



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
1st 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, 5th Floor
Jacksonville, Florida 32202
(904) 255-7100
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

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

**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.

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

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.

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

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.

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

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.

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

**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.

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