

# MEMORANDUM

Agenda Item No. 8(M)(1)

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**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

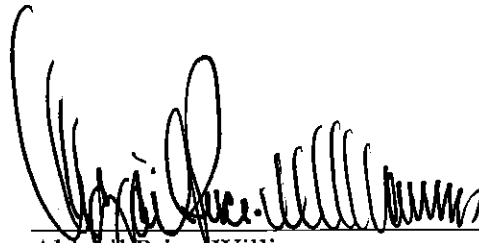
**DATE:** February 2, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution authorizing  
payment of \$123,555.50 for  
Environmental Remediation  
at the Florida Petroleum  
Reprocessors Superfund site

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The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Economic Prosperity Committee.



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Abigail Price-Williams  
County Attorney

APW/smm

# Memorandum



**Date:** February 2, 2016

**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
County Mayor

Abigail Price-Williams  
County Attorney

**Subject:** Resolution Authorizing Payment of \$123,555.50 for Environmental Remediation at the Florida Petroleum Reprocessors Superfund Site

## **Recommendation**

It is recommended that the Board of County Commissioners (Board) authorize payment of the County's assessment of \$123,555.50 for the performance of remedial work at the Florida Petroleum Reprocessors Superfund Site pursuant to the PRP Group Organization Agreement, executed by the County on March 27, 1997, as amended.

Much of the initial on-site remediation already has been accomplished under the existing agreement, but further remediation is necessary and will likely last until at least 2023. The agreement, amended in 2002, incorporates the pro rata allocation process of funding the PRP Group's site remediation work on the basis of each party's volumetric contribution of waste oil to the sites.

## **Scope**

This item has a countywide impact.

## **Fiscal Impact/Funding Source**

The fiscal impact to the County is \$123,555.50 and will be paid from Capital Outlay Reserve Funds.

## **Track Record/Monitoring**

The Chief of Environmental Monitoring and Restoration in the Department of Regulatory and Economic Resources', Division of Environmental Resources Management, Wilbur Mayorga, P.E., monitors the remediation progress at this site on behalf of Miami-Dade County.

## **Background**

In 1997, Miami-Dade County and numerous other persons, businesses and governmental entities were notified by the United States Environmental Protection Agency (EPA) that they were potentially responsible parties (PRPs) with respect to contamination at a federally-designated Superfund site located at 3211 SW 50 Avenue, in Davie in Broward County, Florida. The contaminated site is the former location of Florida Petroleum Reprocessors, which was engaged in the business of reprocessing used oil at the site since 1978. Due to extensive leakage and discharges over the years, the site was highly contaminated with hazardous substances.

Based upon invoice receipts and canceled checks, it appears that Miami-Dade County, like many of the other PRPs, used the services of waste oil haulers who took the County's waste oil to the Florida Petroleum Reprocessors site several years ago. As such, under the federal

Superfund law, Miami-Dade County, as a "generator," is strictly, jointly and severally liable for the cleanup of site contamination. While there are many PRPs for this site, based upon the volumetric information documented by the EPA, Miami-Dade County and U.S. Sugar are the largest volumetric contributors of waste oil to the site.

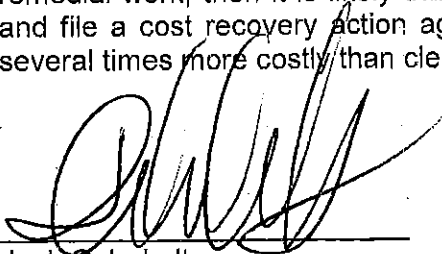
As is normally the case in Superfund sites involving numerous PRPs, a PRP group was formed in order to allow the PRPs to work in a coordinated, cost-efficient manner in their collective negotiations with the EPA. The County executed the PRP Group Organization Agreement on March 26, 1997 and has actively participated in the PRP Group Steering Committee through its professional staff in the County Attorney's Office and the Division of Environmental Resources Management in the Department of Regulatory and Economic Resources. In 2002, the PRP Group Organization Agreement was amended to include a pro rata allocation process requiring contributions from group members based upon the volumetric contribution of waste oil to the FPR site. To date, the PRP Group has successfully negotiated administrative orders with the EPA under which it is conducting both shallow and deep source soil contamination removal actions at the Florida Petroleum Reprocessors site. The County's contributions to date are noted below:

- In 1999, pursuant to Resolution No. 162-99, the County paid \$283,000.00;
- In 2002, pursuant to Resolution No. 1087-02, the County paid \$271,880.46; and
- In 2004, pursuant to Resolution No. 1306-04, the County paid \$359,630.25.

Although Resolution No. R-1306-04 and its accompanying memorandum implied that the 2004 payment would be final, remedial efforts have been ongoing and are scheduled to continue until at least 2023. A copy of a report summarizing the cleanup and remediation efforts and successes is included as Attachment A.

The PRP Group Steering Committee, of which the County is a member, unanimously approved in late August 2015 a cash call of \$779,000.00, which is intended to cover all Group costs through the anticipated completion of the Consent Decree. The County's pro rata share of this amount of, \$123,555.50, as shown in the Group Administrator spreadsheet in Attachment B, is being requested for payment under this item. An invoice for the County's pro rata share amount due is included as Attachment C.

In the event that the PRP Group does not continue to timely perform the above-described remedial work, then it is likely that the EPA will perform a much more comprehensive cleanup and file a cost recovery action against the PRPs. Historically, the EPA initiated cleanups are several times more costly than cleanups undertaken by PRP groups.



Jack Osterholt  
Deputy Mayor

# ATTACHMENT A

**Florida Petroleum Reprocessors**  
3211 Southwest 50<sup>th</sup> Avenue  
Davie, Florida  
County: Broward  
District: Southeast  
Site Lead: EPA  
Placed on National Priorities List: March 5, 1998  
HWC # 096

## Site Description and History

The Florida Petroleum Reprocessors site is a former waste oil recycling facility located at 3211 SW 50<sup>th</sup> Avenue, Davie in Section 24, Township 50S, Range 41E at 26° 04' 57.3861" N, 80° 12' 55.0426" W. Throughout its operating history, the facility has been known as Oil Conservationist, Inc. (OCI), LMC Environmental, and Barry's Waste Oil. The principal activity since 1978 had been the temporary storage and reprocessing of used oil. Oil leaked from storage tanks or was spilled onto the ground causing extensive soil contamination and groundwater contamination.

Groundwater contamination was first discovered in 1986 in the southern section of the City of Ft. Lauderdale's Peele-Dixie wellfield. The Peele-Dixie wellfield is situated within a mixed metropolitan residential and industrial area in southeast Broward County. It covers an area roughly 1.6 miles long by one mile wide bounded by Broward Blvd. at the north, the New River Canal to the south, US Hwy. 441 on the east, and the Florida Turnpike to the west. It consists of 26 production wells equally divided into a northern and southern section by Peters Road.

Investigation efforts initially focused on the 21<sup>st</sup> Manor Dump, an abandoned Broward County School Board landfill. The dump was originally a borrow pit used in the 1950s and 1960s for disposal of trash and debris. It was an open dump with uncontrolled access that was officially closed in the late 1960s, but illegal dumping may have continued. In the 1980s, the pit was brought up to natural grade level with clean fill material. Following extensive investigation to place the site on the National Priorities List (NPL), the EPA determined that the source of groundwater contamination was not from the Broward County 21<sup>st</sup> Manor Dump, and continued searching for the source of contamination, ultimately determining that the FPR facility was the primary responsible party.

## Threat

It is estimated that a groundwater plume of volatile organic contaminants (VOCs), including: 1,1-dichloroethene (1,1-DCE), *cis*-1,2-dichloroethene (CIS), trichloroethene (TCE) and vinyl chloride (VC), encompasses an area of approximately 200 acres beneath the southern section of the Peele-Dixie wellfield. Private wells located near the wellfield have also been contaminated. Over 150,000 people obtain drinking water from public and private wells within a four mile radius of the site, the nearest being a private well less than a quarter mile from the site. In

Broward County, the Biscayne Aquifer is the sole source of drinking water in the area, and is composed primarily of permeable sand and limestone. Groundwater is shallow at 9 to 10 feet below land surface. These conditions facilitate migration of contaminants in the groundwater.

#### Response Strategy and Status (December 2014)

Groundwater contamination was first discovered in 1986 in production well PW-18, located near the 21<sup>st</sup> Manor Dump. Chemical concentrations at the dump site were characterized during a series of studies conducted from 1987 to 1990. In 1987, a groundwater study, conducted by the Florida Department of Environmental Regulation (FDER, now DEP), and a concurrent EPA Site Screening Investigation, uncovered no VOC contamination at the dump and were unable to conclusively identify the source of contamination in the wellfield. A more comprehensive EPA Site Investigation was conducted by the NUS Corporation in 1989, and also detected no VOC contamination at the dump. However, chromium, lead, and zinc were detected in soil and groundwater at levels above background that led to a Hazard Ranking System (HRS) evaluation. The February 1991, HRS evaluation formed the basis for proposing the site to the NPL in July 1991, as the potential source of contamination in the Peele-Dixie wellfield.

The NPL proposal was challenged by Broward County in June 1992, since no conclusive data linked the dump to the wellfield contamination. After evaluating the extensive database developed during previous studies conducted by the EPA, DEP, and the City of Ft. Lauderdale, the EPA tasked Bechtel Environmental Inc. to perform a Baseline Risk Assessment (BRA) of the dump site in 1993. The BRA subsequently confirmed that the dump did not pose a threat to human health or the environment. The EPA concluded through these findings that the dump was not the source of the wellfield contamination, and redirected the focus of its investigation to the wellfield groundwater contamination plume.

In August 1994, Bechtel was tasked by the EPA to perform a Phase I Site Characterization Remedial Investigation and Feasibility Study (RI/FS) of the Peele-Dixie wellfield. Monitoring wells sampled during the RI/FS detected 1,1-DCE, CIS, TCE and VC in concentrations exceeding maximum contaminant levels (MCLs) for State drinking water standards. All of the affected wells were in the southern part of the wellfield. The primary purpose of the Phase I RI/FS was to further define the southern extent of the contamination plume and identify potential source areas to be investigated during the Phase II RI/FS.

In 1995, Bechtel was tasked by the EPA to perform the Phase II RI/FS. In July 1995, Bechtel installed eight new wells south of the wellfield. The Phase II RI Site Characterization Report was completed in December 1995, and identified the potential source of the Peele-Dixie wellfield groundwater contamination as Florida Petroleum Reprocessors, Inc. (FPR). In March 1996, an investigation was conducted at the FPR site to evaluate the potential impact of abandoned drums and tanks on-site. In August 1996, the EPA issued a draft Field Operations Plan for continuing the remedial investigation at FPR based on data collected during the March investigation.

In August 1996, the EPA was approached by US Sugar, Inc., one of many identified generators, to enter into a cleanup agreement with the EPA. In December 1996, the EPA and US Sugar entered into an Administrative Order that required US Sugar to remove and properly dispose of the onsite drums and tanks. This work was completed in May 1997. In March 1997, the EPA completed the Phase II RI Site Characterization, which concluded that groundwater contamination at the Peele-Dixie wellfield was directly related to the FPR site. Also in March 1997, the numerous Potentially Responsible Parties (PRPs) formed the FPR Site PRP Group. In April 1997, the EPA proposed listing the site on the NPL.

In September 1997, a draft Remedial Investigation Report was completed for the FPR site, which supported the EPA's assertion that the Peele-Dixie wellfield is being impacted by contamination from FPR.

The FPR site was placed on the NPL on March 5, 1998. The Preliminary Draft Feasibility Study for the site was completed in March 1998. The EPA released its Proposed Plan in June 1998. Based in part on comments from the community and concerns raised by the PRP Group pertaining to the Proposed Plan, the EPA did not issue a Record of Decision (ROD). The community felt the estimated timeframes for remediation of the site were too long and did not address potential threats to the Peele-Dixie wellfield. The PRP Group contended that the potential threats posed by the site had not been properly characterized and that the corresponding response actions proposed by the EPA were excessive and unwarranted. The EPA then began a process of additional site characterization and evaluation of additional remedial alternatives. In conjunction with the additional site characterization work, the EPA and the PRP Group began an evaluation of emergency removal actions that could mitigate threats to human health and the environment through removal of concentrated sources of contamination.

Prior to developing the ROD for this site, the EPA and the PRP Group agreed to conduct a Shallow Source Removal (SSR) and (Dense Non Aqueous Phase Liquid (DNAPL) Investigation. In February 1999, a test pit program was conducted to gather additional data needed to develop the SSR work plan. The SSR and DNAPL Investigation both commenced in June 1999, and were completed in August 1999. In January 2000, the EPA and the PRP Group conducted a comprehensive groundwater sampling program of 58 monitoring wells at or near the FPR site and the Peele Dixie wellfield to evaluate groundwater conditions in the area of the site. The groundwater sampling program showed a general decrease in contaminant levels near and north of the FPR site. Contaminant levels south of the site had increased, indicating a continued southward migration of the groundwater contamination. In June 2000, the EPA issued a new Proposed Plan. In September 2000, the EPA and the PRP Group began the process of remediating deep impacted soil and groundwater with a combination of chemical oxidation and pump and treat technologies. This process is currently ongoing.

The EPA issued a ROD for the FPR site in March 2001, and the DEP concurred with the ROD. The major components of the remedy are aggressive remediation of onsite soils and groundwater at the FPR facility, treatment of contaminants in the offsite aqueous plume for concentrations greater than 100 times MCL concentrations at the well head, and Monitored Natural Attenuation

(MNA) for contaminants in the off-site aqueous plume with concentrations less than 100 times the MCL concentrations.

The City of Ft. Lauderdale's Peele-Dixie wellfield treatment system continued to meet design specifications, and was effectively treating recovered groundwater from several production wells. Originally, as part of the selected remedy, a larger groundwater treatment system was to be constructed at the Peele-Dixie wellfield. The larger treatment system was needed because, as planned pumping at the Peele-Dixie wellfield increased to historical levels, the capacity of the existing system would have been exceeded.

The City of Ft. Lauderdale determined that pumping levels at the Peele-Dixie wellfield could not be increased to historical levels without causing saltwater intrusion within the wellfield. For this reason, the City of Ft. Lauderdale ended negotiations with the PRP Group and the EPA to construct a larger groundwater treatment system at the Peele-Dixie wellfield. In August 2004, the EPA submitted an Explanation of Significant Differences (ESD) for the ROD to explain why construction of the larger groundwater treatment system at the Peele-Dixie wellfield would not be necessary.

In February 2004, during a routine site visit, the consultant for the PRP Group (Golder) noticed the site had been sold to a new owner (Mitch Fleet) and a substantial quantity of fill had been spread over the entire site. The site was also now being used as a parking area for numerous heavy commercial vehicles, and most of the onsite monitoring and injection wells were filled with concrete or buried beneath the fill. The damaged wells were replaced by the EPA in July 2005.

In September 2005, the site was vacated, but a tenant (Signal Technologies, Inc.) moved in and began using the FPR site as an equipment and supplies storage and general materials dumping area. As a result, additional damage was done to the newly replaced wells along with the existing well completions. Signal Technologies moved off the site in October 2006. The actions of both Mitch Fleet and Signal Technologies interfered substantially with the ongoing implementation of the source area remediation portion of the ROD. Remedial action at the site was temporarily suspended until the damage could be repaired.

In early 2007, EPA and the PRP group ceased both pump and treat and chemical oxidation. In June 2007, a biostimulation amendment injection was performed at the site. Downgradient MNA sampling, conducted during late 2007, indicated a reduction in contaminant concentrations and plume size, which necessitated the installation of additional downgradient monitor wells to accurately monitor the plume location and concentration. The EPA and PRP Group began identifying possible monitor well locations, negotiating access, and obtaining permits for well installation in mid 2008.

Since Signal Technologies vacated the site, there have been multiple tenants and intermittent ongoing damage to the site. The EPA and PRP Group continue to restore damaged wells, and are working to prepare an access agreement with the site owner and future tenants to prevent further

damage. Onsite activities ceased in June 2008, and remain stopped until an appropriate access agreement can be negotiated. In March 2009, three monitor wells (SB-3 through SB-5) were installed to depths between 127 and 140 feet below ground surface approximately 0.25 to 0.5 miles south of existing monitor wells SB-1 and SB-2. These wells were installed in response to EPA comments that the PRP Group had not fully addressed the areal extent of groundwater contamination south of the FPR site. Groundwater samples collected and analyzed from all the wells showed no contaminants above method detection limits.

In July 2010, the access issues with the owner of the FPR facility were resolved and remediation activities using biostimulation injections of lactate and ethanol were resumed. A bio-injection event was performed in July 2012, and post injection sampling was performed in September 2012. Data indicated VOC levels continued to decline but still exceeded GCTLs and NADCs in some source area wells. This VOC rebound was attributed to contaminant mass remaining in the source area and is expected to re-occur, as the contaminant mass degrades.

Another bio-injection event was performed in late November 2012. Post injection sampling events were performed in January and February 2013. Data indicated VOC levels continued to decline but still exceed GCTLs and NADCs in some source area wells. Post injection VOC concentrations rebounded as expected. Based upon total organic carbon (TOC) concentrations a bio-injection event was performed in April 2013. Analytical data indicated continued chlorinated contaminant degradation and robust biodegradation. Concentrations in some wells continue to exceed GCTLs and NADCs. The July 2013 post injection monitoring event analytical data indicated continued chlorinated contaminant degradation and robust biodegradation. The July 2014 groundwater monitoring event data indicated continued contaminant degradation even though VOC levels still exceed GCTLs and NADCs

#### Schedule

The next groundwater monitoring event is scheduled for July 2015. The PRP Group and EPA will continue to remediate deep DNAPL impacted soil and groundwater using biostimulation and MNA to address contaminants in the offsite aqueous plume.



# ATTACHMENT B

## 2015-09-02 FPR SITE GROUP MEMBER PERCENTAGES CHART

MEMBER	VOLUME	PERCENT	TOTAL DUE
Becker Groves	11395	0.73452%	\$5,721.88
Bengal Motors, Inc.	15980	1.03006%	\$8,024.19
Bill Branch Chevrolet, Inc.	25079	1.61658%	\$12,593.16
Bradford Marine, Inc.	61582	3.96955%	\$30,922.77
Brevard County Board of County Commissioners	31082	2.00353%	\$15,607.51
Bridgestone/Firestone North American Tire, LLC	39660	2.55646%	\$19,914.86
Broward City School Board	21988	1.41734%	\$11,041.05
Capeletti Brothers Enterprises, Inc.	0	0.00000%	\$0.00
Cheatham, JW	10900	0.70261%	\$5,473.32
Integra f/k/a Pneumo Abex Corp	10200	0.65749%	\$5,121.83
Cliff Berry, Inc.	10500	0.67683%	\$5,272.47
Ed Morse Chevrolet	11005	0.70938%	\$5,526.05
Evans Properties, Inc.	14995	0.96657%	\$7,529.59
Exxon Mobil Corporation	49935	3.21879%	\$25,074.35
Goodyear Tire & Rubber Company	41826	2.69608%	\$21,002.50
Harbor Branch Oceanographic Institution, Inc.	28460	1.83452%	\$14,290.90
Hardives of Delray, Inc.	12926	0.83320%	\$6,490.66
Hollywood Lincoln Mercury, Inc.	13813	0.89038%	\$6,936.06
Homestead, City of	12761	0.82257%	\$6,407.81
Hydro Aluminum Rockledge, LLC	0	0.00000%	\$0.00
Mercedes Daimler Trucks North America f/k/a Freightliner Trucks of South Florida, Inc.	25693	1.65616%	\$12,901.48
L.P. Evans Motors WPB, Inc.	21365	1.37718%	\$10,728.22
Thyssenkrupp Elevator Corporation f/k/a Miami Elevator Company	15580	1.00428%	\$7,823.34
Miami Dade College	14375	0.92661%	\$7,218.26
Miami Dade County	246058	15.86078%	\$123,555.50
Covanta f/k/a Montenay	21870	1.40973%	\$10,981.80
New Hope Sugar Company	15036	0.96921%	\$7,550.17

2015-09-02 FPR SITE GROUP MEMBER PERCENTAGES CHART

MEMBER	VOLUME	PERCENT	TOTAL DUE
Okeelanta Corporation	49297	3.17766%	\$24,753.98
Palm Beach County Board of County Commissioners	12746	0.82160%	\$6,400.27
Port Everglades, Department of Broward County	22156	1.42817%	\$11,125.41
Jim Powell Motors, Inc.	27850	1.79520%	\$13,984.59
Ryder Truck Rental, Inc.	18817	1.21293%	\$9,448.76
Clean Harbors Environmental Services, Inc. f/k/a Safety Kleen	35890	2.31345%	\$18,021.80
Seats, Roebuck, & Company	17225	1.11032%	\$8,649.36
Shell Oil Company	25808	1.66357%	\$12,959.22
Rybovich Company, LLLP, f/k/a Spencer Boat Yard	17734	1.14313%	\$8,904.95
Sysco Food Services of South Florida, Inc.	11058	0.71279%	\$5,552.66
Tarmac Florida	12688	0.81786%	\$6,371.15
Chevron Env. Mgmt. Co. (For itself and on behalf of Texaco Inc., Chevron USA Inc., and Star Enterprises)	54680	3.52465%	\$27,457.00
Tire Kingdom, Inc.	25728	1.65841%	\$12,919.05
Tropical Shipping and Construction Co., Ltd.	58496	3.77062%	\$29,373.17
United States Sugar Corporation	198276	12.78078%	\$99,562.26
Chevron Env. Mgmt. Co. (For Unocal Corporation)	104376	6.72803%	\$52,411.34
Vulcan Materials Company	20979	1.35230%	\$10,534.39
Walpole, Inc.	16000	1.03135%	\$8,034.24
Warren Woofen Ford, Inc.	15865	1.02265%	\$7,966.45
Kirchman Oil Corporation	10213	0.65833%	\$5,128.35
Southeast Interstate Services, Inc.	0	0.00000%	\$0.00
Sunrise Ford Company	11415	0.73581%	\$5,731.93
	1551361	100.00%	\$779,000.00

# ATTACHMENT C

## FLORIDA PETROLEUM REPROCESSORS PRP GROUP

Invoice for September 2, 2015 Group Assessment

GROUP MEMBER: Miami Dade County

INVOICE AMOUNT: \$123,555.50

Please make check payable to:

RASCO KLOCK PEREZ NIETO PL

As Escrow Agent for Florida Petroleum Reprocessors

AND MAIL THE CHECK TO:

Odalys Gonzalez, Paralegal  
Rasco Klock Perez Nieto, P.L.  
2555 Ponce De Leon Blvd, Suite 600  
Coral Gables, Florida 33134

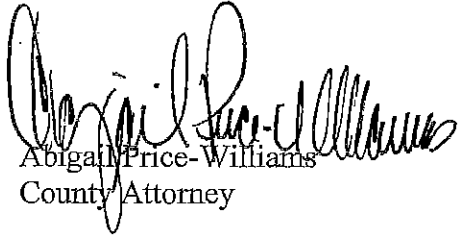


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** February 2, 2016

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(M)(1)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_\_, 3/5's \_\_\_\_\_, unanimous \_\_\_\_\_) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(M)(1)  
2-2-16

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING PAYMENT OF  
\$123,555.50 FOR ENVIRONMENTAL REMEDIATION AT  
THE FLORIDA PETROLEUM REPROCESSORS  
SUPERFUND SITE

**WHEREAS**, in the mid-1980s, Miami-Dade County departments, like many other area businesses and governments, used the services of waste oil haulers who apparently took these waste oils to what was then the Florida Petroleum Reprocessors ("FPR") facility located at 3211 SW 50 Avenue, in Davie in Broward County ("the FPR site"), as well as other facilities; and

**WHEREAS**, oil leaked from storage tanks or was spilled causing extensive soil contamination and groundwater contamination at the FPR site; and

**WHEREAS**, in 1997 the United States Environmental Protection Agency ("EPA") identified Miami-Dade County, as well as numerous other persons, businesses and governmental entities, as "potentially responsible parties" ("PRPs") for environmental damages at the FPR site pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA" or "Superfund"); and

**WHEREAS**, the County, like other PRPs, is strictly liable under federal Superfund laws, meaning that contribution for site cleanup and remediation is required of generators of hazardous materials regardless of fault or lack thereof; and

**WHEREAS**, in 1997, Miami-Dade County and many other PRPs organized themselves as the FPR site PRP Group in order to pool their resources and collectively negotiate with the EPA regarding the most cost-effective cleanup of the FPR site; and

**WHEREAS**, the PRP group has successfully undertaken substantial remedial work at the FPR site, including both shallow and deep source soil contamination removal actions, in accordance with administrative orders negotiated with the EPA; and

**WHEREAS**, further remedial work to remove contamination at the FPR site is necessary, and will likely be undertaken until at least 2023; and

**WHEREAS**, additional funds are needed for the continued cleanup efforts; and

**WHEREAS**, under the PRP Group Organization Agreement, which allocates remedial costs on the basis of each party's volumetric contribution of waste oil to the site, the County's current assessment is \$123,555.50; and

**WHEREAS**, it is hopeful, but not guaranteed that the current assessment will be sufficient to cover the County's portion to complete the remediation at the FPR site; and

**WHEREAS**, the Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby approves payment of the County's assessment under the PRP Group Organization Agreement for remedial work at the FPR site in the amount of \$123,555.50.

The foregoing resolution was offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman

Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Dennis C. Moss

Sen. Javier D. Souto

Juan C. Zapata

Daniella Levine Cava

Audrey M. Edmonson

Barbara J. Jordan

Rebeca Sosa

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 2<sup>nd</sup> day of February, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



David Sherman