



Jacksonville Environmental
Protection Board

Jacksonville Environmental Protection Board Members

Thomas Deck - Chairman
Adam Hoyles - Vice Chairman
Josh Gellers, Ph.D., Desiree C. Jones, LMHC, Sunil Joshi, M.D.,
Clint Noble, P.G., Guillermo Simon, P.E., Margarete Vest, P.E., David Wood

Air Odor Noise Committee

Clint Noble, P.G. - Chair
Josh Gellers, Ph.D.
Desiree Jones, LMHC
Sunil Joshi, MD
Margarete Vest, P.E.

Water Committee

Adam Hoyles - Chair
Josh Gellers, Ph.D.
Desiree Jones, LMHC
Guillermo Simon, P.E
Margarete Vest, P.E..

Jacksonville Environmental Protection Board
Monday, November 18, 2024
MONTHLY MEETING SUMMARY

MEMBERS PRESENT:

Thomas Deck, Chair
Adam Hoyles, Vice-Chair
Clint Noble, P.G.

Josh Gellers, Ph.D.
Sunil Joshi, M.D
Guillermo Simon, P.E.

MEMBERS NOT PRESENT:

David Wood
Margarete Vest, P.E.

Desiree Jones

STAFF/RESOURCES PRESENT:

Melissa Long, EQD
Cherry Pollock, OGC

Mike Williams, EQD
Terry Carr, EQD

VISITOR(s) PRESENT:

Kelly Dennings
Jeff Rumer, Petticoat-Schmitt
Tony Williams, Summit Contracting
Jon Lovejoy, Summit Contracting

CALL TO ORDER

THOMAS DECK

INTRODUCTIONS

Chair Deck called to order the monthly meeting of the Jacksonville Environmental Protection Board (JEPB) at 5:00 pm. A quorum was established.

CHAIRMANS REMARKS

None

COMMENTS FROM THE PUBLIC

Kelly Dennings with the Center for Biological Diversity introduced herself to the board and shared information about "Libraries of Things".

APPROVAL OF MINUTES

- October 21, 2024 Monthly Board Meeting Summary

A motion was made (Hoyles) to approve the meeting summaries, properly seconded (Simon) and approved by the body.

CONSENT ORDERS

MELISSA LONG

Chief Long asked that the consent order below be considered first as representatives from the contractors were asked to be present.

- **Jacksonville Transportation Authority Corner Lot Living, LLC Summit Contracting Group, Inc., Petticoat-Schmitt Civil Contractors, Inc.,** [ESC-24-16] at Artea Multifamily construction project located at Real Estate I.D. Number (RE) 080102-0000, 080098-0010, 080099-0000, 080100-0000, 080101-0000, 080103-0000, 080104-0000, addressed at 1030 Colorado Avenue, 0 Montana Avenue; Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

Corrective Actions:

Improved BMPs with erosion control maintenance

Consent Order settlement fee:

\$4,900.00

Consent Order requirements:

Penalty only

Board member Hoyles shared that the contractors seemed to have a history of ESC compliance issues and asked representatives to address the history and their potential solutions to minimize future issues. The representative from Petticoat-Schmitt acknowledged the issues and shared they were subcontractors on the project with responsibility for the ESC controls and that miscommunication of responsibility was likely the issue in this situation. He shared that he was implementing procedures to address future issues. Representatives from Summit Contracting, the general contractor for the site, acknowledged the issue and shared that procedures were under consideration that would address future issues. Other board members shared some thoughts and insights.

A motion was made to approve the consent order as presented by staff (Joshi), properly seconded (Noble), and approved by the body.

Air/Noise

- **The Dunes Apartment, LTD; GFL Solid Waste Southeast LLC; [NP-24-03]** at 11425 McCormick Road; Operating or permitting the operation of a trash or refuse service using a mechanical device between the hours of 10:00 p.m. and 7:00 a.m. within 200 meters of property that is in a Class A or Class B areas

Corrective Actions:

The manager has clearly communicated the operational hours for servicing the customer to the Operations team. To ensure that everyone is on the same page and to prevent any confusion in the future.

Consent Order settlement fee:

\$5,000

Consent Order requirements:

Penalty only

Water

- **SB & DB Properties, LLC and Allsite Contracting, Inc. [ESC-24-17]** at 10348 Cisco Drive, and 10358 Cisco Drive, Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

Corrective Actions:

Submitted a SWWPP report

Consent Order settlement fee:

\$4,800

Consent Order requirements:

Penalty only

- **Meritage Homes of Florida, Inc., W. Gardner, LLC., [ESC-24-15]** at 0 Jones Road, Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

Corrective Actions:
Repaired silt fence

Consent Order settlement fee:
\$3,500.00

Consent Order requirements:
Payment only

- **Waters Ridge, LLC [WP-24-14]** at 2304 Saint John's Bluff Road, Discharge of untreated wastewater to the ground, surrounding environment and stormwater system; Allowing untreated wastewater into the storm sewer system; Failure to keep pump station secured; and Failure to provide required records.

Corrective Actions:
Replaced pumps and control panel – by operator

Consent Order settlement fee:
\$900 – Minor Potential for Harm because past 2 years showed continued upkeep on maintenance records; Major extent of deviation because water quality exceeded 70% of standard.

Consent Order requirements:

1. Tenant Education – within 30 days
2. Engineer Review – within 60 days
3. Fina Engineering – within 120 days
4. Monthly Status and Maintenance Reports

- **Wen South, LLC (dba Wendy's of Florida) [WP-22-13]** at 9055 New Kings Road, Unlawful discharge of untreated wastewater to the ground, surrounding environment and municipal separate stormwater sewer system ("MS4"); Failure to operate and maintain the System to function as intended and to provide uninterrupted service

Corrective Actions:
Sewage vacced and hauled

Consent Order settlement fee:
\$4,800

Consent Order requirements:
Penalty only

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

ENFORCEMENT REPORT

MELISSA LONG

There were no questions or concerns.

NEW BUSINESS

• Funding Request – Mobile Air Monitoring Project MIKE WILLIAMS

James Richardson shared that a funding request has been received from EQD in the amount of \$450,000. The funding would be combined with an award of \$300,000 from the EPA for a mobile air monitoring project. He shared his review of the request along with several examples of the board approving use of the funds for EQD operations. He also shared that the EPTF was holding \$523,000 to be specifically utilized for air related projects. He recommended approval of the request as outlined in his review:

1. *Seek approval of the appropriation of \$450,000 for the EQD Mobile Air Monitoring Project.*
2. *Seek a waiver of Sec. 111.755(f) and 360.602(f), Ord Code because the expenditure, although unique and of a onetime nature, will support ongoing operational functions of the Division.*

Mike Williams shared background on the project. It came about after a request from USEPA. After submitting the outline of a potential project, they accepted it and asked that it be expanded in order to partner with them in Region 4. Other areas of the state are also interested in the project as well. The primary focus is to air toxic hotspots in Health Zone 1. The unit will also serve as a secondary method for odor investigations and monitor ethylene oxide around Jacksonville's medical sterilization facility.

A motion was made to approve the funding request as recommended by staff (Joshi), properly seconded (Simon) and approved by the body.

• DISCUSSION: 2025 JEPB Committee Assignments JAMES RICHARDSON

Mr. Richardson shared that per JEPB Rule 1, members are to be assigned to committees by the Chair annually. He shared the potential assignments that he would be recommending to the Chair. Committee assignments will begin in January and will be communicated to everyone later in December.

• DISCUSSION: JEPB Subpoena Powers CHERRY POLLOCK

Cherry Pollock shared that during the recent meeting of the Steering Committee, there was some discussion of the JEPB, any subpoena powers entrusted to them and when and how they might be used. She did some research and provided a legal opinion to the Administrator. To summarize, the JEPB can vote to send a request to the Council's NCSPHS committee asking that a subpoena be issued on behalf of the Board. If approved by that committee, the Council Secretary must issue the subpoena compelling appearance before the JEPB. Members thanked her for the research and information.

PRESENTATION(s)

None

PUBLIC HEARING(s)

None

OLD BUSINESS

None

COMMISSION & JEPB COMMITTEE UPDATES

- **Waterways Commission** – Mr. Hoyles shared that information was shared that with new regulations established, abandoned vessels were now under the JEPB.
- **KJB Commission** – Chief Long shared that International Coastal Cleanup was successfully held and that the KJB would be presenting their awards at the luncheon later in the week.
- **JEPB Water Committee** – Terry Carr discussed information from the Water Branch report and responded to member questions.
- **JEPB Air Committee** – Mike Williams discussed information from the Air Branch report and responded to member questions.

EPB ADMINISTRATOR REPORT

Mr. Richardson shared information about the symposium, recent partner events with WJCT and ADAPT Florida, member appointment updates, and the awards luncheon. He shared that there would be no committee meetings in November and December and that the December meeting of the board may be canceled.

ENVIRONMENTAL QUALITY DIVISION REPORT

No report

ITEMS REFERRED TO COMMITTEES

None

NEXT SCHEDULED BOARD MEETING(s)

- JEPB Steering Committee – Monday, December 2, 2024, at 4:00 pm
- JEPB Monthly Meeting – Monday, December 9, 2024, at 5:00 pm
- JEPB Committee Meetings
 - I. No meetings through remainder of 2024

The meeting was adjourned at 6:32 pm.

Respectfully submitted,

James Richardson
JEPB Program Administrator