**JEPB Monthly Meeting Agenda**

**Monday, October 24, 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 August 15, 2022, Monthly Meeting

IV. CONSENT ORDERS  **TREE KILBOURN**

**Air**

None

**Water**

* **TIMGMT Acquisitions LLC, Dream Finders Homes LLC, and Jax Underground Utilities, Inc. [WP-22-44 at 7268 Exline Rd.] -** Discharge of non-stormwater to MS4; Failure to comply with erosion and sediment control requirements

Respondent’s corrective actions:

Working with Engineer to revise SWPPP

Consent Order settlement fee: **$5,300**

8/5/2022 $0 – NTC issued 8/5/2022, Moderate Potential for Harm, Minor Extent of Deviation

Discharge of non-stormwater to streets and MS4

8/12/2022 $1,500, Moderate Potential for Harm, Minor Extent of Deviation

Discharge of non-stormwater to streets and MS4

8/15/2022 $1,500, Moderate Potential for harm, Minor Extent of Deviation

Discharge of non-stormwater to streets and MS4

8/3/2022 through 8/15/2022 $2,300, Moderate Potential for Harm and Moderate Extent of Deviation

Repeat noncompliance of 3.604 after NTC issued 8/5/2022 (all other JEPB Rules)

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
* **102 A Philip Randolph Blvd Ground Owner, LLC, Jacksonville Properties I, LLC and Rise Residential, LLC - [*WP-22-42 at 128 A Philip Randolph] -*** Discharge of non-stormwater to MS4; Failure to comply with erosion and sediment control requirements

Respondent’s corrective actions:

Engineer revising SWPPP

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

Penalty Calculation: Allowed = 33.8 NTUs Discharge at P.O.D. to MS4 = 1200 NTUs

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

Extent of Deviation Major: Sampling results of greater than 3,500 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
* **Millennia Jacksonville FL TC, LP - [WP-22-41 at 1650 Moncrief Village St. N.] -** Discharge; Failure to operate and maintain the System to remain operational; Bypass the System or its Treatment Facility; Failure to notify EQD and provide required records

Respondent’s corrective action:

Emergency actions to stop discharge and committed to hiring engineer

Consent Order settlement fee: **$8,000, EQD reserves potential for penalty mitigation pursuant to guidelines**

Discharge of untreated wastewater to the ground, surrounding environment and private stormwater 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

Potential for Harm Major: Discharge due to equipment out of service (non-transmission)

Extent of Deviation Major: Discharge to MS4 across paved areas and through hard infrastructure

Consent Order requirements:

* Complete Engineer Report: No later than 10/31/2022: 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: 2/28/2023 or by deadline set by EQD after review of Engineer Report and/or DEP permit issuance
* Monthly Status Report: Beginning 9/30/2022
* **Pulte Home Company, LLC, PulteGroup, Inc. and Jax Dirtworks, Inc. - [WP-22-35 at 5694 Morse Ave.] -** 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 69 NTUs Discharge at P.O.D. in Water = 120 NTUs

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

Extent of Deviation Major: Discharge of non-stormwater and turbid water to MS4 170% above 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
* **Imeson Industrial Park Land, LLC, Dana B. Kenyon Company and Vallencourt Construction Co., Inc. - [WP-22-32 at 6040 and 0 Imeson Rd.] -** Discharge of non-stormwater to City municipal separate storm sewer system (“MS4”); Failure to comply with erosion and sediment control requirements

Respondent’s corrective actions:

Engineer revising SWPPP

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

Penalty Calculation: Allowed 69 NTUs South-to-North Discharge at P.O.D. to MS4 = 3750 NTUs

Allowed 56 NTUs North-to-South Discharge at P.O.D. to MS4 = 2900 NTUs

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

Extent of Deviation Major: Discharge of non-stormwater to MS4 in exceedance of 170% of 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
* **Catalina Residences TIC I, LLC, Catalina Residences TIC II, LLC and Catalina Residences TIC III, LLC - [WP-22-19 at 1033 Bert Rd.] -** Discharge; Failure to operate and maintain the System to remain operational; Bypass of the System or its Treatment Facility; Failure to notify EQD of discharge and submit required records

Respondent’s corrective actions:

Engineer hired to review System

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

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

Extent of Deviation Minor: Discharge to environment with little possibility of reaching MS4, surface water, wetland or groundwater

Consent Order requirements:

* Complete Engineer Report: No later than 11/30/2022: 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: 3/1/2023 or by deadline set by EQD after review of Engineer Report and/or DEP permit issuance
* Monthly Status Report and Monthly Maintenance Records: Beginning 6/30/2022
* **Lennar Homes, LLC** - **[WP-22-40 at 0 Armsdale Rd.] -** 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: **$3,800**

7/19/2022 $1,500

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

Extent of Deviation Minor: Discharge of non-stormwater and turbid water to Waters 30% to 69% above standard

7/21/2022 $2,300 Allowed 41 NTUs Sampled 60 NTUs in Waters

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

Extent of Deviation Moderate: Discharge of non-stormwater and turbid water to Waters 30% to 69% above 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
* **JJTA13 Real Properties LLC** *[WP-22-43 at 6253 and 6259 Wilson Blvd.] -* Discharge; Failure to operate and maintain the System to remain operational; Bypass the System or its Treatment Facility; Failure to notify EQD of Discharge and provide required records

Respondent’s corrective actions:

Discharge stopped, otherwise unknown

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

8/31/2022 Discharge, $6,000

Potential for Harm Major - Discharge due to equipment out of service (non-transmission)

8/31/2022 Failure to notify EQD of Discharge from the System and provide required records, $2,300

Potential for Harm Moderate: All other JEPB Rule 3 requirements

Extent of Deviation Moderate: All other JEPB Rule 3 requirements

*\*Will be resolved with cases referred to OGC*

Consent Order requirements:

* Complete Engineer/Plumber Report: No later than 11/15/2022: Project deadlines based on EQD accepted Report
* DEP Permit application (if required): Within 60 days of notification by EQD
* Complete work and Final Report: 2/28/2022 or by deadline set by EQD after review of Engineer Report and/or DEP permit issuance
* Monthly Status Report: Beginning 9/30/2022
* **Car Spa Atlantic Blvd. (Jacksonville) Operating Company, L.L.C.** *[WP-22-38 at 9715 Atlantic Blvd.] -* Discharge; Failure to operate and maintain the System to remain operational; Bypass the System or its Treatment Facility; Failure to notify EQD of Discharge and provide required records

Respondent’s corrective action:

Engineer hired to review system

Consent Order settlement fee: **$8,000**, EQD reserves potential for penalty mitigation pursuant to guidelines

9/7/2022 Discharge of untreated wastewater and non-stormwater to the ground, surrounding environment and MS4, with a failure to comply with Design Standards, a bypass allowing intrusion of stormwater into wastewater, and failure to operate and maintain the System to provide uninterrupted transmission of wastewater

Potential for Harm Major: Discharge due to equipment out of service (noncompliant and unpermitted single pump system) and other noncompliance with design standards

Extent of Deviation Major: Design/Permit greater than 1 year with direct Discharge to MS4

Consent Order requirements:

* Complete Engineer Report: No later than 12/30/2022: 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: 5/31/2023 or by deadline set by EQD after review of Engineer Report and/or DEP permit issuance
* Monthly Status Report: Beginning 10/31/2022

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 – November 14, 2022, at 4:00 pm
* JEPB Monthly Meeting – November 21, 2022, at 5:00 pm

XV. ADJOURNMENT