**JEPB Monthly Meeting Agenda**

**Monday, November 15, 2021**

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 September 20, 2021, Monthly Meeting

IV. CONSENT ORDERS  **TREE KILBOURN**

**Air/Noise**

* **Keystone Properties, L.L.C. (AP-21-16) -** Failure to provide 10-day advance notice to Permitting Authority before accepting or offloading materials not listed in permit Specific Condition (fertilizer) in December 2020 and March 2021

Respondent’s corrective actions: Committed to providing required notice and records

Consent Order settlement fee: **$1,800**

*Minor source failure to submit required records greater than 30 days*

*Minor Potential for Harm, Major Extent of Deviation*

*$900 x 2*

Consent Order requirements: None

* **Ring Power Corporation d/b/a Phoenix Products (AP-21-17) -** Use of noncompliant coatings in EU 002 August 2020 to July 2021

Respondent’s corrective actions: New thinner used to thin coating, reducing VOC to compliance

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

*Minor source subject to RACT for NA pollutant exceeding VOC between 115% and 150% [4.025-5.25]*

*Moderate Potential for Harm, Moderate Extent of Deviation*

Consent Order requirements: None

**Water**

* **Waters Ridge, LLC (WP-21-26) -** Unlawful discharge of untreated wastewater to the ground, surrounding environment and City municipal separate stormwater sewer system (“MS4”); Failure to maintain wastewater collection/transmission system to function as intended; Unlawful bypass of system or treatment facility; Failure to comply with sewerage design standards; Failure to perform required maintenance and/or keep required records; Failure to notify EQD of discharge and provide required records

Respondent’s corrective actions: Engineer hired and recommended actions completed

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

*4/14/2021 Design and maintenance concerns documented and Notices to Correct issued April 16, 2021, prior to documented discharge*

*5/18/2021 Failure to maintain System at the Property which resulted in a direct unlawful discharge of untreated wastewater to the ground, surrounding environment, and by overland flow to MS4*

*Major potential for harm and moderate extent of deviation*

Consent Order requirements: Monthly Maintenance Records: Beginning

9/30/2021 through 1/31/2022

* **Pelican Pointe Gardens, LP and Four/Four Corporation cross reference Four/Four Corporation of Delaware, Inc. (WP-21-44) -** Unlawful discharge of untreated wastewater to the ground, surrounding environment and stormwater; Failure to maintain wastewater collection/transmission system to function as intended; Unlawful bypass of system or treatment facility; Failure to comply with sewerage design standards; Failure to have compliant, recorded OMR Agreement; Failure to notify EQD of discharge and provide required records

Respondent’s corrective actions: Pumps installed, engineer review begun, negotiations for OMR begun

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

*7/10/2021 Unlawful discharge of untreated wastewater to ground, surrounding*

*environment and stormwater (FDOT or City municipal separate stormwater sewer system), failure to comply with design standards, failure to notify EQD and failure to have compliant OMR agreement for shared/manifolded system between two or more private property owners*

*Major potential harm and major extent of deviation*

Consent Order requirements: Initial Engineer Report: 1/31/2022

OMR Agreement: 1/31/2022

DEP Permit application if 1403 Dunn System independent connection: 1/31/2022 with DEP Request for Approval by 5/31/2022

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

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

Monthly Status Report: Beginning 9/30/2021 with maintenance records for both systems (received September and October)

* **Baxter Construction Company, L.L.C., Riverside Lodging, LLC and L.O. Properties (WP-21-56) -** Unlawful discharge of non-stormwater (sediment) to City municipal separate stormwater sewer system (“MS4”); Failure to comply with erosion and sediment control requirements

Respondent’s corrective actions: BMPs improved, site reached Final Stabilization

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

*7/30/2021 Unlawful discharge of non-stormwater (sediment) from the Project to City MS4 draining to the St. Johns River with some BMPs but insufficient to prevent off-site impacts and unlawful discharge by indirect flow*

*Moderate potential for harm, Moderate extent of deviation*

Consent Order requirements: none

* **General Property Support, Inc. as Trustee of Lakewood South Land Trust (WP-21-58) -** Unlawful discharge of untreated wastewater to ground, surrounding environment and stormwater; Failure to maintain wastewater collection/transmission system to function as intended; Unlawful bypass of system or treatment facility

Respondent’s corrective actions: Engineer hired, and recommended actions completed

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

*8/23/2021 Unlawful discharge of untreated wastewater to ground, surrounding environment and (draining to City MS4 or FDOT MS4), failure to maintain system and unlawful bypass of treatment facility.*

*Major potential harm and major extent of deviation*

Consent Order requirements: None

* **Toro Jax Property II LLC, and DC Montgomery Property II LLC, and DJ Montgomery II LLC, and DiRenzo Real Estate Management II LLC (WP-21-66) -** Unlawful discharge of untreated wastewater to the ground, surrounding environment and stormwater draining to surface water; Failure to operate and maintain the System to function as intended and to provide uninterrupted service; Unlawful bypass of the System or treatment facility; Failure to notify EQD of discharge and provide required records

Respondent’s corrective actions: Discharge stopped, temporary repairs made, engineer hired to review system

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

*10/4/2021 Unlawful discharge of untreated wastewater to ground, surrounding environment and stormwater draining to surface water, failure to maintain system and unlawful bypass of treatment facility*

*Major potential harm and major extent of deviation*

Consent Order requirements: Initial Engineer Report: No later than 12/31/2021

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 10/31/2021 with maintenance records (October received)

V. ENFORCEMENT REPORT **TREE KILBOURN**

VI. PRESENTATION(s)

* none

VII. PUBLIC HEARING(s)

* JEPB Rule 4 – Noise Pollution Control

VIII. COMMISSION & JEPB COMMITTEE UPDATES & REPORTS

* Waterways Commission **KEALEY WEST**
* KJB Commission **JAMES RICHARDSON**
* JEPB Water Committee **TERRY CARR**
* JEPB Air Committee **MICHAEL WILLIAMS**
* JEPB Education & Outreach Committee **DAVID WOOD**

IX. EPB ADMINISTRATOR REPORT  **JAMES RICHARDSON**

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

XI. OLD BUSINESS

* None

XII. NEW BUSINESS

* None

XIII. ITEMS REFERRED TO COMMITTEES

XIV. NEXT SCHEDULED BOARD MEETING(s)

* JEPB Committees

No committee meetings in November or December 2021

Will resume in January 2022 on an as needed basis

* JEPB Steering Committee – TBD, at 4:00 pm
* JEPB Monthly Meeting – Monday, December 13, 2021, at 5:00 pm

XV. ADJOURNMENT