

Memorandum



Date: July 11, 2016

To: Honorable Audrey M. Edmonson
Board of County Commissioners-District 3

From: Carlos A. Gimenez
Mayor 

Subject: Notice of Environmental Contamination in Commission District 3

On March 3, 2009, the Board of County Commissioners adopted Resolution No. R-227-09 requiring that when environmental contamination is identified by the Department of Regulatory and Economic Resources Division of Environmental Resources Management (DERM), the Commissioner in whose District the environmental contamination is located shall be notified of such.

Pursuant to R-227-09, please be advised that the attached letter was sent to the party responsible for site rehabilitation on May 25, 2016 due to documented soil contamination consisting of benzo(a)pyrene, dieldrin, arsenic and barium at unconfirmed depth; therefore, soils may present a potential direct exposure risk. However, on June 10, 2016, the responsible party installed an interim temporary fencing/barricade to prevent public access to contaminated soils while soils are being addressed. Additionally, groundwater assessment has not been conducted, but the site is on municipal water and therefore their drinking water is not at risk from groundwater contamination, if applicable. The owner/operator/responsible party must perform site rehabilitation action in order to bring the site into compliance with Chapter 24 of the Code of Miami-Dade County.

The summary of this case is noted below:

Subject	Environmental Contamination
Facility Name:	Multi-Family Residential Property
DERM File #:	File-NA/ HWR-860
Facility Address:	1710 NW 1 st Court, Miami, Florida in Miami-Dade County
Folio Number:	01-3125-048-1060
Description/Nature of Violation:	Environmental contamination requiring site rehabilitation action pursuant to Division 3, Contaminated Site Cleanups, Chapter 24, Code of Miami-Dade County, Florida.

Should you have any questions or require additional information, please contact Mr. Lee N. Hefty, Assistant Director, Division of Environmental Resources Management, Department of Regulatory and Economic Resources at (305) 372-6754 or by email at hefty1@miamidade.gov.

Attachment: Site Rehabilitation Order for Environmental Contamination

c: Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources
Lourdes M. Gomez, Deputy Director, Department of Regulatory and Economic Resources
Lee N. Hefty, Director of the Division of Environmental Resources Management - RER



Carlos A. Gimenez, Mayor

Department of Regulatory and Economic Resources
Environmental Resources Management
701 NW 1st Court, 4th Floor
Miami, Florida 33136-3912
T 305-372-6700 F 305-372-6982

miamidade.gov

June 6, 2016

Denise Vaknin, Manager
The Holdings at City, LLC
99 Roberts Road
Englewood Cliffs, NJ 07632

CERTIFIED MAIL NO. 7013 2630 0001 2416 5212
RETURN RECEIPT REQUESTED

Ken Arnold, Manager
ARMOS Property Group
4770 Biscayne Boulevard Suite 710
Miami, FL 33137

CERTIFIED MAIL NO. 7013 2630 0001 2416 5205
RETURN RECEIPT REQUESTED

Re: Drum Disposal Activities Report dated March 10, 2016 and prepared by LandScience, Inc. for the Multi-Family Residential Property (HWR-860/File-N/A) located at, near, or in the vicinity of 1710 NW 1st Court, Miami, Miami-Dade County, Florida.

Dear Ms. Vaknin and Mr. Arnold:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the above-referenced document received May 9, 2016. Be advised that the levels of soil analytical results of Benzo(a)pyrene (BaP), Dieldrin, Arsenic, Barium and Total Benzo(a)pyrene Equivalents submitted in this report constitute violations of Chapter 24, Code of Miami-Dade County (the Code), specifically, Sections 24-44, 24-27, 24-28, and 24-29 of the Code. Therefore, a Site Assessment Report (SAR) prepared in accordance with Section 24-44, the Code, shall be submitted which addresses the following comments:

- 1. Please provide the depths at which soil samples CS-1 through CS-5 were collected in the next submittal.
2. A copy of the January 2016 Limited Phase I Environmental Site Assessment as well as a copy of the ground penetrating radar (GPR) results shall be provided in the next submittal.
3. DERM does not object to LandScience's recommendation to conduct source removal activities. However, be advised that the analytical results provided in the above-referenced report indicate that soil samples collected from the southern wall (CS-1), eastern wall (CS-2), northern wall (CS-3), western wall (CS-4) and the base of the excavation (CS-5) exceed the applicable soil cleanup target levels (SCTLs) established in Section 24-44, the Code, for polycyclic aromatic hydrocarbons (PAHs), dieldrin, arsenic and barium. Additionally, DERM acknowledges that the excavation was backfilled using surrounding native soil. Therefore, CS-1 through CS-5 shall be horizontally and vertically delineated at the appropriate depth interval (based on the sampling depths provided in response to comment # 1 above) until the lower of the residential SCTL or leachability based on groundwater (LGW) criteria has been met. Alternatively, you have the option of collecting post source removal confirmatory soil samples from the walls and base of the excavation (if the groundwater table is not reached). Soil samples shall be analyzed for the contaminants of concern identified in samples collected on February 16, 2016 (i.e., PAHs, dieldrin, arsenic, barium, etc.). Be advised that due to the unknown nature and origin of the discovered containers, additional assessment may be required based on the information provided in the Phase I ESA, requested above (i.e., aluminum, iron, zinc, copper, Polychlorinated Biphenols, etc.).

Delivering Excellence Every Day

Denise Vaknin
The Holdings at City, LLC.
Ken Arnold
ARMOS Property Group
1710 NW 1st Court
HWR-860
June 6, 2016
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4. Soil assessment results collected on February 16, 2016 identified dieldrin to be present at concentrations which exceed the LGW criteria for soil borings CS-1 through CS-5. Be advised if confirmation and/or delineation soil samples exceed the LGW criteria, then you have the option of conducting leachability testing by the Synthetic Precipitation Leaching Procedure (SPLP) to demonstrate that leachate concentrations do not exceed the appropriate groundwater cleanup target levels (CTLs). Based on the results, additional assessment may be required.
5. The above referenced report indicated that the contents of the barrels were placed into three (3) 55-gallon steel drums; however, the report does not indicate the ultimate fate of the barrels. Therefore, this information shall be provided in the next submittal. Additionally, the waste characterization and/or pre-burn analytical results for the 1,200-pounds of "soil, and remnants of cans, glass, and plastic" that was disposed offsite shall be provided in the next submittal. Be advised that based on the analytical results, the samples referenced in comment #2 above may require analysis for any additional contaminants of concern identified in the pre-burn results.

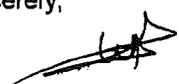
Based on the above, and pursuant to Sections 24-7(15), 24-7(26), and 24-44(2)(g) of the Code, you are hereby ordered to submit to this office for review, within sixty (60) days of receipt of this letter, two copies of a SAR, one paper and one electronic PDF on CD, prepared in accordance with Section 24-44(2)(j)(iv) of the Code along with the required fee of \$1,350. Specific guidance for the preparation of the SAR may be downloaded from DERM's web page at: www.miamidade.gov/environment/pollution-remediation.asp.

Be advised that failure to comply with the above orders may result in a referral of this matter for formal enforcement action.

Any person aggrieved by any action or decision of the DERM Director may appeal said action or decision to the Environmental Quality Control Board (EQCB) by filing a written notice of appeal along with submittal of the applicable fee, to the Code Coordination and Public Hearings Section of DERM within fifteen (15) days of the date of the action or decision by DERM.

If you have any questions concerning the above, please contact Matt Santiago (Matthew.Santiago@miamidade.gov) of the Environmental Monitoring and Evaluation Section at (305) 372-6700.

Sincerely,



Wilbur Mayorga, P.E., Chief
Environmental Monitoring & Restoration Division

ms
pc: Mauricio Pages, P.G., LandScience, Inc. – mpages@landscienceinc.com