**JEPB Monthly Meeting Agenda**

**Monday, July 18, 2022**

Physical Location:

5:00 p.m. - Ed Ball Building

214 N. Hogan Street – Conference Room 110

**BOARD MEETING AGENDA**

CALL TO ORDER **DAVID WOOD**

I. CHAIRMAN’S REMARKS

II. COMMENTS FROM THE PUBLIC

III. APPROVAL OF MINUTES

* Minutes of May 16, 2022, Monthly Meeting

IV. CONSENT ORDERS  **TREE KILBOURN**

**Air/Noise**

* **Symrise Inc. (AP-22-07) -** Objectionable Odors

Respondent’s corrective actions:

* Leaks fixed

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

*5 persons from 5 separate households*

*5-9 persons $2,000 - $2,999*

*4 days x factor of 2.5*

*$2,000 x 2.5 - $5,000 total assessed penalty*

Consent Order requirements: None

* **BCEL 8B, LLC and Armour Construction, LLC (AP-22-06) -** Failure to comply with asbestos NESHAP requirements for demolition or renovation

Respondent’s corrective actions:

* Demolition without notice and not in compliance cannot now be corrected

Consent Order settlement fee: **$6,000**

*No notice and no documentation of demonstrating compliance with NESHAP*

*1st Violation - $6,000*

Consent Order requirements: None

**Water**

* **SNL One Inc (WP-22-23) -** Unpermitted Discharge of untreated wastewater to the ground, surrounding environment and MS4; Failure to operate and maintain the System to remain operational, to function as intended, and to provide uninterrupted transmission of wastewater; Allowing wastewater to bypass the System or its Treatment Facility; Failure to comply with Wastewater Collection/Transmission System design standards; Failure to notify EQD of Discharge from the System and provide required records

*Respondent’s corrective actions:*

* *Operator completed emergency repairs*

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

*Major Potential for Harm Discharge of wastewater to MS4 with Wastewater Collection/Transmission System noncompliant design elements or equipment out of service*

*Major Extent of Deviation Discharge to MS4 with water quality exceedance documented with sampling results of 70% above standard*

*Consent Order requirements:*

* + - * *Engineer Report: No later than August 31, 2022 [Project deadlines based on EQD accepted Engineer Report]*
      * *DEP Permit application (if required): Within 60 days of notification by EQD*
      * *Final Engineer Report: November 30, 2022 or by deadline set by EQD after review of Engineer Report and/or DEP permit issuance*
      * *Monthly Status Report and Monthly Maintenance Records: Beginning June 30, 2022*
      * *Stipulated penalties for noncompliance with deadlines and requirements*
* **Levanzo Partners, LLC (WP-22-20) -** Unlawful discharge of untreated wastewater to the ground and surrounding environment; Failure to maintain the System to function as intended and provide uninterrupted service; Unlawful bypass of the System or treatment facility; Failure to comply with wastewater collection/ transmission system design standards; Failure to notify EQD of discharge and provide required records

*Respondent’s corrective actions:*

* *Emergency repairs completed and engineer hired to review system*

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

*Major Potential for Harm: Discharge of wastewater to ground and surrounding environment with Wastewater Collection/Transmission System noncompliant design elements or equipment out of service*

*Minor Extent of Deviation: Discharge to surrounding environment but no sampling evidencing overland flow to wetland or surface water*

*Consent Order requirements:*

* + - * *Engineer Report: No later than September 30, 2022 [Project deadlines based on EQD accepted Engineer Report]*
      * *DEP Permit application (if required): Within 60 days of notification by EQD*
      * *Complete work and Final Engineer Report: November 30, 2022 or by deadline set by EQD after review of Engineer Report and/or DEP permit issuance*
      * *Monthly Status Report and Monthly Maintenance Records: Beginning* June 30, 2022
      * Stipulated penalties for noncompliance with deadlines and requirements
* **Cannae, LLC, Corner Lot Development Group, LLC and Pipeline Contractors, Inc. (WP-22-15) -** Unlawful discharge of non-stormwater and turbid water to City separate stormwater sewer system (“MS4”); Failure to comply with erosion and sediment control requirements

Respondent’s corrective actions:

* Initial BMP Assessment performed and BMPs improved

Consent Order settlement fee: **$1,500**

*3/10/2022 Insufficient BMPs/failure to maintain BMPs resulting in unlawful discharge of non-stormwater and turbid water from the Project to MS4*

*Samples in the MS4 at the point of discharge = 60 NTUs;*

*Background sample upstream in the MS4 = 12 NTUs; Sample in*

*the north MS4 draining under Trout Blvd. to south MS4 = 5.9*

*NTUs*

*Allowed = 41 NTUs and Discharge = 60 NTUs*

*Potential for Harm Moderate: Discharge of nonstormwater or turbid discharge to MS4*

*Extent of Deviation Minor: Direct discharge to MS4 with sampling results of 46% above standard (less than 130%)*

Consent Order requirements:

* *Immediately upon the effective date: Monitor, sample, notify EQD and report to EQD until Final Stabilization*
* *Within 14 days of the effective date: Perform/Revise BMP Assessment*
* *Within 21 days of the effective date: Submit BMP Assessment to EQD*
* *Within 28 days of the effective date: Implement BMP Assessment*
* **Westside Creekwood Owner, LLC (Modification of Consent Order WP-17-49)**

*Modified Consent Order requirements:*

* *Engineer Report of System pump station: No later than August 21, 2022. Project deadlines based on EQD accepted Engineer Report*
* *DEP Permit application for modifications at Pump Station (if required): Within 60 days of notification by EQD*
* *Complete work and Final Engineer Report for Pump Station: No later than January 31, 2023 or by deadline set by EQD after review of Engineer Report and/or DEP permit issuance*
* *DEP Notification Of Completion Of Construction for Permit 0011224-884-DWC for collection lines and manholes: No later than July 22, 2024*
* *Monthly Status Report and Monthly Maintenance Records: Beginning June 30, 2022*
* *Stipulated penalties for noncompliance with deadlines and requirements*

V. ENFORCEMENT REPORT **TREE KILBOURN**

VI. PRESENTATION(s)

* None

VII. PUBLIC HEARING(s)

• None

VIII. OLD BUSINESS

* None

IX. NEW BUSINESS

* + None

X. COMMISSION & JEPB COMMITTEE UPDATES & REPORTS

* Waterways Commission **ADAM HOYLES**
* KJB Commission **JAMES RICHARDSON**
* JEPB Water Committee **TERRY CARR**
* JEPB Air Committee **MICHAEL WILLIAMS**

XI. EPB ADMINISTRATOR REPORT  **JAMES RICHARDSON**

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

XIII. ITEMS REFERRED TO COMMITTEES

XIV. NEXT SCHEDULED BOARD MEETING(s)

* JEPB Committees

Water Committee – TBD

Air Committee - TBD

* JEPB Steering Committee – August 8, 2022, at 4:00 pm
* JEPB Monthly Meeting – August 15, 2022, at 5:00 pm

XV. ADJOURNMENT