

Air Odor Noise Committee

Roi Dagan, M.D. – Chair
Michelle Tappouni
David Wood
Gabriel DuPree
Leo Hearn - Alt

Education & Public Outreach

Michelle Tappouni - Chair
Lucinda Sonnenberg, Ph.D.
Bobby Baker, P.E.



Water Committee

Bobby L. Baker, P.E. – Chair
Gabriel DuPree
Amy Fu, P.E.
David Wood – Alt
Leo Hearn

Lucinda Sonnenberg, Ph.D. – Chairman

Amy Fu, P.E. – Vice Chairman

Bobby L. Baker, P.E., Roi Dagan, M.D., Gabriel DuPree

Leo Hearn, Michelle Tappouni, David Wood

JEPB Monthly Meeting Notice and Agenda

Monday, October 8, 2018

5:00 p.m. - Ed Ball Building

214 N. Hogan Street – Conference Room 5016

To participate via phone, please contact staff **prior to 3 pm**

Phone Number to Participate via Phone:

Dial 630-2501 -- or -- (toll free) 1-800-299-9355 ext. 2501 - Enter the Password: 98765#

BOARD MEETING AGENDA

CALL TO ORDER INTRODUCTIONS

DR. SONNENBERG

I. CHAIRMAN'S REMARKS

II. COMMENTS FROM THE PUBLIC

The public is invited to address the board at this time on general topics you might have. Please note that there will be a separate opportunity to speak before each action item. All those who wish to address the Board should complete a request to speak card and give it to the EPB staff. When making comments, please identify yourself, stating your full name and address. Comments should be addressed to the Board as a body and not to any member directly and will be limited to 3 minutes each.

III. APPROVAL OF MINUTES

- August 13th, retreat summary

IV. CONSENT ORDERS

TREE KILBOURN/MELISSA LONG

(Air/Odor/Noise)

- **Titan Florida, LLC (AP-18-07) [DEP 0310269]** - Failure to register four new emission sources for Air General Permit and operating without a permit – proposed settlement: **\$1,600** [\$2,000 less 20% for good faith efforts to cooperate]
- **Titan Florida, LLC (AP-18-06) [DEP 0310250]** - Failure to register three new emission sources for Air General Permit and operating without a permit – proposed settlement: **\$480** [\$600 less 20% for good faith efforts to cooperate]

(Water/Haz Mat)

- **Onyx Site Services, LLC (WP-18-50)** - Unlawful discharge of turbid water to stormwaters and wetlands; Failure to comply with erosion and sediment control standards – proposed settlement: **\$2,940** [\$3,675 less 20% good faith efforts to cooperate]
- **Aqua Deerwood, LLC d/b/a Arium Deerwood (WP-18-03)** - Unlawful discharge of sewage or other untreated wastewater; Failure to maintain the wastewater collection/transmission system to function as intended; Failure to comply with sewerage design standards; Failure to notify EQD of a discharge of wastewater and provide required records – proposed settlement: **\$3,040** [\$3,800 less 20% good faith efforts to cooperate]

- **Eagle Village of Jacksonville, LLC d/b/a Jacksonville Village Apartments (WP-17-52)** - Unlawful discharge of sewage or other untreated wastewater; Failure to maintain the wastewater collection/transmission system to function as intended; Bypass of a wastewater treatment facility; Failure to notify EQD of a discharge of wastewater and provide required records – proposed settlement: **\$3,920** [\$4,900 less 20% for good faith efforts to cooperate]
- **St. Johns Village Land Trust (WP-17-42)** - Unlawful discharge of sewage or other untreated wastewater; Failure to maintain the wastewater collection/transmission system to function as intended; Bypass of a wastewater treatment facility; Failure to comply with sewerage design standards – proposed settlement: **\$3,920** [\$4,900 less 20% for good faith efforts to cooperate] - **Consent Order requirements:** Permitted work to be completed and DEP Request for Approval package to be submitted to EQD no later than 11/30/18

V. ENFORCEMENT REPORT

TREE KILBOURN/MELISSA LONG

VI. PRESENTATION(s)

- none

VII. PUBLIC HEARING(s)

- Southeast Utilities/Comcast – Noise Variance

VIII. COMMISSION & JEPB COMMITTEE UPDATES

- Waterways Commission
- KJB Commission
- JEPB Water Committee (no August meeting)
- JEPB Air Committee (no August meeting)
- JEPB Education & Outreach Committee (no August meeting)

IX. EPB ADMINISTRATOR REPORT

JAMES RICHARDSON

X. ENVIRONMENTAL QUALITY DIVISION REPORT

MELISSA LONG

XI. OLD BUSINESS

- JEPB Retreat – Followup Discussion
 - Board Committees
 - Board Meeting Date(s)
 - Priorities

XII. NEW BUSINESS

- SSO Prevention
 - EQD Database discussion – what we know

MELISSA LONG/TERRY CARR

XIII. ITEMS REFERRED TO COMMITTEES

XIV. NEXT SCHEDULED BOARD MEETING(s)

- EPB Committees
 - Air & Odor Committee – Monday, October 22, 2018 at 4:30 pm or TBD
 - Water Committee – Monday, October 22, 2018 at 5:00 pm or TBD
 - Education & Public Outreach – Monday, October 22, 2018 at 5:30 pm or TBD
- EPB Steering Committee – Wednesday, November 7, 2018 at 4:00 pm
- EPB monthly meeting – Monday, November 12, 2018 at 5:00 pm

XV. ADJOURNMENT



City of Jacksonville, Florida

Lenny Curry, Mayor

Environmental Quality Division
Ed Ball Building
214 N. Hogan Street, 5th Floor
Jacksonville, Florida 32202

ONE CITY. ONE JACKSONVILLE.

MEMORANDUM

August 31, 2018

TO: Jacksonville Environmental Protection Board Steering Committee
THROUGH: James A. Richardson, II, Board Administrator
THROUGH: Melissa M. Long, P.E., Chief
Environmental Quality Division
FROM: Tree Kilbourn, Environmental Enforcement Officer
Environmental Quality Division
RE: **PROPOSED PRESENTATION TO JEPB – September 10, 2018**
APPROVAL OF CONSENT ORDER SETTLEMENTS

Air/Noise/Odor

FRZ, LLC dba Pressing Agenda (AP-18-03)

Operating an air pollution source without a permit; Failure to register for the use of Air General Permit

Water/Hazmat

J.B. Coxwell Contracting, Inc. (WP-18-20)

Unlawful discharge to stormwater, wetlands and surface waters; Exceedance of water quality standards for surface waters; Failure to comply with erosion and sediment control standards

6721 Stuart Avenue, L.L.C. (WP-16-20)

Unlawful discharge of untreated wastewater to stormwater; Illicit wastewater connection to a storm sewer ditch; Unlawful bypass of wastewater collection system or treatment facility

JEA Compliance Plan

Compliance Plan to resolve violations at 3 project locations and provide time to submit SEP proposal

Jax Avalon, LLC (Re: litigation involving 7557 Arlington Expressway)

Voluntary compliance with new property owner to hire engineer to review system and complete all recommended repairs and modifications.

**THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE, FLORIDA
SEPTEMBER 10, 2018**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,**

-vs-

FRZ, LLC dba Pressing Agenda,

Petitioner,

Respondent.

Type of alleged violation(s): Operating an air pollution source without a permit; Failure to register for the use of Air General Permit

Source of alleged violation(s): Dry cleaning operation located at Real Estate ID No. 148683-0140, 4533 Sunbeam Road, Suite 801, Jacksonville, Florida (DEP Permit No. 0310463-004-AG)

Date of alleged violation(s): 11/17/16 to 4/27/18

Method of determining alleged violation(s): File review

Rules allegedly violated: FS 403.161(1)(b); FAC 62-4.030 and JEPB Rule 2.1401 [which adopts and incorporates by reference FAC 62-4]; and FAC 62-210.310(2)(b) and JEPB 2.301 [which adopts and incorporates by reference FAC Rule 62-210]

ND response to alleged violation(s): Cease and Desist Citation AP-18-03 issued 4/19/18

Respondent's corrective actions: Registration for AG Permit filed with DEP 3/27/18

Consent Order settlement fee: **\$720** [\$900 less 20% for good faith efforts to cooperate]

Consent Order requirements: None

Enforcement actions: None

**THE ENVIRONMENTAL PROTECTION BOARD
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SEPTEMBER 10, 2018**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,**

-vs-

J.B. Coxwell Contracting, Inc.,

Petitioner,

Respondent.

Type of alleged violation(s): Alleged unlawful discharge to stormwater, wetlands and surface waters; Exceedance of water quality standards for surface waters; Failure to comply with erosion and sediment control standards

Source of alleged violation(s): Borrow pit operation located at Real Estate Parcel ID Number 002441-0210, 11450 Branan Field Road, Jacksonville, Florida

Date of alleged violation(s): On or before 3/7/18

Method of determining alleged violation(s): Field investigations and file review

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rule 3.103B; FAC 62-302.500, FAC 62-302.530(117) and JEPB Rule 3.201 [which adopts and incorporates by reference FAC Chapter 62-302]; and 3.604

ND response to alleged violation(s): Cease and Desist Citation WP-18-20 issued 3/19/18 to Miller 3 Covey's Preserve, LLC and J.B. Coxwell Contracting, Inc.

Respondent's corrective actions: Required DEP and SJRWMD corrective actions and permit modifications completed; erosion and sediment control measures enhanced

Consent Order settlement fee: **\$7,040** [\$8,800 less 20% good faith efforts to cooperate]

Consent Order requirements: None

Enforcement actions:

NTCs issued 3/8/18 to Miller 3 Coveys Preserve and J.B. Coxwell Contracting, Inc. for failure to comply with erosion and sediment control standards. Referred to Enforcement.

J.B. Coxwell Contracting, Inc. at other locations:

Citation WP-07-55 issued 11/20/07 to J.B. Coxwell Contracting, Inc., City of Jacksonville and River City Management Group for failure to comply for unlawful discharge of sediment, exceedance of water quality standards and failure to comply with erosion and sediment control standards (Old St. Augustine Road/I-295). \$13,760 penalty paid. Closed.

Citations WP-13-17 and WP-13-16 issued 3/5/03 to Perry-McCall Construction, J.B. Coxwell Contracting, Inc. and City of Jacksonville for failure to comply with erosion and sediment control standards (Equestrian Center/Cecil Field). \$495 civil penalty and \$9,425 SEP. Closed.

NTC issued 12/1/16 to J.B. Coxwell Contracting, Inc. for failure to comply with erosion and control standards (1316 San Marco Blvd.). Closed.

NTC issued 6/22/15 to J.B. Coxwell Contracting, Inc. for failure to comply with erosion and control standards (McCormick Rd. and Kernan Blvd.). Closed.

NTC issued 7/17/08 to J.B. Coxwell Contracting, Inc. for failure to comply with erosion and control standards (Oakwood Villa Septic Tank Phase-out). Closed.

NTC issued 3/12/08 to J.B. Coxwell Contracting, Inc. for failure to comply with erosion and control standards (Old St. Augustine Rd./I-295). Added to WP-07-55.

NTC issued 9/26/17 to J.B. Coxwell Contracting, Inc. for failure to comply with erosion and control standards (Old St. Augustine Rd./I-295). Referred to Enforcement.

**THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE, FLORIDA
SEPTEMBER 10, 2018**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,**

-vs-

6721 Stuart Avenue, L.L.C.,

Petitioner,

Respondent.

Type of alleged violation(s): Unlawful discharge of untreated wastewater to stormwater; Illicit wastewater connection to a storm sewer ditch; Unlawful bypass of wastewater collection system or treatment facility

Source of alleged violation(s): Wastewater collection system with on-site sewage treatment and disposal located at 6721 Stuart Avenue, Jacksonville, Florida

Date of alleged violation(s): On or before 9/26/16

Method of determining alleged violation(s): Field investigations

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.103B. F., E. and I.

ND response to alleged violation(s): Cease and Desist Citation WP-16-20 issued 10/4/16

Respondent's corrective actions: Pipe from tenant's plumbing removed from ditch; Engineer hired and remaining on-site sewage portion of system connected to JEA; OMR agreement recorded for connection to shared lift station prior to JEA point of connection.

Consent Order settlement fee: **\$6,400** [\$8,000 less 20% good faith efforts to cooperate]

Consent Order requirements: None

Enforcement actions: None

WP-12-17 issued 8/15/12 to JEA and Grimes Utilities, Inc. for unlawful discharge and failure to comply with erosion and sediment control standards. \$4,800 penalty paid. Closed.

Amended WP-11-31 issued 3/5/12 to JEA, Shantal Powers and Grace and Truth for construction of a low pressure sewer system without a permit, failure to maintain and unlawful discharge. \$12,800 penalty mitigated with 100% SEP to convert low pressure sewer to gravity sewer. Closed.

WP-11-24 issued 3/15/11 to Jax Lanes, Inc. and JEA for failure to maintain equipment, unlawful discharge and exceedance of water quality standards. JEA included for investigation of design and JEA locate. JEA unable to provide closer point of connection. \$0 due to demonstrated inability to pay by Jax Lanes, Inc. Closed.

WP-11-18 issued 2/23/11 to JEA for placing a wastewater collection/transmission system at Beach and Kernan into service without approval. \$6,400 penalty paid. Closed.

WP-10-97 issued 9/23/10 to JEA for construction of a wastewater collection/transmission system at Lamee Avenue (Drexel Street to Carmichael Avenue) without a permit. \$6,400 penalty paid. Closed.

WP-09-41 issued 12/14/09 to JEA for unlawful discharge of other materials to surface waters. \$6,400 penalty paid. Closed.

WP-06-19 issued 3/8/06 to JEA [and T.B. Landmark Construction, Inc, Tampa Electric Co. d/b/a Teco Peoples Gas, and Teen Challenge of Florida, Inc.] for water main break and washout to Craig Creek. \$4,800 penalty paid by . Closed.

WP-03-10 for multiple files issued multiple dates to JEA for failure to maintain and illegal discharge. Referred to DEP.

WP-03-07 issued 1/22/03 to JEA (San Clerc) for failure to maintain collection system and unlawful discharge. \$4,640 penalty paid. Closed.

WP-02-14 issued 7/3/02 to JEA [and The Stellar Group WP-02-12 and Carter Contracting of Jacksonville WP-02-13] for failure to adequately utilize erosion and sediment control measures. \$8,800 penalty paid. Closed.

WP-01-12 issued 6/7/01 to JEA (Egret Cove) for illegal discharge, failure to maintain and failure to notify. Referred to DEP.

WP-01-11 issued 6/7/01 to JEA (Ortega Yacht Basin) for illegal discharge, failure to maintain and failure to notify. Referred to DEP.

WP-01-08 issued 5/11/01 to JEA (4500 Block of Cabbage Pond Drive) for illegal discharge, failure to maintain and failure to notify. Referred to DEP.

WP-00-13 issued 11/3/00 to JEA and Gate (1300 Block Riverplace Blvd.) for illegal discharge and failure to maintain. Referred to DEP.

WP-00-07 issued 8/21/00 to JEA for construction of a collection system without a permit. \$800 penalty paid. Closed.

WP-00-01 issued 1/6/00 to JEA (7703 Blanding) for illegal discharge and failure to maintain. Referred to DEP.

**THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE, FLORIDA
JULY 9, 2018**

Consideration of a negotiated Voluntary Consent Order with Compliance Plan for:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,**

-vs-

**Jax Avalon, LLC, formerly owned by
Oreo Asset Holdings, LLLP and Oreo Management,
LLC,**

Petitioner,

Respondent.

Type of alleged violation(s): Against previous owner - Failure to comply with sewerage design standards; Failure to provide operator and post required information; Failure to perform required maintenance and keep permanent maintenance log

Source of alleged violation(s): Wastewater collection/transmission system located at 7557 Arlington Expressway, Jacksonville, Florida

Date of alleged violation(s): On or before 2/17/15 by previous owner

Method of determining alleged violation(s): Field investigations

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.403 and 3.404; 3.404.A.6; 3.405A.5.a, 3.405A.5.c and 3.405A.5.g

ND response to alleged violation(s): OGC filed complaint against previous owner in court on August 25, 2017

Respondent's corrective actions: Seller paid penalties' attorney's fees and costs and Buyer/Respondent is to complete the agreed upon corrective actions.

Consent Order settlement fee: None for Consent Order. Court order for \$20,000 in penalties to trust fund and attorneys' fees and costs

Consent Order requirements: Engineer Report or WWCTS construction permit application due by 12/31/18
Work and final approvals to be completed no later than 6/30/18
Status reports due by 15th of each month beginning 10/15/18

Enforcement actions:

Litigation and Seller/Previous owner filed in Circuit Court 2017-CA-5421/CV-B

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Water Committee

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David Wood – Alt

Public Hearing

Noise Variance Request – Brasfield & Gorrie

Monday, October 8, 2018

5:00 p.m.

Ed Ball Building

214 N. Hogan Street

5th Floor – Conference Room West

AGENDA

CALL TO ORDER

LUCINDA SONNENBERG

I. CERTIFICATION OF PUBLIC NOTICE

JAMES RICHARDSON

II. COMMENTS FROM PUBLIC

SONNENBERG

III. BOARD VOTE

SONNENBERG

IV. PROCEDURAL SUMMARY

JEFF CLOSE

V. ADJOURNMENT

Air Odor Noise Committee

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EPB ADMINISTRATOR REPORT – October 2018

- ✓ **The vast majority of feedback from the symposium is that it was a huge success. Some stats from the event include:**
 - **341 registered, 305 attended this was the largest in the 11 year history**
 - **9 exhibitors and 19 nonprofit/government exhibitors**
 - **14 paid student attendees this was a new category this year**
 - **Scholarship requests continue to trend down, while waivers continue to trend up**
- ✓ **Jacksonville Environmental Luncheon, formerly the Mayor's Environmental Luncheon, will be held on October 25th at the UNF University Center. If you would like to attend and have not done so yet, please let me know before the end of the week.**
- ✓ **Melissa and I had the pleasure to meet with visitors from Afghanistan, Canada, Costa Rica, Curaçao, Hungary, Jordan, Lebanon, Mexico, Morocco, Palestinian Territories, Peru, Romania, Russia, Suriname, Tunisia, Uzbekistan, Zimbabwe. We discussed state and local environmental regulations, water resource management and environmental education.**
- ✓ **Legislation appointing Tom Deck to the JEPB to replace Leo Hearn will be introduced at the next Council meeting. He should be joining the board during the month of November.**

Options for JEPB Committees

- 1) *As is: monthly committee meetings, hears reports and variance requests, initiate topics of interest. [Board hears consent orders, important committee report highlights; votes on variances].*

OR

- 2) *Meet as needed:*

- a. *Keep monthly placeholder, but irregularly only for variances, special need. Committee reports would be heard at full board meetings.*

OR

- b. *Keep monthly placeholder, but meet alternate months (i.e., air one month, water next month). Committee reports would occur:*
 - i. *every 2 months at committees OR*
 - ii. *at monthly board meetings*

Options for EPOC-

- 1) *Board should decide discuss and decide:*
 - a. *structure - permanent or ad hoc*
 - b. *whether current mission is acceptable*

Current Education & Public Outreach Committee Charge as determined Nov 2013:

- idea was to keep the regulatory committees in place and, in order to give other issues due deliberation, the new committee would be formed
- Focus on providing direction to education & outreach around issues under board purview primarily, but could consider other environmental issues of concern
- Other non-regulatory issues such as EPB Awards, legislative positions, etc. would be considered by the committee
- Would be established as ad-hoc with voluntary membership
- Should meet at least bi-monthly

Added in 2015:

- In addition to previous duties, all requests for funding would be reviewed by the committee