO.</u>	<u>STATUS</u>	<u>NOTES</u>
1.	PATMOS AD, LLC D/B/A NORTH FLORIDA WASTE MANAGEMENT; NORTH FLORIDA WASTE MANAGEMENT, LLC	TRASH/REFUSE SERVICE BETWEEN 10 PM AND 7 AM	NP-17-03	OGC 4/12/18	CONSENT ORDER APPROVED AT JAN. 2018 JEPB MTG. PENALTY DUE 2/7/18. EQD FOLLOWUP 3/1/18. REFERRED TO THE OFFICE OF GENERAL COUNSEL FOR NONPAYMENT. OGC OVERSIGHT LTR. ISSUED 4/12/18. FINAL NOTICE 7/3/18.
2.	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 RECVD 9/19/16. WWCTS PERMIT APPLICATION SUBMITTED TO EQD AND UNDER REVIEW. COMPLIANCE PLAN COMPLETION DUE 11/30/16. STATUS REPORT RECVD 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.

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3. 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>
4. 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>
5. 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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6. 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	135
TOTAL IRRIG./FERT. \$50 TICKETS ISSUED	7
TOTAL IRRIG./FERT. \$250 TICKETS ISSUED	0
HEAT PUMPS VERIFIED	257