

# Memorandum



**Date:** October 3, 2016

**To:** Honorable Xavier L. Suarez  
Board of County Commissioners-District 7

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Notice of Environmental Contamination in Commission District 7

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 September 2, 2016, due to documented polycyclic aromatic hydrocarbon soil contamination and benzene groundwater contamination. There is no evidence of a direct exposure risk to the contaminated soils at this time because the soil contamination was documented at seven feet below land surface. Additionally, the site is on municipal water; therefore, the drinking water is not at risk from the groundwater contamination. 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:	High Hope Properties, Inc.
DERM File #:	UT-7274/File N/A
Facility Address:	6801 SW 81, Street, Miami, Florida in Miami-Dade County
Folio Number:	30-4035-002-0280
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](mailto: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, Assistant Director, Division of Environmental Resources Management - RER



Carlos A. Gimenez, Mayor  
September 2, 2016

Department of Regulatory and Economic Resources  
Environmental Resources Management  
701 NW 1st Court, 4th Floor  
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Vlado Mulc, President  
High Hope Properties, Inc.  
600 Brickell Avenue, 22<sup>nd</sup> Floor  
Miami, Florida 33133

CERTIFIED MAIL NO.7013 2630 0001 2417 4993  
RETURN RECEIPT REQUESTED

RE: Tank Closure Assessment Report (TCAR)/Source Removal Report (SRR)/Site Assessment Report (SAR) dated August 10, 2016 and prepared by Terra-Com Environmental Consulting, Inc for the discharge dated October 27, 2015 at the High Hope Properties facility (UT-7274/FDEP-139814969) located at, near, or in the vicinity of 6801 Southwest 81<sup>st</sup> Street, Miami, Miami-Dade County, Florida.

Dear Mr. Mulc:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the above-referenced document received August 12, 2016, pertaining to the removal of one (1) 2,000 gallon (unknown contents) underground storage tank (UST) system on March 21, 2016 and has determined that this report meets the requirements of Rule 62-761.800, Florida Administrative Code (FAC). Therefore, the TCAR has been placed on file with other pertinent material regarding the subject site.

Be advised that the levels of Total Benzo(a)pyrene Equivalents in soil and benzene in groundwater documented in the TCAR/SRR/SAR exceeded the cleanup target levels (CTLs) referenced in Chapter 62-777, FAC and constitute violations of Chapter 24, Code of Miami-Dade County (the Code), specifically, Sections 24-44(1), 24-25, and 24-29 of the Code. DERM acknowledges receipt of a Discharge Reporting Form with a discharge date of October 27, 2015. DERM further acknowledges Terra-Com's conclusions that confirmation soil and groundwater sampling identified no soil or groundwater contamination. However, the SRR and SAR do not meet the applicable requirements of Rule 62-780.500, FAC and Rule 62-780.600, FAC, respectively. The following is required:

1. The SAR states that the contents of the UST discovered was unknown. However, the Storage Tank Registration Form and Discharge Reporting Form indicate the UST contents as "gasoline." Please provide supporting documentation, including the Phase 1 and Phase 2 for the facility referenced in the SAR, to substantiate that the UST contained gasoline. If said supporting documentation cannot be provided, analysis for additional contaminants of concern may be required pursuant to Table D of Chapter 62-780, FAC.
2. The SAR states that MW-1-4,5' was collected to confirm the soil contamination documented in soil sample south side wall 7'. Please clarify why the confirmation sample was collected at 4.5' rather than 7'. If a higher water table is the cause for the differing depths, explain the cause for the approximately 3 foot change in water levels between March 2016 and May 2016.
3. A Clean Earth non-hazardous waste disposal manifest indicates that fifteen (15) percent of the waste composition was groundwater. Please identify the source of groundwater disposed of and indicate whether any groundwater recovery from the wells was conducted.

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4. The report states that soil was excavated to a depth of nine (9) feet below land surface (BLS) in the vicinity of the former UST. However, Table 1 (referred to as Soil Screening Summary) indicates that the excavation was ten (10) feet BLS in the comments section. Please clarify the depth of the excavation base. Additionally, if the dimensions of the former UST excavation were 10' x 10' x 9-10', DERM approximates that the excavation contained a greater quality of soil (i.e., 79 – 96 tons) than the amount disposed of (33.10 tons). Therefore, please clarify the quantity of soil removed for disposal.
5. Soil excavation grids in the vicinity of the former UST labeled as numbers six (6) through eight (8) at 0'- 2' and 2'- 4' intervals had Organic Vapor Analysis (OVA) readings above ten (10) part per million (ppm) and petroleum odors. Additionally, the interval with the highest OVA reading at each boring (the 2'-4' interval) was not laboratory analyzed. Therefore, advance a soil boring on the south side of grid eight (8) and the east side of grid seven (7). Perform OVA screening at two (2) foot depth intervals. Check for evidence of contamination (petroleum odors, staining, etc) and analyze the interval with the highest OVA reading and evidence of contamination for Volatile Organic Aromatics (VOA), Total Recoverable Petroleum Hydrocarbons (TRPH) and Polycyclic Aromatic Hydrocarbons (PAH). If there are no positive OVA readings or evidence of contamination, analyze the 2' – 4' intervals at each soil boring location for VOA, TRPH and PAH. Be advised that if you can not provide the documentation requested in comment 1, soils shall be analyzed for all remaining Table D, FAC, contaminants of concern.
6. The pre-burn soil laboratory analytical results indicated the presence of arsenic and chromium exceeding the soil clean up target levels (SCTL). However, soil samples collected during the SAR were not analyzed for arsenic or chromium. Therefore, the soil borings required in comment 5 above shall also be analyzed for arsenic and chromium.
7. The groundwater samples exceeded groundwater clean up target levels (GCTL) for several parameters not analyzed for in the SAR. Additionally, pursuant to paragraph 62-780.600(5) (m), FAC, two consecutive sampling events of representative monitoring wells, performed a minimum of three months apart, is required. Therefore, the following monitoring wells shall be resampled as listed below:
  - (a) MW-1: 1-2,4-Trimethylbenzene, 1-2,5-trimethylbenzene, isopropylbenzene and arsenic.
  - (b) MW-2: VOA, 1-2,4-trimethylbenzene, 1-2,5-trimethylbenzene, isopropylbenzene, and arsenic.
  - (c) MW-3: Arsenic.

Based on the results, further assessment may be required.

Therefore, within sixty (60) days of receipt of this letter, pursuant to Sections 24-7(15) and 24-7(26) of the Code, you are hereby ordered to submit to this office for review, within sixty (60) days of receipt of this letter, an addendum to the SRR/SARA prepared in accordance with Chapter 62-780, FAC.

DERM shall be notified in writing a minimum of three (3) working days prior to the implementation of any sampling or field activities. Email notifications shall be directed to [DERMPCD@miamidade.gov](mailto:DERMPCD@miamidade.gov). Please include the DERM file number on all correspondence.

DERM has the option to split any samples deemed necessary with the consultant or laboratory at the subject site. The consultant collecting the samples shall perform field sampling work in accordance with the Standard Operating Procedures provided in Chapter 62-160, FAC, as amended. The laboratory analyzing the samples shall perform laboratory analyses pursuant to the National Environmental Laboratory Accreditation Program (NELAP) certifications requirements. If the data submitted exhibits a substantial variance from the DERM split sample analysis, a complete re-sampling using two independent certified laboratories will be required.

Be advised that failure to comply with the above orders may result in this case being prepared for formal enforcement action in a court of competent jurisdiction for appropriate legal action under the enforcement provisions of Chapter 24 of the Code of Miami-Dade County, Florida.

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 Andrew Bowes (bowesa@miamidade.gov) of the Environmental Monitoring and Evaluation Section at (305) 372-6700.

Sincerely,



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

ab

pc: FDEP file copy 139814969  
ec: Peter Murch, Terra-Com Environmental Consulting, Inc.  
Gregory A. Self, P.G., Terra-Com Environmental Consulting, Inc.