

MEETING MINUTES

BACKGROUND

- City is currently on EPA's Significant Non-Compliance (SNC) list for failing to certify compliance by the established deadline.
- City of Melbourne has a history of unpermitted discharges and effluent violations. CAO LIS 22-038 was drafted to address these violations. CAO LIS 22-043 was drafted to address late submittal of the permit renewal application.
- To regain compliance with CAOs 22-043 and 22-038, the City of Melbourne agreed to do the following:

22-043 (5081-WR-1)

- **Submit complete permit renewal application by 5/10/2022.** The City submitted a renewal application on 8/24/2023; DEQ deemed the application incomplete on 8/30/2023. Kyle Breckinridge stated that the needed information has been provided to DEQ. To date, DEQ has not deemed the application administratively complete.
- **Pay civil penalty by 6/10/2022.** The penalty was paid on 8/9/2023.
- **Submit notifications at least 5-days prior to any land apply event between 2/2022 through present.** None submitted.

22-038 (AR0020036)

- **Certify compliance by 4/1/2023.** DEQ is in the progress of amending the CAO to extend the final compliance date.
- **SSES submitted by 5/10/2023.** Will be included in Order and Agreement of the amended CAO.
- **Submit quarterly progress reports.** DEQ is missing the 6/2023 and 9/2023 reports.
- **Civil penalty (\$4800.00) was conditionally suspended based on compliance with the CAO.**

DEQ/MELBOURNE INTRODUCTIONS

FUNDING

- DEQ inquired about funding options being pursued by the City.
- City stated that they were on ARPA's wait list, however have not heard anything regarding the distribution of those funds. At this time, it is unknown if the City will receive funding through ARPA.
- City stated rates were raised February 2023, but that they are prepared to raise the rates again, if necessary.
- City should consider ANRC loan options to obtain funding. DEQ stated that the City is not obligated to take the full loan amount, if another avenue for funding is found (ARPA, etc.).
- Mayor stated that the City is prepared to pursue loan opportunities.

CORRECTIVE ACTIONS

- DEQ inquired on the current status of corrective actions taken by the facility.
- City stated that previous engineering firm did not provide them with an appropriate course of action, nor an achievable milestone schedule. At the time of the Zoom meeting, some milestones had already passed.
- City has contracted with SALT Engineers to develop a revised CAP and achievable milestone schedule. The engineers are to begin work on developing a PER, if needed, and the CAP.

DEQ REQUESTS THE FOLLOWING

- Conduct an engineer evaluation to develop a revised CAP and milestone schedule. Submit the CAP to DEQ by 12/31/2023. It should include a reasonable date of final compliance.
- Submit an administratively complete renewal application for land apply permit 5081-WR-1.
- Submit a complete construction permit application. This permit required before construction of any facility/system improvements may begin.
- Submit SSES.
- Pursue grant and/or loan funding options.
- Raise rates, if needed, to assist in funding.
- Submit any land apply records for 2022 – 2023, if available.
- Submit a progress report detailing where the City stands on funding, corrective actions, etc. Continue to submit quarterly progress reports. Subsequent progress reports should be submitted no later than March 15th, June 15th, September 15th, and December 15th.
- Submit a Change of Authorization request to update the Cognizant Official (CO). Ensure that the new CO has NetDMR access, if they intend to sign/submit DMRs on behalf of the City.

DEQ WILL DO THE FOLLOWING

- Revise the proposed amendment to CAO LIS 22-038, and send the finalized version to the City for review and signature.