

**Air Odor Noise Committee**

Roi Dagan, M.D. – Chair  
Michelle Tappouni  
David Wood  
Gabriel DuPree - Alt



**Water Committee**

Bobby L. Baker, P.E. – Chair  
Gabriel DuPree  
Amy Fu, P.E.  
David Wood – Alt

**Education & Public Outreach**

Michelle Tappouni - Chair  
Lucinda Sonnenberg, Ph.D.  
Nick Howland  
Bobby Baker, P.E.

**Lucinda Sonnenberg, Ph.D. – Chairman**  
**Amy Fu, P.E. – Vice Chairman**  
**Bobby L. Baker, P.E., Roi Dagan, M.D., Gabriel DuPree**  
**Nick Howland, Michelle Tappouni, David Wood**

**JEPB Monthly Meeting Notice and Agenda**

Monday, October 9, 2017

5:00 p.m. - Ed Ball Building

214 N. Hogan Street – Conference Room 5016

To participate via phone, please contact staff **prior to 3 pm**

Phone Number to Participate via Phone:

Dial 630-1211 -- or – (toll free) 1-800-299-9355 ext. 1211 - Enter the Password: 12345#

Enter the Password: 98765#

**BOARD MEETING AGENDA**

**CALL TO ORDER**

**DR. SONNENBERG**

**I. CHAIRMAN’S REMARKS**

**II. COMMENTS FROM THE PUBLIC**

*The public is invited to address the board at this time on general topics you might have. Please note that there will be a separate opportunity to speak before each action item. All those who wish to address the Board should complete a request to speak card and give it to the EPB staff. When making comments, please identify yourself, stating your full name and address. Comments should be addressed to the Board as a body and not to any member directly and will be limited to 3 minutes each.*

**III. APPROVAL OF MINUTES**

**(deferred to November Meeting)**

- September 11, 2017 EPB Monthly Meeting
- September 25, 2017 EPB Committee Meetings

**IV. CONSENT ORDERS**

**TREE KILBOURN**

(Air/Odor/Noise)

- **Republic Services of Florida, Limited Partnership d/b/a Southland Waste Systems of Jax (NP-17-02)** - 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 area [Dancy St., Ingleside Ave. Riverside Ave., St. Johns Ave., Oak St.] – **Proposed settlement fee - \$5,000**

(Water/Haz Mat)

- **Payne Roberts, LLC resolved by Jax Dirtworks, Inc. (WP-17-27)** - Unlawful discharge of sediment or other material; Failure to comply with erosion and sediment control standards – **Proposed settlement fee - \$960** [\$1,500 less 20% discount for good faith efforts to cooperate and 20% discount for unique circumstances]
- **Wiginton Corporation d/b/a Wiginton Fire Systems (WP-17-23)** -Emission of unconfined particulate matter; Unlawful discharge of other material to the ground and surrounding environment – **Proposed settlement fee - \$2,300**
- **PF Holdings, LLC for Roosevelt GA, LLC and PF Roosevelt, LLC (WP-17-11)** - Unlawful discharge of sewage or other untreated wastewater to stormwater; Failure to maintain the wastewater collection/transmission system so as to function as intended; Bypass of a wastewater treatment facility – **Proposed settlement fee - \$0** [\$8,000 less 20% discount for good faith efforts to cooperate and 100% mitigation for SEP of outstanding quality valued at \$6,804]

- **Alpha Packaging, Inc. (WP-17-04)** - Unlawful discharge of sewage or other untreated wastewater; Failure to maintain the wastewater collection/transmission system so as to function as intended; Bypass of a wastewater treatment facility; Failure to comply with sewerage design standards – **Proposed settlement fee - \$1,200** [*\$1,500 less 20% discount for good faith efforts to cooperate*]

## V. ENFORCEMENT REPORT

**TREE KILBOURN**

## VI. PUBLIC HEARING(s)

- none

## VII. PRESENTATION(s)

- COJ Recycling Program

**NICANOR PAPA**  
COJ – Solid Waste Division

## VIII. COMMISSION UPDATES

- Waterways Commission
- KJB Commission

## IX. EPB ADMINISTRATOR REPORT

**JAMES RICHARDSON**

## X. ENVIRONMENTAL QUALITY DIVISION REPORT

**MELISSA LONG**

## XI. OLD BUSINESS

- none

## XII. NEW BUSINESS

- Penalty Adjustments for Wastewater (discussion only)

**LONG / KILBOURN**

## XIII. ITEMS REFERRED TO COMMITTEES

## XIV. NEXT SCHEDULED BOARD MEETING(s)

- EPB Committees
  - I. Water Committee – October 23, 2017 at 4:30 pm
  - II. Air & Odor Committee – October 23, 2017 at 5:00 pm
  - III. Education & Public Outreach – October 23, 2017 at 5:30 pm
- EPB Steering Committee – TBD
- EPB monthly meeting – November 13, 2017 at 5:00 pm

## XV. ADJOURNMENT



ONE CITY. ONE JACKSONVILLE.

# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

Environmental Quality Division  
Ed Ball Building  
214 N. Hogan Street, 5<sup>th</sup> Floor  
Jacksonville, Florida 32202

## **MEMORANDUM**

September 26, 2017

**TO:** Jacksonville Environmental Protection Board Steering Committee

**THROUGH:** Stephanie Burch, Esq., Director  
Neighborhoods Department

Melissa M. Long, P.E., Chief  
Environmental Quality Division

**FROM:** Tree Kilbourn, Environmental Enforcement Officer  
Environmental Quality Division

**RE:** **AMENDED PROPOSED PRESENTATION TO JEPB – OCTOBER 9, 2017**  
**APPROVAL OF CONSENT ORDER SETTLEMENTS**

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### **Air/Noise**

**Republic Services of Florida, Limited Partnership d/b/a Southland Waste Systems of Jax (NP-17-02)**  
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 area [Dancy St., Ingleside Ave. Riverside Ave., St. Johns Ave., Oak St.]

### **Water**

**Payne Roberts, LLC resolved by Jax Dirtworks, Inc. (WP-17-27)**  
Unlawful discharge of sediment or other material; Failure to comply with erosion and sediment control standards

**Wiginton Corporation d/b/a Wiginton Fire Systems (WP-17-23)**  
Emission of unconfined particulate matter; Unlawful discharge of other material to the ground and surrounding environment

**PF Holdings, LLC for Roosevelt GA, LLC and PF Roosevelt, LLC (WP-17-11)**  
Unlawful discharge of sewage or other untreated wastewater to stormwater; Failure to maintain the wastewater collection/transmission system so as to function as intended; Bypass of a wastewater treatment facility

**Consent Orders to JEPB for**

**October 9, 2017**

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**Alpha Packaging, Inc. (WP-17-04)**

Unlawful discharge of sewage or other untreated wastewater; Failure to maintain the wastewater collection/transmission system so as to function as intended; Bypass of a wastewater treatment facility; Failure to comply with sewerage design standards

c: Ms. Stephanie Burch, Director  
Mr. Jason Teal, OGC  
Mr. Jeff Close, OGC  
Mr. James Richardson, Program Administrator, EPB  
EQD Branch Managers

**THE ENVIRONMENTAL PROTECTION BOARD  
CITY OF JACKSONVILLE, FLORIDA  
OCTOBER 9, 2017**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE  
NEIGHBORHOODS DEPARTMENT,**

**-vs-**

**Republic Services of Florida, Limited Partnership  
d/b/a Southland Waste Systems of Jax,**

**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 area [Dancy St., Ingleside Ave. Riverside Ave., St. Johns Ave., Oak St.]

Source of alleged violation(s):      Refuse service for 3585 St. Johns Avenue, behind 3611 St. Johns Avenue and adjacent to 3602 Riverside Avenue, Jacksonville, Florida

Date of alleged violation(s):      6/24/17 [6:40 a.m.]

Method of determining alleged violation(s):      Field Investigation

Rules allegedly violated:      JEPB Rule 4.211A

ND response to alleged violation(s):      Cease and Desist Citation NP-17-02 issued 7/5/17

Respondent's corrective actions:      Sign posted on dumpster for drivers not to pick up before 7:00 a.m.

Consent Order settlement fee:      **\$5,000**

Consent Order requirements:      None

Enforcement actions:      None for 3602 Riverside Avenue

**Communications for operation of a trash or refuse service between 10pm and 7am at 3602 Riverside Avenue:**

4/24/17 - Courtesy email to all waste haulers of complaint received for pickup at or near Riverside Avenue and Ingleside Avenue at 5:08 a.m.

3/13/17 - Courtesy email to all waste haulers of complaint received for pickup at or near Riverside Avenue and Ingleside Avenue at 5:15 a.m. and 6:15 a.m.

7/2/15 EQD dumpster violation procedure letter with penalty guidelines.

**Previous Enforcement Actions with Republic/Southland Waste for operation of a trash or refuse service between 10pm and 7am:**

**NP-16-02** issued 3/15/16 to Republic Services of Florida, LP dba Southland Waste Systems of Jax (St. Johns Town Center). Closed per OGC with new communications procedures established.

**NP-15-06** issued 10/23/15 to Republic Services of Florida, LP dba Southland Waste Systems of Jax and Duval County Public Schools (2250 Spring Park Rd). \$10,000 penalty paid (2 dumpsters at 2 different times). Case closed.

**NP-15-04** issued 5/18/15 to Republic Services of Florida, LP dba Southland Waste Systems of Jax, Five Points, LLC and Five Points Jax, LLC (11570 San Jose Blvd). \$3,000 penalty paid. Case closed.

**NP-15-03** issued 5/18/15 to Republic Services of Florida, LP dba Southland Waste Systems of Jax, Gibraltar Network, LLC, and Florida Network, LLC d/b/a Berkshire Hathaway Home Services (11576 San Jose Blvd). \$3,000 penalty paid. Case closed.

## Consent Order Memo

NP-17-02

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**NP-14-01** issued 1/14/14 to Republic Services of Florida, LP dba Southland Waste Systems of Jax and Property Management Support, Inc. as Trustee for Baymeadows Village Land Trust (9802 Baymeadows Rd). \$3,000 penalty paid. Case closed.

**NP-12-05** issued 10/17/12 to Republic Services of Florida, LP d/b/a Southland Waste Systems of Jax (12412 San Jose Blvd). \$2,400 penalty paid. Case closed.

**NP-08-05** issued 8/12/08 to Republic Services of Florida, LP d/b/a Southland Waste Systems of Jax (7445 103<sup>rd</sup> St). \$2,400 penalty paid. Case closed.

**NP-08-02** issued 3/31/08 to Republic Services of Florida, LP d/b/a Southland Waste Systems and d/b/a Southland Waste Systems of Jax (3620/3606 Blanding Blvd). \$1,200 penalty paid. Case closed.

**NP-07-07** issued 7/2/07 to Republic Services of Florida, LP d/b/a Southland Waste Systems and d/b/a Southland Waste Systems of Jax (2802 Parental Home Rd). \$1,500 penalty paid. Case closed.

**NP-06-06** issued 5/22/06 to Republic Services of Florida, LP d/b/a Southland Waste Systems (862 Baisden Rd). \$2,400 penalty paid. Case closed.

**NP-03-13** issued 6/26/03 to Southland Waste Systems, Inc. (3818 S. 3<sup>rd</sup> St). \$578 penalty paid. Case closed.

**NP-03-10** issued 6/25/03 to Southland Waste Systems, Inc. (1217 North Pearl St). \$578 penalty paid. Case closed.

**NP-03-08** issued 6/25/03 to Southland Waste Systems, Inc. (14440 Beach Blvd). \$579 penalty paid. Case closed.

**NP-02-01** issued 1/16/02 to Southland Waste Systems (10601 San Jose Blvd). Closed per OGC.

**NP-01-07** issued 4/10/01 to Southland Waste Systems (12575 San Jose Blvd). Closed per OGC.

### NTCs for Republic Services of Florida, LP d/b/a Southland Waste Systems :

3/4/16 to Republic Services of FL d/b/a Southland Waste Systems (4663 River City Dr). Referred to Enforcement.

3/4/16 to Republic Services (Forever XXI, 4663 River City Dr). Closed.

10/15/15 for 2250 Spring Park Road. Referred to Enforcement.

7/2/15 EQD dumpster violation procedure letter with penalty guidelines.

5/6/15 for 11570 San Jose Blvd. Referred to Enforcement.

5/6/15 for 11576 San Jose Blvd. Referred to Enforcement.

12/18/13 for 9802 Baymeadows Rd. Referred to Enforcement.

10/10/12 for 12412 San Jose Blvd. Referred to Enforcement.

8/11/10 for 12412 San Jose Blvd. Closed.

4/13/10 for 11576 San Jose Blvd. Closed.

3/31/10 for 11570 San Jose Blvd. Closed.

4/2/09 for 9735 St. Augustine Rd. Closed.

9/29/08 for 1620 Margaret St. Closed.

9/29/08 for 2033 Riverside Ave. Closed.

9/3/08 for 3646 Blanding Blvd. Closed.

7/15/08 for 7445 103rd St. Referred to Enforcement.

3/13/08 for 3606 Blanding Blvd. Referred to Enforcement.

3/13/08 for 6317 103rd St. Closed.

2/11/08 for 7445 103rd St. Referred to Enforcement.

1/31/08 for 4403 Roosevelt Blvd. Closed.

12/3/07 for 10261 River Marsh Dr. Closed.

10/4/07 for 3621 Park St. Closed.

7/30/07 for 3620 Blanding Blvd. Referred to Enforcement.

6/26/07 for 2802 Parental Home Rd. Referred to Enforcement.

6/19/07 for 1974 and 1986 San Marco Blvd. Closed.

6/19/07 for 2014 San Marco Blvd. Closed.

6/5/07 for 5613 San Jose Blvd. Closed.

5/18/07 for 10601 San Jose Blvd. Referred to Enforcement.

5/14/07 for 4619 Lakeside Dr. Closed.

5/12/07 for 2802 Parental Home Rd. Closed.

4/23/07 for 2250 Spring Park Road. Closed.

**Consent Order Memo**

**NP-17-02**

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NTCs for Southland Waste Systems/SWS:

5/14/07 for 4619 Lakeside Dr. Closed.  
5/12/07 for 2802 Parental Home Rd. Closed.  
4/27/07 for 5613 University Blvd. W. Closed.  
4/25/07 for 10601 San Jose Blvd. Closed.  
4/25/07 for 3199 Hartley Rd. Closed.  
4/6/07 for 6140 Merrill Rd. Closed.  
10/5/06 for 11524 San Jose Blvd. Closed.  
9/28/06 for 10920 Baymeadows Rd. Closed.  
5/12/06 for 862 Baisden Rd. Referred to Enforcement.  
1/3/06 for 862 Baisden Rd. Referred to Enforcement.  
1/12/04 for 3901 University Blvd. Closed.  
12/4/03 for 1950 and 1966 San Juan Ave. Closed.  
7/7/03 for 3551 St. Johns Ave. Closed.  
6/11/03 for 14440 Beach Blvd. Referred to Enforcement.  
6/9/03 for 3818 Third St. Referred to Enforcement.  
6/9/03 for 1217 Pearl St. Referred to Enforcement.  
5/21/03 for 5907 University Blvd. Closed.  
4/10/03 for 14474 Beach Blvd. Closed.  
4/10/03 for 14440 Beach Blvd. Closed.  
2/27/03 for 13160 Atlantic Blvd. Closed.  
2/21/03 for 3818 Third St. Closed.  
11/22/02 for 7950 Atlantic Blvd. Closed.  
11/21/02 for 7900 Atlantic Blvd. Closed.  
11/3/02 for 1347 Cassatt Ave. Closed.  
10/16/02 for 7404 Atlantic Blvd. Closed.  
8/21/02 for 4070 Herschel St. Closed.  
7/31/02 for 1217 North Pearl St. Closed.  
9/26/01 for 10601 San Jose Blvd. Referred to Enforcement.  
3/15/00 for 13245 Atlantic Blvd. Closed.  
2/8/00 for 3901 University Blvd. Closed.  
11/24/99 for 9965 San Jose Blvd. Closed.  
5/25/99 for 108 E. 27th St. Closed.  
5/7/99 for 1696 Hammond Blvd. Closed.  
9/28/98 for 1696 Hammond Blvd. Closed.  
8/4/98 for 5725 Spring Park Rd. Closed.  
6/8/98 for 1827 Stockton St. Closed.  
6/4/98 for 6400 Atlantic Blvd. Closed.  
11/6/97 for 4148 Herschel St. Closed.  
10/24/97 for 5084 Normandy Blvd. Closed.  
8/25/97 for 9855 Regency Square Blvd. Closed.  
2/18/97 for 10311 Atlantic Blvd. Closed.  
11/29/96 for 920 Margaret St. Closed.  
7/11/96 for 11524 San Jose Blvd. Closed.  
6/6/96 for 939 Cedar St. Closed.  
4/29/96 for 920 Margaret St. Closed.

THE ENVIRONMENTAL PROTECTION BOARD  
CITY OF JACKSONVILLE, FLORIDA  
OCTOBER 9, 2017

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE  
NEIGHBORHOODS DEPARTMENT,**

**-vs-**

**Jax Dirtworks, Inc.,**

**Petitioner,**

**Respondent.**

Type of alleged violation(s): Unlawful discharge of sediment or other material; Failure to comply with erosion and sediment control standards

Source of alleged violation(s): Construction project located at 2801 Myra Street, Real Estate Number 063004-0010, Jacksonville, FL

Date of alleged violation(s): On or before 6/19/17

Method of determining alleged violation(s): Field investigation

Rules allegedly violated: FS §403.161(1)(b); JEPB Rules 3.103B and 3.604

ND response to alleged violation(s): Cease and Desist Citation WP-17-27 issued 8/1/17

Respondent's corrective actions: Streets cleared and measures established

Consent Order settlement fee: **\$960** [\$1,500 less 20% discount for good faith efforts to cooperate and 20% discount for unique circumstances]

Consent Order requirements: None

Enforcement actions: None for Jax Dirtworks, Inc.

For Payne Roberts, LLC:

**Citation WP-16-21** issued 10/11/16 to American Classic Homes, LLC, the contractor, and Payne Robert, LLC the property owner (1516 Willow Branch Ave.), for unlawful discharge of sediment to the ground and surrounding environment and failure to comply with erosion and sediment control standards. \$240 penalty paid. Closed. NTCs issued 9/14/16 to American Classic Homes, LLC and Payne Roberts, LLC for failure to comply with erosion and sediment control standards. Referred to Enforcement.



THE ENVIRONMENTAL PROTECTION BOARD  
CITY OF JACKSONVILLE, FLORIDA  
OCTOBER 9, 2017

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE  
NEIGHBORHOODS DEPARTMENT,**

**-vs-**

**Wiginton Corporation d/b/a Wiginton Fire Systems,**

**Petitioner,**

**Respondent.**

Type of alleged violation(s): Emission of unconfined particulate matter; Unlawful discharge of other material to the ground and surrounding environment

Source of alleged violation(s): Commercial business located at 6363 Greenland Road, Jacksonville, Florida

Date of alleged violation(s): On or before 6/22/17

Method of determining alleged violation(s): Field investigation

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.103B and 2.1101 [which adopts and incorporates by reference FAC 62-296]

ND response to alleged violation(s): Cease and Desist Citation WP-17-23 issued 7/12/17

Respondent's corrective actions: Fire Extinguishers now discharged inside contained area.

Consent Order settlement fee: **\$2,300**

Consent Order requirements: None

Enforcement actions: None

**THE ENVIRONMENTAL PROTECTION BOARD  
CITY OF JACKSONVILLE, FLORIDA  
OCTOBER 9, 2017**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE  
NEIGHBORHOODS DEPARTMENT,**

**-vs-**

**PF Holdings, LLC for Roosevelt GA, LLC and  
PF Roosevelt, LLC,**

**Petitioner,**

**Respondent.**

Type of alleged violation(s): Unlawful discharge of sewage or other untreated wastewater to stormwater; Failure to maintain the wastewater collection/transmission system so as to function as intended; Bypass of a wastewater treatment facility

Source of alleged violation(s): Wastewater collection/transmission system located at the Roosevelt Gardens Apartments, 702 N. Lincoln Court, Jacksonville, Florida

Date of alleged violation(s): On or before 3/3/17 and continuing until at least 3/7/17

Method of determining alleged violation(s): Field investigation

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.103B, G. and I; 3.403A

ND response to alleged violation(s): Cease and Desist Citation WP-17-11 issued 5/2/17

Respondent's corrective actions: Damaged pipe replaced

Consent Order settlement fee: \$0 [\$8,000 less 20% discount for good faith efforts to cooperate and 100% mitigation for SEP of outstanding quality valued at \$6,804]

Consent Order requirements: Replace 6 to 8 feet each of terra cotta and iron ductile drainage pipe per building discharge line with 10 clean out caps at the property by no later than 11/22/17

Enforcement actions: None

**THE ENVIRONMENTAL PROTECTION BOARD  
CITY OF JACKSONVILLE, FLORIDA  
OCTOBER 9, 2017**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE  
NEIGHBORHOODS DEPARTMENT,**

**-vs-**

**Alpha Packaging, Inc.,**

**Petitioner,**

**Respondent.**

Type of alleged violation(s): Unlawful discharge of sewage or other untreated wastewater; Failure to maintain the wastewater collection/transmission system so as to function as intended; Bypass of a wastewater treatment facility; Failure to comply with sewerage design standards

Source of alleged violation(s): Wastewater collection/transmission system with lift station located at 1550 Ellis Road North, Jacksonville, Florida

Date of alleged violation(s): On or before 1/13/17

Method of determining alleged violation(s): Field investigations

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.103B, G. and I; 3.403 and 3.404

ND response to alleged violation(s): Cease and Desist Citation WP-17-04 issued 2/10/17

Respondent's corrective actions: Repair and modification of existing system permitted on 8/23/17.

Consent Order settlement fee: **\$1,200** [\$1,500 less 20% discount for good faith efforts to cooperate]

Consent Order requirements: Work completed and DEP Request for Approval to be submitted to EQD no later than 1/31/18

Enforcement actions:

**Citation WP-07-02** issued 5/15/07 to United – 1550 N. Ellis Road, L.L.C. and Diversified Construction Services, LLC for failure to comply with erosion and sediment control standards, unlawful discharge, and exceedance of water quality standards. \$7,800 penalty and \$1,000 not paid or completed. Closed per OGC 5/11/09 as uncollectible for liens and judgments on the project.

NTCs issued 4/24/07 to United – 1550 N. Ellis, L.L.C. for failure to comply with erosion and sediment control standards, unlawful discharge, and exceedance of water quality standards. Referred to Enforcement.