



Environmental Protection Board Members

Lucinda Sonnenberg, PhD - Chairman
Amy Fu, PE – Vice Chairman
Bobby L. Baker, PE, Edmund Clark, MD
Roi Dagan, MD, Thomas Deck,
Caleena Shirley, David Wood

Education & Public Outreach

David Wood – Chair
Lucinda Sonnenberg, PhD
Bobby Baker, PE

Air Odor Noise Committee

Amy Fu, PE – Chair
Caleena Shirley
David Wood
Thomas Deck
Edmund Clark, MD

Water Committee

Bobby Baker, PE – Chair
Thomas Deck
Roi Dagan, MD
Edmund Clark, MD
Caleena Shirley

Jacksonville Environmental Protection Board

Monday, August 19, 2019

BOARD MEETING SUMMARY

MEMBERS PRESENT:

Thomas Deck
Bobby Baker, P.E.
Lucinda Sonnenberg, Ph.D., Chair
Amy Fu, P.E., Vice Chair

Caleena Shirley
Edmund Clark, M.D.
David Wood

MEMBERS NOT PRESENT:

Roi Dagan, M.D.

STAFF/RESOURCES PRESENT:

James Richardson, JEPB Administrator
Melissa Long, EQD Chief
Kealey West, OGC

Tree Kilbourn, EQD Enforcement
Terry Carr, EQD Water Branch

VISITOR(s) PRESENT:

Deb Bates
Scott Bates

Carolyn Antman

**CALL TO ORDER
INTRODUCTIONS**

LUCINDA SONNENBERG

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

CHAIRMANS REMARKS

none

COMMENTS FROM THE PUBLIC

none

APPROVAL OF MINUTES

A motion to approve the summary for the July 15, 2019 monthly was made (Shirley), properly seconded (Deck) and approved by the body.

CONSENT ORDERS

Air/Noise

- **Florida Roads Contracting, LLC (AP-19-07)** - Open burning without a permit and/or in violation of state or Board rules – **proposed settlement fee \$300**
- **Waste Management, Inc. of Florida d/b/a Waste Management of Jacksonville (NP-19-02)** - 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 area [intersection of San Jose Boulevard and Old Acosta Road] – **proposed settlement fee \$5,000**

Water

- **Andtback & Harling CVF, LLC (WP-19-12)** - Unlawful discharge of sewage or other untreated wastewater to ground and surrounding environment; Failure to maintain wastewater collection/transmission system to function as intended; Unlawful bypass of wastewater collection/transmission system or treatment facility – **proposed settlement fee \$1,200** [*\$1,500 less 20% for good faith efforts to cooperate*]
- **Landsouth Construction, LLC (WP-19-04)** - Unlawful discharge to stormwater and surface waters; Failure to comply with erosion and sediment control standards; Exceedance of water quality standards – **proposed settlement fee \$23,000**
- **Rowe's IGA, LLC (WP-18-52)** - Unlawful discharge of sewage or other untreated wastewater; Failure to maintain wastewater system to function as intended; Bypass of a wastewater treatment facility; Failure to comply with sewerage design standards; Failure to notify EQD of a discharge of wastewater and provide required records – **proposed settlement fee \$6,400** [*\$8,000 less 20% for good faith efforts to cooperate*]

A motion to approve the above consent orders was made (Baker), properly seconded (Shirley) and approved by the body.

- **Pine Meadows Associates, Ltd. (WP-19-01)** - Unlawful discharge of sewage or other untreated wastewater to stormwater; Failure to maintain wastewater collection/transmission systems to function as intended; Bypass of a wastewater treatment facility; Failure to notify EQD of discharge and provide required records – **proposed settlement fee \$4,225** [*\$8,000 less 20% good faith efforts to cooperate and less the mitigation credit of \$2,175 for the SEP*]

Consent Order requirements: SEP - installation of an auto alarm notification system with battery backup to alert in the case of alarm or electrical service interruption at the lift station by 10/31/19
Final repairs and engineer sign-off by 10/31/19

A motion to approve the consent order was made (Shirley), properly seconded (Fu) and approved by the body.

ENFORCEMENT REPORT

TREE KILBOURN

Ms. Kilbourn entertained questions on the monthly enforcement report – there were none. She reported that since the HB Next training, seven instances, all with one company, were reported by ground crews. All issues were resolved the same day. We are seeing much faster response to issues which was the goal of the training.

PRESENTATION(s)

none

PUBLIC HEARING(s)

- Funding Request – Millers Creek Ecological Restoration Project

Chair Sonnenberg suspended the meeting at 5:26 pm to open the Public Hearing. The monthly meeting was reconvened at 6:07 pm.

COMMISSION & JEPB COMMITTEE UPDATES

- Waterways Commission – Mr. Baker shared that with the Council summer break and new Council leadership, the WWC would not meet until August 28th.
- KJB Commission – no report
- JEPB Water Committee – Terry Carr referred everyone to the reports provided with the meeting packet and shared a few highlights:
 - Met with NEFBA and discussed ways to increase training for ground crews at construction sites. They will be providing their facility for our monthly trainings.
 - We have all the permits for the artificial reefs. We are in discussion with the USACE regarding annual maintenance. We will be working with the JSO dive team to do that.
 - Design is being initiated on remediation around Deer Creek which is next to the Kerr-McGee site.

A question was raised as to how many superfund sites were in Duval County. Mr. Carr indicated that he would check and let the members know. Regarding the ESC training, a question was raised as to if the City would move to a requirement of construction contractors having ESC certified personnel on construction sites. It was shared that they may have someone on their team, however most contract out stormwater controls on site. A question was raised as to City projects and if there is concrete or other suitable material for artificial reefs, is there any consideration giving to deploying it for that purpose. Mr. Carr shared that it is something that has been done in the past on large scale projects and shared some of the requirements that the USACE has in place.

- JEPB Air Committee – Chief Long referred everyone to the reports provided with the meeting packet. Now including an air monitoring summary. Not too much going on and indicated that there were no issues of concern. There was not a report on complaints. There is a new system and there were issues in pulling the information. We hope to have it resolved soon.
- JEPB Education & Outreach Committee – Mr. Wood shared that the next meeting would take place on August 26th where future funding requests and quarterly communications would be discussed.

OPEN VARIANCES

Mr. Richardson shared that there were currently three open variances, with no issues. The variance update for the Vista Brooklyn project was included in the report and no complaints since March to the contractor or the City.

EPB ADMINISTRATOR REPORT

Mr. Richardson discussed the report distributed with the meeting information. He shared that he had recently met with staff in the Mayor's Office to discuss the open position and the soon to be open positions and that he hoped to see movement soon. The first nighttime dumpster collection permit was received and has been reviewed by staff. Given that and a variance which is ready for action, he suggested that the Air Committee meet on the 26th and that the JEPB have its monthly meeting in September. He then provided an update on last minute details for the symposium.

ENVIRONMENTAL QUALITY DIVISION REPORT

The Chief shared the following with the members:

- Working on filling positions within the Air branch and are now working on a list of candidates to fill Terry Carr's old position.
- EQD is going before the Council Finance Committee to review the budget request which is for level funding.
- Working to schedule a follow-up workshop on SSO language with a more targeted group. Want to discuss potential language and changes with them to get feedback and input.

- EQD staff will be present at November and February Artwalk.
- Have completed a handout/flyer on Wastewater collection systems and are completing one on ESC.

OLD BUSINESS

- none

NEW BUSINESS

- Annual Environmental Awards
Mr. Wood shared that the recommendations for the annual awards to be presented at the symposium were distributed to members in advance of the meeting. He moved that they be approved as presented if there were no questions. The motion was properly seconded (Baker) and approved by the body.
- Ratification – Mercury Study Extension
Mr. Richardson shared background on the ongoing Mercury Study funded by the JEPB. Due to several reasons, the study will need to be extended. This will extend the study beyond the original appropriation time frame which means that a new MOU with JU will need to be approved by the Council. The funding amount will not change; however, he is seeking a motion from the JEPB to ratify the funding request in order to demonstrate continued commitment. A motion was made to ratify the funding and to support the extension request was made (Shirley), properly seconded (Baker) and approved by the body.

ITEMS REFERRED TO COMMITTEES

- None

NEXT SCHEDULED BOARD MEETING(s)

- EPB Committees
 - I. Air Committee – Monday, August 26, 2019 at 4:30 pm
 - II. Education & Public Outreach – August 26, 2019 at 5:00 pm
- EPB Steering Committee – Monday, September 9, 2019 at 4:00 pm
- EPB monthly meeting – Monday, September 16, 2019 at 5:00 pm

The meeting adjourned at 6:47 pm

Respectfully Submitted

James A Richardson, II

James Richardson, EPB Administrator