Jacksonville Environmental Protection Board

Monday, November 20, 2023

MONTHLY MEETING SUMMARY

MEMBERS PRESENT:

Thomas Deck, Chair

Guillermo Simon

Clint Noble

Beth Leaptrott

Adam Hoyles, Vice-Chair

Josh Gellers

MEMBERS NOT PRESENT:

David Wood

Sunil Joshi

STAFF/RESOURCES PRESENT:

James Richardson, JEPB Administrator

Melissa Long, Chief - EQD

Cherry Pollock, OGC

Mike Williams, EQD

VISITOR(s) PRESENT:

Bryan Judah, Summit Contracting

Erich Geisler, Corner Lot Development

David Smith, Summit Contracting

CALL TO ORDER THOMAS DECK

INTRODUCTIONS

Chair Deck called to order the monthly meeting of the Jacksonville Environmental Protection Board (JEPB) at 5:02 pm. A quorum was established.

CHAIRMANS REMARKS

None

COMMENTS FROM THE PUBLIC

None

APPROVAL OF MINUTES

A motion to approve meeting summaries for the October 23, 2023, JEPB meeting was made (Simon), properly seconded (Gellers) and approved by the body.

CONSENT ORDERS

**Air/Noise**

* **Mittera Group, Inc.,** *[AP-23-06 at* 10301 Busch Drive*]* Failure to submit and maintain continuous monitoring records for EU001 and EU005, Failure to schedule VOC test and maintain control equipment for EU005, Failure to report the inability to comply with permit conditions.

Corrective Actions:

Repaired/replaced failed temperature monitoring equipment, Repaired malfunctioning control equipment, Stated understanding to perform testing required by permit on time, and understand to report inability to comply with permit requirements to the Permitting Authority immediately.

Consent Order settlement fee: **$35,150**

Consent Order requirements:

Submit AC permit within 45 days to incorporate agreed upon conditions.

* **Oldcastle APG South, Inc**. [*AP-23-11 at 6659 Highway Avenue*] Failure to conduct annual visible emissions (“VE”) compliance test by January 1, 2023 for EU 001, 002, 004, 005, 006 for year 2022

Corrective Actions:

None

ND response to alleged violation(s):

Cease and Desist Citation AP-23-11 issued.

Consent Order settlement fee: **$4,500**

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

**Water**

* **A2.176720 12th LLC** *[WP-23-38 at 6720 12th Street]* Discharge of non-stormwater to City Municipal Separate Storm Sewer System (“MS4”); Turbidity discharge to surface water in exceedance of surface water quality standards.

Corrective Actions:

Site has been stabilized.

ND response to alleged violation(s):

Cease and Desist Citation WP-23-38 issued

Consent Order settlement fee: **$6400**

Consent Order requirements:

Payment only

* **Hendricks SanMarc LLC; Atlantic Site & Marine, Inc.; and Live Oak Contracting, LLC**

*[WP-23-30 at 0 Thacker Avenue]* Discharge of non-stormwater to City municipal separate storm sewer system (“MS4”); Failure to comply with erosion and sediment control requirements.

Corrective Actions:

BMPs were re-established and/or replaced.

Consent Order settlement fee: **$3500**

Consent Order requirements:

Payment only

* **Saige Property Holdings LLC** *[WP-23-36 at 0 Powers Avenue]* Discharge of non-stormwater to City municipal separate storm sewer system (“MS4”); Failure to comply with erosion and sediment control requirements

Corrective Actions:

The dewatering activity was cleaned up and discharging clear water.

Consent Order settlement fee: **$1500**

Consent Order requirements:

Payment only

* **Cortez Pointe, Inc**. [*WP-23-21 at 0 University Blvd*.] Discharge of non-stormwater to City municipal separate storm sewer system (“MS4”); Failure to comply with erosion and sediment control requirements

Corrective Actions:

Installed BMPs and ceased dewatering.

Consent Order settlement fee: **$2,800**

[$3,500 less 20% good faith efforts].

Consent Order requirements:

Payment only.

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

ENFORCEMENT REPORT MELISSA LONG

Chief Long reminded all that the format is changed a bit and that at future meetings there will be more time spent on reviewing the report a little more in detail.

NEW BUSINESS

* Noise Variance Application – Summit Contracting Group
  + - Waive JEPB Rule 1.602(e)

Chair Deck asked for background information. James Richardson shared information on the project and the rationale for it being expedited. He asked the members to approve the waiver allowing the application to be considered first by the full board.

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

Chair Deck asked that a representative from Summit come forward to share information on the project and request. David Smith, Summit Contracting, provided details on the project and why the variance was being requested. Mike Williams, EQD, then shared his review of the application and his recommendation of approval with conditions.

Member Leaptrott shared that she would abstain from voting due to a conflict. The required paperwork was provided.

A motion to approve the variance application as presented by staff was made (Hoyles) and properly seconded (Simon).

During discussion, there was deliberation of the time needed for construction activities other than concrete pours. Members decided to go with the staff recommendation of no earlier than 7 am. The motion was approved by the body.

* + JEPB Committee Assignments

Chair Deck shared the committee assignments for the coming year with the members.

PRESENTATION(s)

None

PUBLIC HEARING(s)

None

OLD BUSINESS

* + Retreat
  + Education & Public Outreach

COMMISSION & JEPB COMMITTEE UPDATES

* **Waterways Commission** – Mr. Hoyles shared that the FIND task force presented projects they recommended, that the Shoaling Committee discussed a sediment study for Clapboard Creek and that the River Accord task force would soon be meeting to discuss water quality in the main stem of the St Johns.
* **KJB Commission** – no report.
* **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 information about the Awards luncheon, encouraged participation in an upcoming activity with the Foundation Academy, reminded everyone of the meeting schedule change due to the holidays and that there would be another variance for consideration at the December meeting.

ENVIRONMENTAL QUALITY DIVISION REPORT

No report.

ITEMS REFERRED TO COMMITTEES

None

NEXT SCHEDULED BOARD MEETING(s)

* JEPB Committees

Air Committee – TBD

Water Committee – TBD

* JEPB Steering Committee – Monday, December 4, 2023, at 4:00 pm
* JEPB Monthly Meeting – Monday, December 11, 2023, at 5:00 pm

The meeting was adjourned at 6:25 pm.