



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, MD,  
Clint Noble, Guillermo Simon, David Wood

**Air Odor Noise Committee**

Clint Noble – Chair  
Josh Gellers, Ph.D.  
Desiree Jones, LMHC  
Sunil Joshi, MD  
David Wood

**Water Committee**

Adam Hoyles – Chair  
Josh Gellers, Ph.D.  
Desiree Jones, LMHC  
Guillermo Simon

**JEPB Monthly Meeting Agenda  
Monday, May 20, 2024**

Physical Location:

5:00 p.m. - Ed Ball Building - 214 N. Hogan Street  
1<sup>st</sup> Floor Hearing Room – Room 1002

**BOARD MEETING AGENDA**

CALL TO ORDER

**THOMAS DECK**

I. CHAIRMAN'S REMARKS

II. COMMENTS FROM THE PUBLIC

III. APPROVAL OF MINUTES

- March 18, 2024, Monthly Meeting Summary

IV. CONSENT ORDERS

**MELISSA LONG**

**Air**

- **USNR, LLC** - *[AP-24-03 at 6630 Broadway Avenue]* Failure to obtain air construction permit prior to beginning construction of an air pollution source

Corrective Actions:

Received Permit Application on 1/31/2024

Consent Order settlement fee:

**\$26,000**

Consent Order requirements:

Payment only

## **Water**

- **City of Jacksonville – Public Works; Auld & White Constructors, LLC; W. Gardner, LLC - [ESC-23-76 at 6575 Lenox Avenue]** Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

Corrective Actions:

Silt fencing on the south perimeter

Consent Order settlement fee:

**\$2,800**

Consent Order requirements:

Penalty payment only.

- **Meritage Homes of Florida, Inc., and KT Carter Contracting, Inc. - [ESC-24-03 at 0 Soutel Drive]** Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

Corrective Actions:

NTC mailed on January 25, 2024

Consent Order settlement fee:

**\$3,500**

Consent Order requirements:

Penalty payment only

- **BCPF Cypress Plaza LLC, Foundry Commercial, LLC, W. Gardner, LLC, and Dana B. Kenyon Company - [ESC-24-07 at 0 Cypress Plaza Drive]** Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

Corrective Actions:

Improved or modified BMP

Consent Order settlement fee:

**\$3,500.**

Consent Order requirements:

Penalty payment only.

- **American Classic Homes, LLC, Atlee Development Group, Inc., ACO Construction, LLC** - [ESC-24-10 at 8714 Lenox Ave [RE]008756-0000, 1301 Hammond Blvd [RE]008777-6000, 1305 Hammond Blvd [RE]008779-0000] Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

Corrective Actions:

Updated BMP Assessment and removed debris from Hammon Blvd.

Consent Order settlement fee:

**\$3,500**

Consent Order requirements:

None

- **Bachelor Properties II, LLC and Crud Busters, LLC** - [WP-23-70 at 108 Copeland Street] Discharge of untreated wastewater to the ground, surrounding environment and stormwater draining to MS4; Allowing untreated wastewater into the storm sewer system

Corrective Actions:

Block drains with a liner, sandbags, hay, and additional screen. Work has completed

Consent Order settlement fee:

**\$500**

Consent Order requirements:

Payment only.

- **Isaiah 117 House Property LLC, Daymon Well Drilling and Pump Services, LLC** - [GW-24-01 at 3724 Marbon Road] Construction of a well without a permit

Corrective Actions:

Compliance assistance

Consent Order settlement fee:

**\$300**

Consent Order requirements:

Payment only

## V. ENFORCEMENT REPORT

**MELISSA LONG**

## VI. PRESENTATION(s)

## VII. NEW BUSINESS

- Noise Variance Request – Blue Ocean Construction
  - Waive JEPB Rule 1.602(e)
- Funding Request – JEPB Education and Outreach Expenses

## VIII. PUBLIC HEARING(s)

- None

#### IX. OLD BUSINESS

- None

#### X. COMMISSION & JEPB COMMITTEE UPDATES & REPORTS

- Waterways Commission
- KJB Commission
- JEPB Water Committee
- JEPB Air Committee

**ADAM HOYLES**  
**DAN DURBEC**  
**TERRY CARR**  
**MICHAEL WILLIAMS**

#### XI. EPB ADMINISTRATOR REPORT

**JAMES RICHARDSON**

#### XII. ENVIRONMENTAL QUALITY DIVISION REPORT

**MELISSA LONG**

#### XIII. ITEMS REFERRED TO COMMITTEES

#### XIV. NEXT SCHEDULED BOARD MEETING(s)

- JEPB Steering Committee – June 10, 2024, at 4:00 pm
- JEPB Monthly Meeting – Monday, June 17, 2024, at 5:00 pm
- JEPB Committee Meetings
  - I. JEPB Air Committee – Monday, June 24, 2024, at 4:30 pm
  - II. JEPB Water Committee – Monday, June 24, 2024, at 5:30 pm

#### XV. ADJOURNMENT



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

Neighborhoods Department  
Environmental Quality Division  
214 N. Hogan Street, 5<sup>th</sup> Floor  
Jacksonville, Florida 32202  
(904) 255-7100  
[www.jacksonville.gov](http://www.jacksonville.gov)

## **MEMORANDUM**

**May 16, 2024**

**TO: Jacksonville Environmental Protection Board Steering Committee**

**THROUGH: James A. Richardson, II, Board Administrator**

**THROUGH: Melissa M. Long, P.E., Chief, Environmental Quality Division**

**FROM: Patricia Gee-Jones, Program Supervisor, Environmental Enforcement Division**

**PROPOSED PRESENTATION TO JEPB –May 20, 2024**

**APPROVAL OF CONSENT ORDER SETTLEMENTS - EQD recommends approval of these Consent Orders**

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### **Water**

**City of Jacksonville – Public Works; Auld & White Constructors, LLC; W. Gardner, LLC** [ESC-23-76 at 6575 Lenox Avenue] Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

**Meritage Homes of Florida, Inc., and KT Carter Contracting, Inc.** [ESC-24-03 at 0 Soutel Drive] Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

**BCPF Cypress Plaza LLC, Foundry Commercial, LLC, W. Gardner, LLC, and Dana B. Kenyon Company** [ESC-24-07 at 0 Cypress Plaza Drive] Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

**American Classic Homes, LLC, Atlee Development Group, Inc., ACO Construction, LLC** [ESC-24-10 at 8714 Lenox Ave [RE]008756-0000, 1301 Hammond Blvd [RE]008777-6000, 1305 Hammond Blvd [RE]008779-0000] Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

**Bachelor Properties II, LLC and Crud Busters, LLC** [WP-23-70 at 108 Copeland Street] Discharge of untreated wastewater to the ground, surrounding environment and stormwater draining to MS4; Allowing untreated wastewater into the storm sewer system

**Isaiah 117 House Property LLC, Daymon Well Drilling and Pump Services, LLC**[GW-24-01 at 3724 Marbon Road] Construction of a well without a permit

### **Air**

**USNR, LLC** [AP-24-03 at 6630 Broadway Avenue] Failure to obtain air construction permit prior to beginning construction of an air pollution source

**THE ENVIRONMENTAL PROTECTION BOARD  
CITY OF JACKSONVILLE, FLORIDA  
May 20, 2024**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE  
NEIGHBORHOODS DEPARTMENT**

Petitioner

vs.

**City of Jacksonville – Public Works; Auld & White Constructors, LLC; W. Gardner, LLC**

Respondent

Alleged violation(s):

Discharge of untreated wastewater to the ground, surrounding environment and stormwater draining to MS4;  
Allowing untreated wastewater into the storm sewer system

Source of alleged violations:

COJ – Fire Station #22 construction project located at Real Estate I.D. Number (RE) 011778-0020, addressed at 6575 Lenox Avenue Jacksonville, Florida (the “Project”)

Dates of alleged violation(s):

On or before November 29, 2023 and December 4, 2023)

Method of determining alleged violation(s):

Site investigation

Rules allegedly violated:

JEPB Rules 3.103.B; 3.604.A

Corrective Actions:

Silt fencing on the south perimeter

ND response to alleged violation(s):

Cease and Desist Citation WP-23-76 issued

Consent Order settlement fee:

\$2800.

Consent Order requirements:

Penalty payment only.

Previous Enforcement:

Citations issued: None

NTC: 12/7/2023 - 6575 Lenox Ave. (RE# 011778-0020)- Closed -referred to Enforcement 12/29/2023

**W. Gardner, LLC:**

WP-20-52 - City of Jacksonville; Hillwood Development Company, LLC; W. Gardner, LLC; Smith Trucking Company, Inc.; The Conlan Company [Waterworks Bldg F-1 LLC] - Unlawful discharge of non-stormwater and turbid water to stormwater (MS4); Failure to comply with erosion and sediment control requirements; - 0 POW MIA Memorial Parkway at 13450 Waterworks Street, RE 002113-0320- civil fine \$8,000 paid – Closed 03/15/2022

WP-19-08 - Duval Investment Group, LLC; W. Gardner, LLC [12118 Duval Rd] - Unlawful discharge to stormwaters (MS4); Failure to comply with erosion and sediment control measures; - 12118 Duval Road, RE 044246-1000; - civil fine \$11,200 paid by W. Gardner. Closed 01/19/2019

(NTC's)

*Failure to comply with erosion and sediment control standards:*

*Date Issued:*

12/3/2020 - 0 POW MIA Memorial Pkwy/ 13450 Waterworks St. (RE 002113-0320)

9/13/2021 - 10598 Cordgrass Ln. (RE 156664-0040)

7/1/2022 - 2936, 2940, 2944, 2948, 2952 and 2956 Armsdale Rd. (RE 044256-6130, -6135, -6140, -6145, -6150, -6155)

4/7/2023 - 0 Riverside Ave. (RE 088967-0500)

5/5/2023- 0 12th St (RE 088298-0100)

5/26/2023- 0 Normandy Village Pkwy (RE 007628-1020)

6/27/2023 - 7311 W. Baymeadows Way and 0 W. Baymeadows Way (RE 152578-2040 and -2020)

6/27/2023 - 0 Riverside Ave (RE 088967-0500)

7/11/2023 - 0 12th St (RE 088298-0100)

7/13/2023 - 11725 Industry Dr. (RE 109567-0030)

8/24/2023 - 0 Cypress Plaza Drive (RE 152578-1060)

9/19/2023 - 7311 West Baymeadows Way and 0 West Baymeadows Way (RE 152578-2040 and -2020)

10/6/2023- 311 Baymeadows Way (RE 152578-2040)

11/17/2023 -0 Normandy Village Parkway (RE 007628-1020)

### **Auld & White Constructors, LLC**

WP-19-96 - TT of Picketville, Inc.; Auld & White Constructors, LLC; DNS Contracting, LLC;- Unlawful discharge of sediment to stormwater (MS4); failure to comply with erosion and sediment control standards; - 7030 Commonwealth Avenue, RE 005129-0000; civil fine \$1,840 Closed.

(NTC's)

*Failure to comply with erosion and sediment control standards:*

*Date issued:*

4/13/2023 - 12645 Salina Dr. (RE 167067-0435) Closed 12/11/2023

12/7/2023 - 6575 Lenox Ave. (RE# 011778-0020) Closed -referred to Enforcement 12/29/2023

**THE ENVIRONMENTAL PROTECTION BOARD  
CITY OF JACKSONVILLE, FLORIDA  
May 20, 2024**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE  
NEIGHBORHOODS DEPARTMENT**

Petitioner

vs.

**Meritage Homes of Florida, Inc., and KT Carter Contracting, Inc.**

Respondent

Alleged violation(s):

Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

Source of alleged violations:

Meritage Homes of Florida, Inc., construction project located at Real Estate I.D. Number (RE) 041648-0000 and - 0010, addressed at 0 Soutel Drive Jacksonville, Florida (the "Project")

Dates of alleged violation(s):

On or before January 22, 2024

Method of determining alleged violation(s):

File review and site investigations

Rules allegedly violated:

JEPB Rules JEPB Rule 3.103B; JEPB Rule 3.604A

Corrective Actions:

Improved BMPs

ND response to alleged violation(s):

Cease and Desist Citation ESC-24-03 issued

Consent Order settlement fee:

\$3500.

Consent Order requirements:

Penalty payment only

Previous Enforcement:

WP-23-60: Meritage Homes of Florida Inc.; K T Carter Contracting, Inc 0 120th St, RE 015825-1300 Open

WP-22-46 : SI Homes RCL LLC; Southern Impression Development LLC; K T Carter Contracting, Inc 0 120th St, RE 015825-1300 Closed



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May 20, 2024**

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NEIGHBORHOODS DEPARTMENT**

Petitioner

vs.

**BCPF Cypress Plaza LLC, Foundry Commercial, LLC, W. Gardner, LLC, and Dana B. Kenyon Company**  
Respondent

Alleged violation(s):

Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

Source of alleged violations:

Cypress Plaza Foundry construction project located at Real Estate I.D. Number (RE) 152578-1060, addressed at 0 Cypress Plaza Drive, Jacksonville, Florida (the "Project")

Dates of alleged violation(s):

On or before February 9, 2024 and February 22, 2024)

Method of determining alleged violation(s):

File review and site investigations

Rules allegedly violated:

JEPB Rules 3.103B and 3.604

Corrective Actions:

Improved or modified BMP

ND response to alleged violation(s):

NTC issued on February 12, 2024]. Cease and Desist Citation ESC-24-07 issued

Consent Order settlement fee:

\$3500.

Consent Order requirements:

Penalty payment only.

Previous Enforcement:

None at this site

**W. Garner, LLC:**

WP-18-29 Citation for unlawful discharge to stormwater (MS4); failure to comply with erosion and sediment control measures at 12118 Duval Rd, penalty assessed \$11,200. Case Closed

WP-19-08 Citation for unlawful discharge to stormwater (MS4); failure to comply with erosion and sediment control measures at 10667 Brightman Blvd, penalty assessed \$1,200. Case Closed

WP-20-25 Citation for unlawful discharge to stormwater (MS4); failure to comply with erosion and sediment control measures 0 POW MIA Memorial Parkway at 13450 Waterworks Street, penalty assessed \$8,000. Case Closed

ESC-23-76 Citation for unlawful discharge to stormwater (MS4); failure to comply with erosion and sediment control measures at 6575 Lenox Ave. Case still open.

**Dana B. Kenyon Company**

WP-01-05 Citation for unlawful discharge to stormwater (MS4); failure to comply with erosion and sediment control measures at 1118 West Beaver Street, Penalty assessed \$727. Cased Closed.

WP-18-82 Citation for unlawful discharge to stormwater (MS4); failure to comply with erosion and sediment control measures at 4251 Perimeter Industrial Parkway E, Penalty assessed \$6,720

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NEIGHBORHOODS DEPARTMENT**

Petitioner

vs.

**American Classic Homes, LLC, Atlee Development Group, Inc., ACO Construction, LLC**

Respondent

Alleged violation(s):

Discharge of non-stormwater to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements..

Source of alleged violations:

Crystal Cove construction project located at Real Estate I.D. Number (RE) 008756-0000, addressed at 8714 Lenox Ave, Number (RE) 008777-6000, addressed at 1301 Hammond Blvd Number (RE) 008779-0000, addressed at 1305 Hammond Blvd Jacksonville, Florida (the "Project")

Dates of alleged violation(s):

On or before 3/18/24

Method of determining alleged violation(s):

File review and site investigations

Rules allegedly violated:

JEPB Rules 3.103B; and 3.604

Corrective Actions:

Updated BMP Assessment and removed debris from Hammon Blvd.

ND response to alleged violation(s):

NTC issued on 3/19/2024. Cease and Desist Citation GW-24-01 issued

Consent Order settlement fee:

\$3500

Consent Order requirements:

None

Previous Enforcement:

None at this location

American Classic Homes, LLC - Unlawful discharge of sediment to stormwater (MS4); Failure to comply with erosion and sediment control standards - related to all cases below:

WP-19-76 - 11552, 11556 St. Josephs Rd.; 11525, 11503 St. Josephs Ct, RE 158931-000;

WP-19-48 - 8726 Dandy Ave, RE 144705-0060 [renumbered to 8722]; Closed;

WP-19-100 - 8718 Cocoa Avenue, RE 144722-0020; Closed;

WP-19-05 - 0 Hare Ave., RE 144036-0020; Closed;

WP-18-71 - 209 Century Street, RE 143952-0000-Pd \$6,900; Closed;

WP-18-60 - 1205, 1211, 1217, 1223, 1229, 1348 Sarahs Landing Dr., 008845-1540, -1550, -1560, -1570, -1580, -1860-Pd \$4,800; Closed;

WP-18-56 - 7507 and 7513 Hillsdale Rd, REs 154239-0080, -0070-Pd\$2,300; Closed;  
WP-18-39- 0 Hare Ave., RE 144036-0020-Pd \$3,080; Closed;  
WP-16-21- 1516 Willow Branch Avenue-Pd\$ 240; Closed

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NEIGHBORHOODS DEPARTMENT**

Petitioner

vs.

**Bachelor Properties II, LLC and Crud Busters, LLC**

Respondent

Alleged violation(s):

Discharge of untreated wastewater to the ground, surrounding environment and stormwater draining to MS4;  
Allowing untreated wastewater into the storm sewer system

Source of alleged violations:

Illicit discharge System located at Real Estate ID Number (RE) 077188-0000, addressed at 108 Copeland Street, Jacksonville, Florida (the "System" at the "Property")

Dates of alleged violation(s):

On or before November 15, 2023

Method of determining alleged violation(s):

Field Investigation

Rules allegedly violated:

JEPB Rules 3.103.B.1.; 3.103. F and JEPB 3.707

Corrective Actions:

Block drains with a liner, sandbags, hay, and additional screen. Work has completed

ND response to alleged violation(s):

Cease and Desist Citation WP-23-70 issued

Consent Order settlement fee:

\$500.

Consent Order requirements:

Payment only.

Previous Enforcement:

None

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May 20, 2024**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE  
NEIGHBORHOODS DEPARTMENT**

Petitioner

vs.

**Isaiah 117 House Property LLC, Daymon Well Drilling and Pump Services, LLC**

Respondent

Alleged violation(s):

Construction of a well without a permit.

Source of alleged violations:

Well construction project located at Real Estate I.D. Number (RE) 158119-0070, addressed at 3724 Marbon Road, Jacksonville, Florida (the "Well Project")

Dates of alleged violation(s):

On or before 2/16/2024

Method of determining alleged violation(s):

File review and site investigations

Rules allegedly violated:

JEPB Rules 8.503A

Corrective Actions:

Compliance assistance

ND response to alleged violation(s):

Cease and Desist Citation GW-24-01 issued

Consent Order settlement fee:

\$300

Consent Order requirements:

Payment only

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**CITY OF JACKSONVILLE  
NEIGHBORHOODS DEPARTMENT**  
Petitioner

vs.

**USNR, LLC**  
Respondent

Alleged violation(s):

Failure to obtain air construction permit prior to beginning construction of an air pollution source.

Source of alleged violations:

USNR, LLC, facility located at 6630 Broadway Ave, Jacksonville, Florida, DEP Airs ID 0310648

Dates of alleged violation(s):

On or before November 2015

Method of determining alleged violation(s):

File review and site investigations

Rules allegedly violated:

JEPB Rules 2.301 and 2.401

Corrective Actions:

Received Permit Application on 1/31/2024

ND response to alleged violation(s):

Cease and Desist Citation AP-24-03 issued

Consent Order settlement fee:

\$26,000

Consent Order requirements:

Payment only

Previous Enforcement:

None