**JEPB Monthly Meeting Agenda – HYBRID Meeting**

**Tuesday, February 16, 2021**

Physical Location:

5:00 p.m. - Ed Ball Building

214 N. Hogan Street – Conference Room 110

Meeting Access via ZOOM:

**By Computer -** Join Zoom Meeting <https://zoom.us/j/97620565701> **By Phone -** One tap mobile +13126266799, 94710509102# US (Chicago) or +16465588656,, 94710509102# US (New York)

**BOARD MEETING AGENDA**

CALL TO ORDER **DAVID WOOD**

INTRODUCTIONS

I. CHAIRMAN’S REMARKS

II. COMMENTS FROM THE PUBLIC

III. APPROVAL OF MINUTES

* Minutes of January 19, 2021 Monthly Meeting

IV. CONSENT ORDERS **MELISSA LONG**

Air/Noise

* **none**

Water

* + **Shellie Road Investors, LLC (WP-19-16) -** Unlawful discharge to wetlands; Failure to comply with erosion and sediment control standards

Respondent’s corrective actions: Ultimately sufficient BMPs installed and

maintained

**Consent Order settlement fee: $20,075**

*1/9/19 Failure to comply with erosion and sediment control standards with sediment and turbid water off-site impacts to wetlands*

*Major potential harm and major extent of deviation $8,000*

*2/22/19 Failure to comply with erosion and sediment control standards with corrective actions in progress - some measures added but not yet sufficient to protect wetlands from off-site impacts*

*5% of assessed penalty for additional violation $400*

*4/3/19 Failure to comply with erosion and sediment control standards with sediment and turbid water off-site impacts to wetlands*

*Major potential harm and major extent of deviation $8,000*

*5/14/19 Failure to comply with erosion and sediment control standards with sediment and turbid water off-site impacts to wetlands with some improved measures (to DEP manual expectations), but not in all areas*

*Moderate potential harm and major extent of deviation $3,500*

*7/15/19 Failure to comply with erosion and sediment control standards corrective actions with improved measures but insufficient maintenance of performance measures to protect against off-site impacts*

*5% of assessed penalty for additional violation $175*

**Consent Order requirements: None**

* + **Circle K Stores, Inc. (WP-19-44) -** Failure to maintain the wastewater collection/transmission system to function as intended; Bypass of wastewater treatment facility; Failure to notify EQD of a discharge of wastewater and provide required records

Respondent’s corrective actions: Engineer reviewed System, submitted report and recommended repairs completed

**Consent Order settlement fee: $4,800 [$6,000 less 20% discount for good faith efforts to cooperate]**

*3/13/2019 Unlawful discharge of untreated wastewater to stormwater by overland flow with failure to notify EQD and provide required records*

*Major potential harm and moderate extent of deviation*

**Consent Order requirements: None**

* + **CLDB Land II, LLC, Burnham Construction, Inc., and Grimes Utilities, Inc. (WP-20-34) -** Unlawful discharge of turbid water to stormwater (MS4); Failure to comply with erosion and sediment control standards

Respondent’s corrective actions: Improved BMPs installed

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

*9/1/2020 Unlawful discharge from the Project of non-stormwater (sediment) and turbid water by overland flow with some BMPs but insufficient sediment track-out and turbid protection to MS4*

*Moderate potential for harm and moderate extent of deviation*

**Consent Order requirements**: Within 14 days of the effective date: Perform BMP Assessment

Within 21 days of the effective date: Submit BMP Assessment to EQD

Within 28 days of the effective date: Implement BMP Assessment

Immediately upon the effective date: Monitor, sample, notify EQD and report to EQD until Final Stabilization

* + **HP-BDG 200 Riverside, LLC and Brasfield & Gorrie, L.L.C. (WP-20-39) -** Unlawful discharge of turbid water to stormwater (MS4); Failure to comply with erosion and sediment control requirements

Respondent’s corrective actions: Improved BMPs installed

**Consent Order settlement fee: $3,500**

*10/30/2020 Unlawful discharge from the Project of debris and sediment to the MS4*

*Some measures but insufficient to prevent discharge (MS4 drains directly to St. Johns River)*

*Moderate potential for harm and major extent of deviation*

**Consent Order requirements**: Within 14 days of the effective date: Perform BMP Assessment

Within 21 days of the effective date: Submit BMP Assessment to EQD

Within 28 days of the effective date: Implement BMP Assessment

Immediately upon the effective date: Monitor, sample, notify EQD and report to EQD until Final Stabilization

* + **Suntree Community, LLC, formerly known as Treehouse Acquisitions 2 LLC (WP-20-42) -** Unlawful discharge of untreated wastewater to the ground and surrounding environment; Failure to maintain wastewater collection/transmission system with lift station to function as intended; Unlawful bypass of system or treatment facility; Failure to notify EQD of discharge and provide required records

Respondent’s corrective actions: Unknown

**Consent Order settlement fee: $4,900**

*10/21/2020 Unlawful discharge of untreated wastewater to ground and surrounding environment in public access areas, bypass of the system’s treatment facility, and failure to notify EQD, not likely to reach surface waters*

*Major potential harm and minor extent of deviation*

**Consent Order requirements**: Initial Engineer Report: Within 120 days of the effective date

DEP Permit application (if required): Within 60 days of notification by EQD

Final Engineer Report: Deadline set by EQD after review of report

Monthly Status Report: Beginning 2/15/2021 with maintenance records

* + **Hillwood Development Company, LLC,W. Gardner, LLC, Smith Trucking Company, Inc., and The Conlan Company (WP-20-52) -** Unlawful discharge of non-stormwater and turbid water to stormwater (MS4); Failure to comply with erosion and sediment control requirements

Respondent’s corrective actions: Actions taken to improve BMPs

**Consent Order settlement fee: $8,000**

*12/2/2020 Unlawful discharge from the Project of non-stormwater (sediment) and turbid water to MS4 with no BMPs at stormwater with water quality standard for turbidity <29 NTUs above background*

*Sample in the MS4 at the point of discharge from the Project Site- 550 Nephelometric Turbidity Units (NTUs) and Sample upstream of the Project had a background turbidity reading of 4.0 NTUs. [Exceedance > 70%]*

*Major potential for harm and Major extent of deviation*

**Consent Order requirements**: Within 14 days of the effective date: Perform BMP Assessment

Within 21 days of the effective date: Submit BMP Assessment to EQD

Within 28 days of the effective date: Implement BMP Assessment

Immediately upon the effective date: Monitor, sample, notify EQD and report to EQD until Final Stabilization

* + **7915 Baymeadows Circle Owner LLC -** Unlawful discharge of untreated wastewater to ground and surrounding environment; Failure to maintain gravity wastewater collection/transmission system to function as intended; Unlawful bypass of system or treatment facility

Respondent’s corrective actions: Line repaired, and all lines jettied.

**Consent Order settlement fee**: **$3,920** *[$4,900 less 20% discount for good faith efforts to cooperate*

*7/21/2020 Direct unlawful discharge of untreated wastewater with public health risk but not reaching stormwater or surface water*

*Major potential harm and minor extent of deviation*

**Consent Order requirements: None**

* + **Ryan’s Pond Homeowners Association, Inc. and Pipeline Contractors, Inc. -** Unlawful discharge of non-stormwater and turbid water to stormwater (MS4); Failure to comply with erosion and sediment control standards

Respondent’s corrective actions: Improved BMPs installed.

**Consent Order settlement fee**: **$8,000**

*12/9/2020 Insufficient BMPs resulting in unlawful discharge of turbid water to MS4*

*Sample at point of discharge from the Project Site to the pond turbidity reading of 91,200 Nephelometric Turbidity Units (NTUs)*

*Samples at: Point of discharge from the pond to the MS4, turbidity of 1500 NTUs, upstream of the Project Site, background turbidity of 8.1 NTUs, upstream from the MS4 point of discharge, background turbidity of 26 NTUs – an Exceedance > 70% of standard of <29 NTUs above natural background*

*Major potential for harm and Major extent of deviation*

**Consent Order requirements:** Within 14 days of the effective date: Perform BMP Assessment

Within 21 days of the effective date:

Submit BMP Assessment to EQD

Within 28 days of the effective date: Implement BMP Assessment

Immediately upon the effective date: Monitor, sample, notify EQD and report to EQD until Final Stabilization

V. ENFORCEMENT REPORT **MELISSA LONG**

**Compliance Plan modification(s):**

* + - **JEA (Compliance Plan WP-CP-1) -** Modification request due to inability to complete SEP due to COVID-19

Respondent’s corrective actions: In all cases JEA took immediate corrective actions to stop violations, complete remediation and return to full compliance

Consent Order settlement fee: ~~$0 with 100% SEP mitigation of $14,000 assessed penalty~~ $9,900

Consent Order requirements: ~~Propose SEP for possible modification of Consent Order or pay penalty no later than 9/30/19~~

~~Quarterly reports on SEP development beginning 10/10/18~~

~~Modification to Consider SEP Proposal for education/training program~~

Development of program and conducting training class cost $4,100.

Modification is requesting that JEA be allowed to pay remaining penalty of $9,900 in lieu of completing SEP training presentations due to JEA COVID-19 protocols prohibiting in person meeting/trainings for foreseeable future.

VI. PRESENTATION(s)

VII. PUBLIC HEARING(s)

VIII. COMMISSION & JEPB COMMITTEE UPDATES & REPORTS

* Waterways Commission **ADAM HOYLES**
* KJB Commission **CALEENA SHIRLEY**
* JEPB Water Committee **MELISSA LONG**
* JEPB Air Committee **MELISSA LONG**
* JEPB Education & Outreach Committee **DAVID WOOD**

IX. [EPB ADMINISTRATOR REPORT](file:///\\itdfleprd03\Common\EPB\Minutes\2021%20EPB%20Minutes\EPB%20Admin%20Reports\Feb%202021%20JEPB%20Admin%20Report.docx)(click link for report) **JAMES RICHARDSON**

X. ENVIRONMENTAL QUALITY DIVISION REPORT **MELISSA LONG**

XI. OLD BUSINESS

* Election of Vice-Chair

XII. NEW BUSINESS

* + [Resolution of Support for Regeneration Park](file:///\\itdfleprd03\Common\EPB\Environmental%20Protection%20Fund\2021%20Funding%20Requests\DSWCB%20-%20Regeneration%20Park\Package%20-%20Regeneration%20Park%20Resolution.pdf) (click link) **RICHARDSON**
  + Establishment of Ad-hoc EPO Committee – INFO Only

XIII. ITEMS REFERRED TO COMMITTEES

XIV. NEXT SCHEDULED BOARD MEETING(s)

* JEPB Committees
  + Air Committee – Monday, February 22, 2021 at 4:30 pm
* JEPB Steering Committee – Monday, March 8, 2021 at 4:00 pm
* JEPB monthly meeting – Monday, March 15, 2021 at 5:00 pm

XV. ADJOURNMENT