

# Memorandum



**Date:** May 3, 2012

**To:** Honorable Rebeca Sosa  
Board of County Commissioners-District 6

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Notice of Environmental Contamination in Commission District 6

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 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 April 30, 2012 due to documented soil and groundwater contamination. There is no risk of a direct exposure to contaminated soils at this time since the area is covered with asphalt/concrete. Additionally, the site is in an area receiving County water service; therefore, 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:	Bird Road Station Corp
DERM File #:	File-4132/ UT # 650
Facility Address:	7625 SW 40 St. Miami, FL.
Folio Number:	30-4014-008-4690
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 Hefty, Assistant Director of the Permitting, Environment and Regulatory Affairs at (305) 372-6754 or by email at [heftyl@miamidade.gov](mailto:heftyl@miamidade.gov).

Attachment: Site Rehabilitation Order for Environmental Contamination

c: Jack Osterholt, Director, PERA  
Lee Hefty, Assistant Director, PERA



Carlos A. Gimenez, Mayor

Permitting, Environment and Regulatory Affairs

Environmental Services
701 NW 1st Court, 7th Floor
Miami, Florida 33136-3912
T 305-372-6600 F 305-372-6893

miamidade.gov

April 30, 2012

Mr. Eduardo Atienza, Director
Bird Road Station Corp.
7625 SW 40 St.
Miami, FL 33155

CERTIFIED MAIL No. 70101870000026832979
RETURN RECEIPT REQUESTED

RE: Bird Road Station Corp. (UT-650/File-4132, FDEP Fac. ID# 13/8504531), located at, near, or in the vicinity of 7625 SW 40 St., Miami-Dade County, Florida. (Folio # 30-4014-008-4690).

Dear Mr. Atienza:

NOTICE OF VIOLATION AND
ORDERS FOR CORRECTIVE ACTION

On April 13, 2012, a Discharge Reporting Form was submitted to this Department for the above referenced site which documented evidence of hydrocarbon contamination in the ground of Miami-Dade County.

Be advised that the discharge of hydrocarbons to the ground and/or groundwater of Miami-Dade County constitute violations of Chapter 24 of the Code of Miami-Dade County, to wit:

Section 24-42(1), of the aforesaid Code, inasmuch as said discharge causes water pollution, and constitutes a nuisance and sanitary nuisance as defined in Sections 24-5 and/or 24-28;

Section 24-27, of the aforesaid Code, which states in pertinent part: "No person shall cause any nuisance or sanitary nuisance as defined in Sections 24-5 and/or 24-28 hereof"; and

Section 24-25(4), of the aforesaid Code, inasmuch as any person who commits a violation of any of the rules and regulations which are adopted pursuant to this section shall be deemed guilty of committing a violation of this chapter by reference.

Based on the above and pursuant to the authority granted to me under Sections 24-7(15), 24-7(26), and pursuant to the requirements of Sections 24-45(5) and Section 24-25(1)(f) of Chapter 24 of the Code of Miami-Dade County, I am hereby ordering you to:

- 1. Upon receipt of this NOTICE, immediately CEASE and DESIST from any further discharges of hazardous materials to the ground and groundwater of Miami-Dade County from the subject facility.
2. Within sixty (60) days of completion of free product removal and proper disposal, soil treatment or proper soil disposal, two copies of a Source Removal Report, as outlined in Chapter 62-770.300(3), shall be submitted by the responsible party to Wilbur Mayorga, P.E., Chief, Pollution Control Division, Miami-Dade County PERA, 701 NW 1st Ct, 4th floor, Miami, FL 33136.
3. Upon receipt of this NOTICE, immediately test the entire underground storage tank (UST) system, including precision testing of the tanks and lines and hydrostatic testing of all sumps, fill ports and dispenser liners, and submit the results to this Department within three (3) days of testing.

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