

**BEFORE THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE**

City of Jacksonville, Office of Administrative Services,
Petitioner
and

Tagg Ventures, LLC,
Respondent

**Re: Cease and Desist Citation WP-25-19
Wastewater Collection/Transmission System with Pump Station located at Real Estate ID
Number (RE) 059189-0200, addressed at 5638 Commonwealth Avenue, Jacksonville,
Florida (the “System” at the “Property”)
Failure to comply with Wastewater Collection/Transmission System design standards and
Failure to perform required monthly maintenance.**

CONSENT ORDER

This Consent Order is made and entered into between the City of Jacksonville, Office of Administrative Services (the Office) and **Tagg Ventures, LLC** (“Respondent”) to settle certain issues between them under Chapter 360 and 362 of the Jacksonville Ordinance Code (“Ordinance Code”) and Rule 3 of the Jacksonville Environmental Protection Board (“JEPB”).

1. The Department, through its Environmental Quality Division (“EQD”), is charged with the administration and enforcement of Chapter 360 and 362, Ordinance Code, and the rules promulgated thereunder.
2. **The owner of the property is Tagg Ventures, LLC**, a Florida limited liability company, pursuant to the Special Warranty Deed dated 12/22/2020 and recorded in the Official Records of Duval County, Florida in Book 19516, and Page 314.
3. On February 10, 2025, City of Jacksonville – Office of Administrative Services – Environmental Quality Division (EQD) staff conducted an inspection and documented:
 - a. a violation of Rules 3.403 and 4.404 for failure to comply with Wastewater Collection/Transmission System design standards as observed:
 - (1) the System has a single pump;
 - (2) the System does not have a compliant control panel with alarms, lightning and surge protection;
 - (3) the System does not have a compliant sign with the required information; and
 - (4) the System may not comply with other Wastewater Collection/Transmission System design standards; and
 - b. a violation of Rule 3.405.A.6 for the failure to perform required maintenance and/or keep required, detailed records for the pump station.
4. As a result of the conditions documented in the paragraph above, EQD issued Cease and Desist Citation **WP-25-19** to Respondent, a copy of which is attached hereto and incorporated herein as Exhibit A.
5. The Office is authorized under Sections 360.407, 362.110 and 362.111, Ordinance Code, to seek injunctive relief and civil penalties, and the potential maximum daily penalty for violations of JEPB Rule 3 is \$10,000.

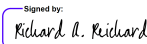
6. Respondent agrees to complete the corrective actions outlined within this Consent Order within the established timeframes.
7. INITIAL ENGINEER REPORT: **Within 60 calendar days of the effective date of this Consent Order**, Respondent shall submit for review and approval, an Engineer Report signed and sealed by a Florida licensed, professional engineer. Alternatively, if the engineer is certain at the time of the review that a DEP Notification/Application for Constructing a Domestic Wastewater Collection/ Transmissions System ("DEP Permit Application") is needed, the engineer may proceed directly with submitted of the DEP Permit Application by this deadline.
 - a. The Engineer Report shall include, at a minimum:
 - i. findings of the camera investigation of the collection lines, dye test results to confirm connections to the System, and inspection of manholes,
 - ii. utility force main pressure,
 - iii. drawings,
 - iv. calculations and methodologies used, and
 - v. manufacturer pump specifications and pump curves to verify the System meets current sewerage design and performance standards and requirements.
 - b. If the System does not comply with wastewater design standards, the Engineer Report shall identify repairs and/or modifications necessary to bring the System into compliance with current wastewater design standards and finalize abandonment of any noncompliant components.
 - c. The Engineer Report shall include a project schedule for all recommended repairs and modifications to be completed expeditiously.
 - d. Respondent shall submit the Engineer Report by electronic mail to enforcement@coj.net. Large attachments may need to be hand delivered or mailed to EQD at 214 N. Hogan Street, Fifth Floor, Jacksonville, Florida 32202 to the attention of Melissa Long.
 - i. Should EQD request additional information for the Engineer Report, Respondent shall timely and fully respond to any request for additional information within 15 days of the request or, if additional time is needed, within 15 days, submit a written request for an extension of time. The written request for an extension shall demonstrate that Respondent is diligently acquiring the requested information. The written request for an extension shall include, as a minimum, a copy of all work done at the time the extension is requested that partially responds to the request for additional information.
 - ii. EQD will notify Respondent within 30 days of receipt of all information for the Engineer Report of the accepted engineer recommendations and whether a DEP Permit Application will be required for the accepted recommendations for corrective actions. In its notification, EQD will also advise of the deadlines required for the project schedule submitted with the Engineer Report.

8. DEP PERMIT APPLICATION (if required): If a DEP Permit is required for recommended modifications to the System in the EQD accepted Engineer Report, Respondent agrees to submit a DEP Permit Application with all required calculations, specifications, drawings, signatures, professional seals and permitting fees to EQD within 60 days of notification by EQD.
9. FINAL ENGINEER REPORT/DEP NOTIFICATION OF COMPLETION OF CONSTRUCTION: Respondent shall complete all engineer recommended repairs and modifications at the System, as accepted and agreed to by EQD, and pursuant to any issued DEP Permit, and submit a Final Engineer Report (if no permit required) or DEP Notification of Completion of Construction Domestic Wastewater Collection/Transmission System ("DEP Notice of Completion of Construction") package to enforcement@coj.net with all required documents, certifications, drawings, professional signatures and seals upon completion of all work **Within 120 calendar days of the effective date of this Consent Order** or by the deadline established and based upon the review of the Engineer Report and notification in paragraph 7.d.ii.
 - a. EQD will accept the Final Engineer Report or DEP Notice of Completion of Construction within 30 days of submittal or will request in writing additional information to be submitted.
 - b. Should EQD request additional information for the Final Engineer Report or DEP Notice of Completion of Construction, Respondent shall timely and fully respond to any request for additional information within 15 days of the request or, if additional time is needed, within 15 days, submit a written request for an extension of time. The written request for an extension shall demonstrate that Respondent is diligently acquiring the requested information. The written request for an extension shall include, as a minimum, a copy of all work done at the time the extension is requested that partially responds to the request for additional information.
10. MONTHLY STATUS REPORT: Respondent shall submit a monthly status report regarding the engineer's review, Engineer Report, permitting and construction work for all repairs and modifications to the System by the last day of each month beginning **upon the effective date of this Consent Order** and continuing until the Final Engineer Report or DEP Notice of Completion of Construction is submitted to and accepted by EQD. Monthly status reports shall be provided by electronic mail to enforcement@coj.net with "*Citation WP-25-19, Address of property*" in the Subject line of the email.
11. COMPLIANCE WITH OPERATION, MAINTENANCE AND RECORDKEEPING REQUIREMENTS: Respondent shall ensure that the System is operated and maintained in accordance with all applicable local, state, and federal rules and regulations and that all items of required maintenance are performed and records of all maintenance and repairs be kept with the level of specificity required in JEPB Rule 3.405A.
12. MONTHLY MAINTENANCE RECORDS: Respondent shall submit the System monthly maintenance records to EQD by electronic mail to enforcement@coj.net no later than the last day of each calendar month beginning **upon the effective date of this Consent Order** until all repairs and modifications to the System, as recommended by the engineer and accepted by EQD, have been completed and approved.
13. STIPULATED PENALTIES: Respondent agrees to pay the City stipulated penalties in the amount of One Hundred Dollars (\$100.00) per day for each and every day Respondent fails to timely perform any of the corrective actions contained in this Consent Order.
 - a. The Office shall assess a separate stipulated penalty for each failure to timely perform a corrective action contained in this Consent Order.

- b. Within 30 days of written demand from the Department, Respondent shall make payment of the appropriate stipulated penalties to the Department.
 - c. Respondent shall pay with a cashier's check or money order made payable to the City of Jacksonville Environmental Protection Trust Fund, mailing address, EQD 214 N. Hogan Street, Fifth Floor, Jacksonville, FL 32202, reference **WP-25-19**.
 - d. The Office may make demands for payment at any time after Respondent fail to timely perform each corrective action.
 - e. If the Department is required to file a lawsuit to recover stipulated penalties under this paragraph, the Office is not foreclosed from seeking civil penalties for violations of this Consent Order in an amount greater than the stipulated penalties due under this paragraph.
14. Pursuant to Jacksonville Ordinance Code Section 362.110, a violation of the terms of this Consent Order may subject the Respondent to judicial imposition of civil penalties of up to \$10,000 per violation per day.
15. In consideration of the complete and timely performance of the obligations set forth in this Order by Respondent, the City agrees that entry of this Order disposes of the violations described in it, and the City waives its rights to seek judicial imposition of damages or civil or criminal penalties for the violations.
16. By executing this Consent Order, Respondent waives its right to judicial review or an administrative hearing on the terms of this Consent Order.
17. The City expressly reserves the right to initiate appropriate legal action to prohibit any future violations of the Jacksonville Ordinance Code or the rules of the JEPB.
18. The provisions of this Consent Order shall apply to and be binding upon the parties, their officers, directors, agents, servants, employees, successors, and assigns.
19. The reporting requirements of this Consent Order shall remain in effect until the Final Engineer Report or DEP Notice of Completion of Construction is accepted and approved by EQD.
20. Respondent shall allow all authorized representatives of EQD access to the System at reasonable times for the purpose of determining compliance with the terms of this Consent Order and the statutes, ordinances and rules administered by EQD.
21. The Consent Order shall become effective upon execution by the Chairperson of the JEPB, which will occur after its execution by the Respondent and the Manager of the Office.
22. Performance of the terms and conditions of this Consent Order does not relieve the Respondent of the need to comply with applicable federal, state, or local laws, regulations, or ordinances.
23. Respondent is advised to ensure compliance during all construction activities for corrective actions at the Property with site appropriate performance measures to ensure there is no unlawful discharge of sediment or turbid water to stormwater or surface water, utilizing in part the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual*, published by the Florida

Department of Environmental Protection’s Nonpoint Source Management Section and adopted by the JEPB in its Rule 3.

CITY OF JACKSONVILLE
OFFICE OF ADMINISTRATIVE SERVICES

8/25/2025	
_____	_____
Date	Richard A. Reichard
	Office of Administrative Services

8/25/2025	Tagg Ventures, LLC	
_____	_____	_____
Date	Print Name: Alex Meier	
	Print Title: Partner	

ORDER

I hereby certify that the foregoing document was adopted by order of the Environmental Protection Board of the City of Jacksonville this 15th day of September, 2025.



Thomas Deck, Chair
Jacksonville Environmental Protection Board