

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

City of Jacksonville, Neighborhoods Department,
Petitioner
and

City of Atlantic Beach,
Respondent

**Re: Voluntary Compliance Plan AP-25-01-VCP
Atlantic Beach Wastewater Treatment Facility at 1100 Sandpiper Lane (the
“System” at the “Property”)
Objectionable Odors**

Voluntary Compliance Plan

This Voluntary Compliance Plan is made and entered into between the City of Jacksonville, Office of Administrative Services (the Department) and **the City of Atlantic Beach, the wastewater treatment facility owner and operator** (“Respondent”), to settle certain issues between them under Chapter 360, 362, and 376 of the Jacksonville Ordinance Code (“Ordinance Code”) and Rule 1 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, 362, and 376, Ordinance Code, and the rules promulgated thereunder.
2. **The City of Atlantic Beach** is the owner/operator of the System at the Property pursuant to the Permit Number FL0038776 (DEP permit) issued May 24, 2024.
3. On or before August 20, 2025, EQD staff received odor complaints regarding the System. EQD did send an inspector out and validated one odor complaint.
4. On August 20, 2025, the Respondent agreed to enter a Voluntary Compliance Plan to address odors at the System.
5. On August 21, 2025, the Respondent submitted their Initial Odor Assessment & Preliminary Action Plan.
6. The Department 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.
7. Respondent agrees to complete the corrective actions outlined within this Compliance Plan within the established timeframes.
8. As part of the plan, the Respondent agrees to review each of the findings and either implement or determine the feasibility of the items outline in the Initial Odor Assessment & Preliminary Action Plan (Exhibit A). This includes but is not limited to the Influent Screens, centrifuge building, Davco Biosolids Processing Facility, Dumpsters under

Influent Screens, drying beds, influent splitter box, and the sludge truck & truck cleaning area.

9. MONTHLY STATUS REPORT: The Respondent shall submit a monthly status report regarding the work that has been completed and any evaluations done to determine feasibility of each item in the Preliminary Action Plan by the last day of each month beginning upon the effective date of this Voluntary Compliance Plan.
10. FINAL COMPLETION: the Respondent shall complete all work they determine is feasible within 6 months of the effective date of this Voluntary Complaint Plan.
11. AUTOMATIC TERMINATION: In the event that EQD is not able to validate odor complaints from five (5) or more different households within a 90-day period for six (6) months following the completion of the items outline in the Plan, the Voluntary Compliance Plan shall automatically terminate.
12. MODIFICATIONS TO THE PLAN: However, if there are five (5) or more validated complaints from different households within a 90-day period after completion of the items listed in the Plan, both Parties agree to renegotiate any modifications to the Plan in good faith. Failure to negotiate in good faith shall be considered a breach of the Plan which is subject to 60 days' notice and an opportunity to cure. Following an expiration of the 60 days, the Plan shall terminate upon written notice of termination from the City or JEPB.
13. Pursuant to Section 362.110, a violation of the terms of this Voluntary Compliance Plan may subject the Respondent to judicial imposition of civil penalties of up to \$10,000 per violation per day.
14. In consideration of the complete and timely performance of the obligations set forth in this Plan by Respondents, the City agrees that entry of this Plan 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.
15. By executing this Compliance Plan, Respondents waive their right to judicial review or an administrative hearing on the terms of this Compliance Plan.
16. 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.
17. The provisions of this Compliance Plan shall apply to and be binding upon the parties, their officers, directors, agents, servants, employees, successors, and assigns.
18. The reporting requirements of this Compliance Plan shall remain in effect until all corrective actions are accepted by EQD.
19. Respondents 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 Compliance Plan and the statutes, ordinances and rules administered by EQD.

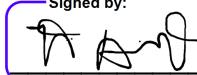
20. The Compliance Plan shall become effective upon execution by the Chairperson of the JEPB, which will occur after its execution by the Respondents and the Director of the Department.
21. Performance of the terms and conditions of this Compliance Plan does not relieve the Respondents of the need to comply with applicable federal, state, or local laws, regulations, or ordinances.

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT**

9/15/2025

Date

Signed by:



Richard A. Reichard

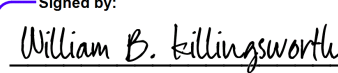
Office of Administrative Services

City of Atlantic Beach

9/15/2025

Date

Signed by:



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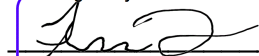
William B. Killingsworth

City Manager

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.

Signed by:



Thomas Deck, Chair

Jacksonville Environmental Protection Board



Engineering Department
800 Seminole Road
Atlantic Beach, FL 32233
904-247-5874

MEMORANDUM

To: Bill Killingsworth

From: Troy Stephens
Steve Swann, PE

CC: Danny Pittman
Gil Flores

Date: August 21, 2025

Re: WWTF - Initial Odor Assessment & Preliminary Action Plan

In response to a recent increase in odors generated at the WWTF, Steve, Gil and I inspected various processes and equipment that could be generating odors. There are numerous locations At the WWTF where odors can be generated. One activity that we know generated odors occurred during the recent replacement of the headworks piping. This project required diverting raw wastewater directly into our Davco sludge processing facility and then pumping to the splitter box with portable pumps. This activity, while necessary to avoid excessive spillage of raw wastewater, did result in the production of objectionable odors for several weeks.

Other activities and processes that could generate substantial odors were the focus of this initial inspection. The results of this initial inspection and a preliminary action plan are as follows:

Process/Activity	Potential Cause of Odors	Preliminary Action
Influent Screens	No screen covers, Bio-Air filter no longer connected to influent screens	- Develop plan for installing lightweight screen covers - Reconnect air lines from Bio-Air filter to the influent screens
Centrifuge Building	Bio-Air filter out of service	- Get Bio-Air technicians onsite to inspect unit - Make identified repairs & upgrades

Memo to Bill Killingsworth

August 21, 2025

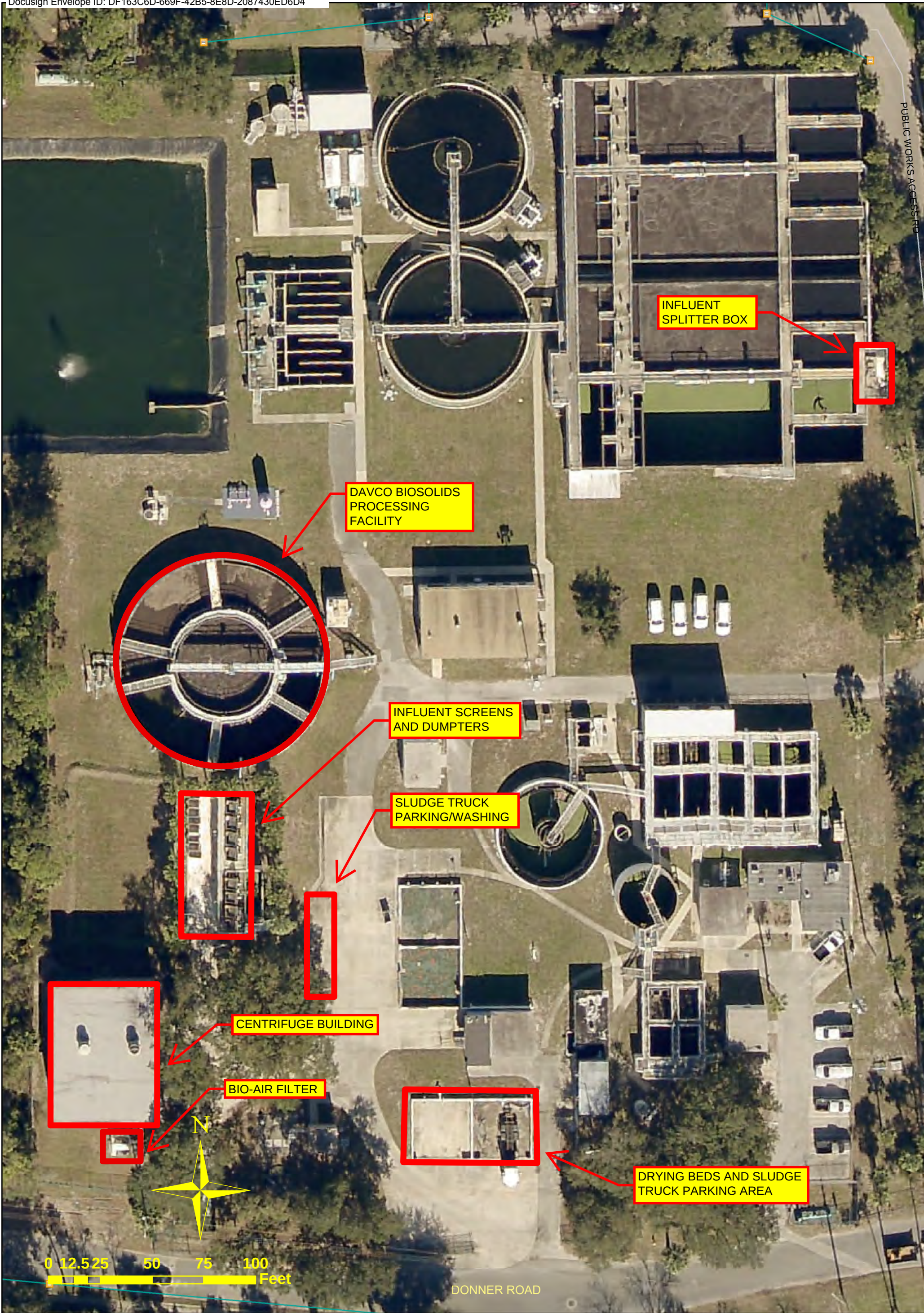
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Davco Biosolids Processing Facility	Areas of Davco tank potentially septic	- Remove septic wastewater & bio-solids - Develop plan for better air distribution
Dumpsters under Influent Screens	Accumulated screenings	- Construct fence around perimeter of dumpster area to reduce air flow - Increase cleaning frequency
Drying Beds	Material from lift stations and storm sewers stored on drying bed	- Stop using drying beds closest to Donner Rd - Construct fence around rear drying beds - Immediately cover any deposited solids with lime
Influent Splitter Box	Currently, sludge wasting process stops pumping of return activated sludge which results in only raw wastewater in splitter box	- Explore peroxide injection between headworks and splitter box - Develop means to pump return activated sludge to splitter box during the wasting process
Sludge truck & truck cleaning area	Truck itself, accumulated sludge at truck cleaning area	- Hose down truck cleaning area after rinsing roll off container and truck - Stop parking truck adjacent to Donner Rd

We will keep you posted on our progress with implementing the proposed action plan as well as update you with any other areas we identify that may be producing odors.

TS/s

Attachment: WWTF aerial photo w/ potential odor producing areas identified



Atlantic Beach WWTF Potential Odor Producing Areas