**JEPB Monthly Meeting Agenda via ZOOM**

(\*\*No physical location will be available for this public meeting\*\*)

**Monday, July 20, 2020**

5:00 p.m.

**BOARD MEETING AGENDA**

CALL TO ORDER **AMY Y. FU, P.E.**

INTRODUCTIONS

I. CHAIRMAN’S REMARKS

II. COMMENTS FROM THE PUBLIC

III. APPROVAL OF MINUTES

* Minutes of June 15, 2020 Monthly Meeting

IV. CONSENT ORDERS **TREE KILBOURN**

Air/Noise

* **Hrustic Brothers, Inc. (AP-20-01) -** Failure to schedule and conduct required visible emissions (VE) compliance testing in 2019
  + *Consent Order settlement fee: $900*

*Minor source > 30 days past due for testing for 3 ovens*

*Minor Potential for Harm and Major extent of deviation for length of time until test confirms compliance*

* + *Consent Order requirements: None*

Water

* **Liberty Square Jax, LLC (WP-19-59) -** Unlawful discharge of sediment to surrounding environment, wetlands; Failure to comply with erosion and sediment control standards
* *Consent Order settlement fee: $6,000 [$7,500 less 20% for good faith efforts to cooperate]*

*4/8/19 – Unlawful discharge of sediment directly to wetland*

*Major potential harm and major extent of deviation $4,000*

*[this penalty is split between Advantage Homes and Liberty Square for impacts to same wetlands (Tract 7) at $4,000 each]*

*9/18/19 – Unlawful discharge of sediment to wetlands, some BMPs in place*

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

* *Consent Order requirements: None*
* **DDM Construction Corp. (WP-19-56) - Unlawful discharge of sediment to surrounding environment and wetlands; Failure to comply with erosion and sediment control standards**
* *Consent Order settlement fee:* ***$6,720*** *[$8,400 less 20% discount for good faith efforts to cooperate]*

*4/30/19 - Failure to comply with erosion and sediment control standards with direct discharge of sediment to wetlands*

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

*6/18/19 - Failure to comply with erosion and sediment control standards with impacts to wetlands*

*Some corrective actions but not yet sufficient to stop off-site impacts*

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

* *Consent Order requirements: None*

V. ENFORCEMENT REPORT **TREE KILBOURN**

**Compliance Plan Modification Request(s)**

* **Commons on Anniston, LLC (WP-18-15) -** First Modification of Consent Order with Compliance Plan approved by JEPB on 11/13/18 for SEP
* Consent Order settlement fee: **~~$6,400~~** ~~[$8,000 less 20% good faith efforts to cooperate]~~

~~May propose SEP before 10/3/119~~ **$1,600** [$8,000 less 20% good faith efforts to cooperate and the mitigation credit of $4,800]

2/16/18 – Unlawful direct discharge to surface water

Major potential for harm, major extent of deviation $8,000

Less 20% discount for good faith efforts to cooperate

[EPA Project Model assigns a value of $6,732 for this SEP and the EPA SEP policy provides 75% mitigation credit of the assessed civil penalty, or $4,800]

* Consent Order requirements: All Corrective actions completed

Engineer Report/Permit by 3/31/19

Repairs needed to prevent imminent discharges completed by 4/30/19

Propose SEP or pay penalty by 10/31/19

All other system repairs/modifications by 11/12/23

Monthly status reports until engineer report/permit complete, then quarterly status reports until work complete

VI. PRESENTATION(s)

* none

VII. PUBLIC HEARING(s)

* + NOTICE ONLY – Proposed Updates to JEPB Rule 2 – Air Pollution Control
    - August 2020 meeting

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 **AMY FU**

IX. EPB ADMINISTRATOR REPORT **JAMES RICHARDSON**

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

XI. OLD BUSINESS

* + JEPB Retreat
  + Decision on the date
  + Potential Topics
    - Sunshine Law / Open Government
    - Robert’s Rules of Order
    - JEPB Structure
    - Environmental Protection Trust Fund
    - Emerging Issues / Priorities
    - Education/Notification to Developer/Contractor on compliance
    - Penalty Calculation and Methodology (2 members)

Color Legend:

Red – historically done each retreat by OGC

Green – Items that are suggested by me

Blue – Items suggested by JEPB members

XII. NEW BUSINESS

* Funding Request – Revision of JEPB and EQD Webpages

XIII. ITEMS REFERRED TO COMMITTEES

XIV. NEXT SCHEDULED BOARD MEETING(s)

* JEPB Committees – none scheduled for July 2020
* JEPB Steering Committee –Monday, August 10, 2020 at 4:00 pm
* JEPB monthly meeting – Monday, August 17, 2020 at 5:00 pm

XV. ADJOURNMENT