**JEPB Monthly Meeting Agenda**

**Monday, November 21, 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 October 24, 2022, Monthly Meeting

IV. CONSENT ORDERS  **TREE KILBOURN**

**Air**

None

**Water**

* **Richmond American Homes of Florida, LP and Pipeline Constructors, Inc. *[WP-22-45 at 5555 and 0 Radio Ln.] -*** Discharge of non-stormwater to MS4; Failure to comply with erosion and sediment control requirements

Respondent’s corrective actions:

Engineer reviewing SWPPP

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

*Penalty Calculation: Allowed = 44 NTUs Discharge at P.O.D. to MS4 = 260 NTUs*

*Moderate Potential for Harm: Discharge of non-stormwater or turbid discharge to MS4 with some BMPs but not sufficient or noncompliant installation/maintenance*

*Major Extent of Deviation: Sampling results of greater than 170% over standard*

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
* **Richmond American Homes of Florida, LP *[WP-22-47 at Red Timber Road et al.] -*** Discharge of non-stormwater to MS4; Failure to comply with erosion and sediment control requirements

Respondent’s corrective actions:

Some BMPs improved

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

*Moderate Potential for Harm: Discharge of non-stormwater to MS4 with some BMPs but not sufficient or noncompliant installation/maintenance*

*Minor Extent of Deviation: Discharge of non-stormwater to MS4*

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
* **Granite Country Roads, LLC *[WP-22-48 at 6537 Townsend Rd.] -*** Discharge of untreated wastewater to the ground, surrounding environment and Waters; Failure to operate and maintain the System to remain operational and to provide uninterrupted transmission of wastewater; Allowing stormwater to enter into a sewer designed to carry 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:

Engineer hired to review System

Consent Order settlement fee: **$****8,300,** **EQD reserves potential for penalty mitigation pursuant to guidelines**

*9/7/2022 Discharge of untreated wastewater to the ground, surrounding environment and Waters with a bypass allowing intrusion of stormwater into wastewater, and failure to operate and maintain the System to provide uninterrupted transmission of wastewater*

*Major Potential for Harm: Discharge due to equipment out of service (non-transmission) and other noncompliance with design standards*

*Moderate Extent of Deviation: Indirect Discharge to Waters by overland flow*

*$6,000*

*9/7/2022 Failure to notify EQD of Discharge from the System and provide required records (inability to determine compliance with operation, maintenance and recordkeeping requirements)*

*Moderate Potential for Harm: Moderate: All other JEPB Rule 3 requirements*

*Moderate Extent of Deviation: Moderate: All other JEPB Rule 3 requirements*

*$2,300*

Consent Order requirements:

* + - Complete Engineer: No later than 12/31/2022: Project deadlines based on EQD accepted Report
    - DEP Permit application (if required): Within 60 days of notification by EQD
    - Complete work and Final Report: 3/30/2023 or by deadline set by EQD after review of Engineer Report and/or DEP permit issuance
    - Monthly Maintenance Records and Status Report: Beginning 10/31/2022
* **Millennia Jacksonville FL TC, LP *[WP-22-49 at 1214 Labelle St.] -*** Discharge of untreated wastewater to the ground and surrounding environment; Failure to operate and maintain the System to remain operational, to function as intended, and to provide uninterrupted transmission of wastewater; Allowing stormwater to enter into a sewer designed to carry wastewater; Allowing wastewater to bypass the System or its Treatment Facility; Failure to comply with Wastewater Collection/Transmission System design standards; Failure to perform required maintenance at the System and/or have required records; Failure to notify EQD of Discharge from the System and provide required records

Respondent’s corrective actions:

Engineer hired to review System

Consent Order settlement fee: **$10,300, EQD reserves potential for penalty mitigation pursuant to guidelines**

*9/16/2022 Discharge of untreated wastewater to the ground, surrounding environment, draining to MS4 with a bypass allowing intrusion of stormwater into wastewater, and failure to operate and maintain the System to provide uninterrupted transmission of wastewater (pump station running on generator, root intrusion in manhole/collection line)*

*Major Potential for Harm: Discharge due to equipment out of service (non-transmission) and other noncompliance with design standards*

*Major Extent of Deviation: Discharge to MS4 across paved areas*

*$8,000*

*9/16/2022 Failure to notify EQD of Discharge from the System and provide required records with failure to have an operator maintaining Pump Station (inability to determine compliance with operation, maintenance and recordkeeping requirements)*

*Moderate Potential for Harm: All other JEPB Rule 3 requirements*

*Moderate Extent of Deviation: All other JEPB Rule 3 requirements*

*$2,300*

Consent Order requirements:

* Complete Engineer Report: No later than 12/31/2022: Project deadlines based on EQD accepted Report
* DEP Permit application (if required): Within 60 days of notification by EQD
* Complete work and Final Report: 4/30/2023 or by deadline set by EQD after review of Engineer Report and/or DEP permit issuance
* Monthly Maintenance Records and Status Report: Beginning 10/31/2022
* **Aireit Commonwealth Logistics Center, LLC, Inlight Real Estate Acquisitions, LLC and Dana B. Kenyon Company *[WP-22-50 at 0 Imeson Rd.] -*** Discharge of non-stormwater to City Municipal Separate Storm Sewer System (“MS4”) and wetlands draining to Waters; Failure to comply with erosion and sediment control requirements

Respondent’s corrective actions:

Initial BMP Assessment received

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

*9/14/2022* *Insufficient installation or maintenance of BMPs at the Project, resulting in direct turbid Discharge to wetlands draining to Waters and MS4:*

*a. Sample at the point of discharge from the Project to the wetlands = 3400 NTUs*

*b. Sample in unimpacted wetlands in the watershed = 2.8 NTUs*

*c. Sample at the point of discharge from the Project to the MS4 = 2000 NTUs.*

*d. Sample taken in the MS4 across the street from the Project = 4.6 NTUs.*

*e. The state surface water quality standard for turbidity is <29 NTUs above natural background conditions.*

*Wetlands Allowed = 31.8NTUs Discharge at P.O.D. to wetlands = 3400 NTUs*

*MS4 Allowed = 33.6 NTUs Discharge at P.O.D. to MS4 – 2000 NTUs*

*Major Potential for Harm; Direct Discharge of turbid water to wetlands draining to Waters with no turbidity protection at the wetlands and also to MS4 (Page 41 of DEP manual states black silt fence does not protect against turbidity)*

*Major Extent of Deviation: Sampling results of greater than 170% over standard*

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

V. ENFORCEMENT REPORT **TREE KILBOURN**

VI. PRESENTATION(s)

* None

VII. PUBLIC HEARING(s)

* + None

VIII. OLD BUSINESS

* + Possible Retreat
  + Education & Public Outreach

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 – December 5, 2022, at 4:00 pm
* JEPB Monthly Meeting – December 12, 2022, at 5:00 pm

XV. ADJOURNMENT