Jacksonville Environmental Protection Board

Monday, September 25, 2023

MONTHLY MEETING SUMMARY

MEMBERS PRESENT:

David Wood, Chair

Thomas Deck, Vice-Chair

Guillermo Simon Clint Noble

Beth Leaptrott Adam Hoyles

MEMBERS NOT PRESENT:

Sunil Joshi

STAFF/RESOURCES PRESENT:

James Richardson, JEPB Administrator

Melissa Long, Chief - EQD

Cherry Pollock, OGC

Mike Williams, EQD

VISITOR(s) PRESENT:

Jason Heuler, Haskell

Josh Gellers

CALL TO ORDER DAVID WOOD

INTRODUCTIONS

Chair Wood called to order the monthly meeting of the Jacksonville Environmental Protection Board (JEPB) at 5:01 pm. A quorum was established.

CHAIRMANS REMARKS

None

APPROVAL OF MINUTES

A motion to approve meeting summaries for the August 21st JEPB meeting was made (Hoyles), properly seconded (Deck) and approved by the body.

CONSENT ORDERS

**Air/Noise**

None

**Water**

* **Christian Brothers LLC,** *[WP-23-13 at 7541 Lem Turner Road]* Unpermitted Discharge of untreated wastewater to the ground and surrounding environment; Failure to operate and maintain the System to remain operational; failure to comply with Wastewater Collection/Transmission System design standards; failure to notify EQD of Discharge from the System.

Respondent’s corrective actions: Discharge abated 03/06/2023

Consent Order settlement fee: **$8,000 with mitigation potential**

02/8/2023 Discharge of untreated wastewater to the ground and surrounding

environment; Failure to operate and maintain the System to remain operational; Failure to notify EQD of Discharge from the System and provide required records

Potential for Harm Major - Discharge due to equipment out of service (non-transmission)

Extent of Deviation Major: Direct discharge to MS4, surface water, wetland, or groundwater or with sampling results 70% and above over standard

Consent Order requirements:

* + - * Maintain Compliance with operation, maintenance, and recordkeeping requirements, effective immediately.
      * Submit the mandatory maintenance records for the System to EQD by the last day of each month beginning July 31, 2023
      * Initial Engineer Report: Within 60 calendar days of the effective date of this Consent Order
* **Q and H LLC,** *[WP-23-47 at 5161 Beach Boulevard]* Unpermitted Discharge of untreated wastewater to the ground, surrounding environment and stormwater draining to MS4; Allowing untreated wastewater into the storm sewer system; Failure to notify EQD of Discharge from the System and Failure to provide required records; Failure to provide safe, dry access to the Pump Station; Failure to perform required maintenance; and Failure to provide required records.

Respondent’s corrective actions: overload heaters were replaced

Consent Order settlement fee: **$8,000 with mitigation potential**

07/12/2023 Discharge of untreated wastewater to the ground and surrounding environment; Failure to operate and maintain the System to remain operational; Failure to notify EQD of Discharge from the System and provide required records

Potential for Harm Major - Discharge due to equipment out of service (non-transmission)

Extent of Deviation Major: Direct discharge to MS4, surface water, wetland, or groundwater or with sampling results 70% and above over standard

Consent Order requirements:

* Maintain Compliance with operation, maintenance, and recordkeeping requirements, effective immediately.
* Submit the mandatory maintenance records for the System to EQD by the last day of each month beginning upon execution of the consent order
* INITIAL ENGINEER REPORT: Within 60 calendar days of the effective date of this Consent Order
* **Jax Edgewood Partners, LLC,** [WP-23-44 at 0 12th Street] Unpermitted discharge of non-stormwater to City Municipal Separate Storm Sewer System (“MS4”); Failure to comply with erosion and sediment control requirements.

Respondent’s corrective actions: Unknown

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

July 6, 2023 Insufficient BMPs/failure to maintain BMPs resulting in unlawful discharge of non-stormwater and turbid water to MS4

Sample at point of discharge from the Project to MS4 – 700 NTUs

Sample downstream of the point of discharge lab results – 1500 NTUs

Sample upstream of the point of discharge lab results – 3.4 NTUs

State water quality standards for turbidity is <29 NTUs above natural background conditions.

Potential for Harm – Major: Discharge of untreated wastewater to environment

Extent of Deviation – Major: Direct turbid discharge to MS4 with sampling results of 170% and above over standard.

Consent Order requirements:

* Immediately upon the effective date: Monitor, sample, notify EQD and report to EQD until Final Stabilization
* Within 14 days of the effective date: Perform/Revise BMP Assessment
* Within 21 days of the effective date: Submit BMP Assessment to EQD
* Within 28 days of the effective date: Implement BMP Assessment
* **Atlantic Site & Marine, Inc.** [WP-23-49 at 0 Old St. Augustine Road] Discharge of non-stormwater to City Municipal Separate Storm Sewer System (“MS4”); Failure to comply with erosion and sediment control requirements as of 9/14/23.

Consent Order settlement fee: **$3,500**

July 28, 2023 Insufficient BMPs/failure to maintain BMPs resulting in unlawful discharge of non-stormwater and turbid water to MS4

Sample at point of discharge from the Project to MS4 – 800 NTUs

Sample downstream of the point of discharge lab results – 900 NTUs

Sample upstream of the point of discharge lab results – 14 NTUs

State water quality standards for turbidity is <29 NTUs above natural background conditions.

Potential for Harm – Moderate: Discharge of non-stormwater with some erosion and sediment control measures installed but not properly maintained

Extent of Deviation – Major: Direct turbid discharge to MS4 with sampling results of 170% or above over standard.

Consent Order requirements: Penalty only

A motion was made to approve the consent orders as presented (Hoyles), properly seconded (Simon) and approved by the body.

ENFORCEMENT REPORT MELISSA LONG

No questions or concerns.

NEW BUSINESS

* Noise Variance Extension – Living Stream Church **JAMES RICHARDSON**

Mr. Richardson shared that a request had been received to extend the current variance through November 30, 2023 due to the contractor not receiving permits as anticipated. He shared that historically these type requests are simply voted upon at the recommendation of staff. He also shared that the project is in compliance.

A motion to approve the variance extension request was made (Hoyles), properly seconded (Deck) and approved by the body.

* Noise Variance – DCPS Southside Estates Elementary
* Waive Rule 1.602(e)

Mr. Richardson shared that the application had been received at the beginning of construction. Due to scheduling, they are requesting an expedited process.

A motion to waive Rule 1.602(e) was made (Deck), properly seconded (Simon) and approved by the body.

* Noise Variance Application Approval/Denial/Postponement

Mr. Richardson shared background on the project and that the required public notices had been published. Jason Heuler with Haskell shared details and background on the project including why the variance was being requested. Mike Williams, EQD, shared his technical review of the application and his recommendations.

A motion to approve the variance as recommended by staff was made (Hoyles), properly seconded (Deck) and approved by the body.

* JEPB Environmental Achievement Awards **JAMES RICHARDSON**

Mr. Richardson shared that the normal number of submissions was down from previous years, including none for the two major awards. Considering that, he conferred with a number of key stakeholders and came up with recommendations. He then presented his recommendations for award winners including some background information on each.

A motion to approve the awards as recommended was made (Hoyles), properly seconded (Simon) and approved by the body.

PRESENTATION(s)

None

PUBLIC HEARING(s)

None

OLD BUSINESS

* + Retreat
  + Education & Public Outreach

COMMISSION & JEPB COMMITTEE UPDATES

* **Waterways Commission** – Mr. Hoyles shared that there was a presentation on McCoys Creek and that water quality was going to be a focus.
* **KJB Commission** – Chief Long shared that the International Coastal Cleanup was held successfully on September 16th.
* **JEPB Water Committee** – Chief Long discussed information from the Water Branch report and responded to member questions.
* **JEPB Air Committee** – Mr. Williams discussed information from the Air Branch report and responded to member questions.

EPB ADMINISTRATOR REPORT

Mr. Richardson shared that things were lining up for another successful symposium. As of that date, the event was sold out with 356 people registered. He reminded everyone that due to the symposium, the October meeting would be held on October 23rd. He mentioned that the awards would be presented during a luncheon at UNF on November 15th and encouraged members to attend. He recommended that elections be postponed to the October meeting to allow for a new member to be seated.

ENVIRONMENTAL QUALITY DIVISION REPORT

No report.

COMMENTS FROM THE PUBLIC

None

ITEMS REFERRED TO COMMITTEES

None

NEXT SCHEDULED BOARD MEETING(s)

* JEPB Committees

Air Committee – TBD

Water Committee – TBD

* JEPB Steering Committee – Monday, October 9, 2023, at 4:00 pm
* JEPB Monthly Meeting – Monday, October 23, 2023, at 5:00 pm

The meeting was adjourned at 6:35 pm.