Memorandum

MIAMI-DADE COUNTY

Date: August 21, 2012

To: Honorable Jose "Pepe" Diaz
Board of County Commissioners, District 12

From: Carlos A. Gimenez
Mayor

Subject: Notice of Environmental Contamination in Commission District 12

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 (RER), Environmental Resources Management, the Commissioner in whose district the environmental contamination is located shall be notified.

Pursuant to R-227-09, please be advised that the attached letter was sent to the party responsible for site rehabilitation on July 23, 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 on municipal water; therefore, their 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:	Quality Acquisition Co. LLC d/b/a Eagle Brands Sales Warehouse
DERM File #:	File #2311/UT #295
Facility Address:	43201 NW 72 Street Miami, Florida
Folio Number:	30-3026-012-0010
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 of Environmental Resources Management at (305) 372-6754 or by email at heftl@miamidade.gov

Attachment: Site Rehabilitation Order for Environmental Contamination

c: Jack Osterholt, Deputy Mayor/Director, RER
Lee N. Hefty, Assistant Director, Environmental Resources Management, RER

MIAMI-DADE COUNTY
Carlos A. Gimenez, Mayor

Department of Regulatory and Economic Resources
Environmental Resources Management
701 NW 1st Court, 7th Floor
Miami, Florida 33136-3912
T 305-372-6600 F 305-372-6893
miamidade.gov

July 23, 2012

George Halper, Manager
Tan Eagle Holdings, LLC
c/o Eagle Brands Wedco Limited Partnership
12751 S.W. 17th Court
Miramar, FL 33027

CERTIFIED MAIL No. 7010 1870 0000 2683 4607
RETURN RECEIPT REQUESTED

RE: Quality Acquisition Co. LLC d/b/a Eagle Brands Sales Warehouse facility. (UT-0295/File-2311/DEP #13-8945313), located at, near, or in the vicinity of 3201 N.W. 72nd Avenue, Miami-Dade County, Florida (Folio #30-3026-012-0010) for the discharge discovered on May 14, 2012.

Dear Mr. Halper:

NOTICE OF VIOLATION AND
ORDERS FOR CORRECTIVE ACTION

A Discharge Reporting Form dated July 17, 2012 was submitted to this Department on July 18, 2012 for the above referenced site which documented evidence of hydrocarbon contamination in the ground and/or groundwater 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.

1. Within sixty (60) days of completion of free product removal and proper disposal, soil treatment or proper soil disposal, submit to this Department two copies of a Source Removal Report, as outlined in Chapter 62-770.300(3), to Wilbur Mayorga, P.E., Chief, Pollution Control Division, Miami-Dade County PERA, 701 NW 1st Ct, 4th floor, Miami, FL 33136.

2. Within two hundred seventy (270) days of receipt of this NOTICE, submit to this Department two signed and sealed copies of a "Site Assessment Report" (SAR) which meets the criteria of Chapter 62-770, Florida Administrative Code (F.A.C.) including the identification of the extent of ground and/or groundwater contamination at the subject site. The SAR shall include a Monitoring Only Proposal (MOP), or a no Further Action Proposal (NFAP), or a recommendation to prepare a Remedial Action Plan (RAP). The SAR must be submitted to Wilbur Mayorga, P.E., Chief, Pollution Control Division, Miami-Dade County PERA, 701 NW 1st Ct, 4th floor, Miami, FL 33136.

3. For sites requiring active remediation, within ninety (90) days of receipt of approval from this Department for the SAR, submit two copies of a Remedial Action Plan (RAP) prepared in accordance with Chapter 62-770, F.A.C.

4. Upon receipt of approval for the RAP or MOP, immediately implement and complete the RAP or MOP in accordance with the timeframes stipulated in the approval.

5. Submit activity reports which describe the progress of the active remediation or monitoring activities at a frequency approved in the RAP or MOP.

BE ADVISED THAT FAILURE TO COMPLY WITH THE ABOVE MAY RESULT, AT A MINIMUM, IN CIVIL PENALTIES AND THE PAYMENT OF ALL DEPARTMENTAL COSTS INCURRED IN THE INVESTIGATION AND SETTLEMENT OF THIS CASE. IN ADDITION, FAILURE TO COMPLY MAY RESULT IN YOUR CASE BEING PREPARED FOR FORMAL ENFORCEMENT ACTION IN A COURT OF COMPETENT JURISDICTION PURSUANT TO THE ENFORCEMENT AND PENALTY PROVISIONS OF SECTIONS 24-29 AND 24-30 OF CHAPTER 24 OF THE CODE OF MIAMI-DADE COUNTY.

If you have any questions concerning this matter, please contact **Ana Chirino** of the Environmental Evaluations-Delegated Programs of this office at (305) 372-6600.

Sincerely,

Mayra Flagler

Mayra Flagler, Delegated Program Manager
Environmental Evaluations-Delegated Programs

Enclosure(s)

cc: FDEP Oculus
DRER File

UT-0295

Discharge Reporting Form

PLEASE PRINT OR TYPE

DEPARTMENT OF ENVIRONMENTAL PROTECTION FLORIDA

DEP Form # 62-761.900(1)
Form Title Discharge Reporting Form
Effective Date

Instructions are on the reverse side. Please complete all applicable blanks

1. Facility ID Number (if registered): 8945313 2. Date of form completion: July 17, 2012

3. General information
Facility name: Eagle Brands Sales Warehouse
Facility Owner or Operator: Quality Acquisition Company LLC d/b/a QAC LLC (as of July 1, 2012)*
Facility Contact Person Freddy Pacheco Telephone number: (305) 599-2337 County: Miami - Dade
Facility Mailing address: 3201 NW 72nd Avenue, Miami, FL 33122
Location of discharge (facility street address): 3201 NW 72nd Avenue, Miami, FL 33122
Latitude and Longitude of discharge (If known.)

4. Date of receipt of test results or discovery of confirmed discharge: May 14, 2012 month/day/year

5. Estimated number of gallons discharged: unknown

6. Discharge affected: [ ] Air [x] Soil [x] Ground water [ ] Drinking water well(s) [ ] Shoreline [ ] Surface water (water body name)

7. Method of discovery (check all that apply)
[ ] Liquid detector (automatic or manual)
[ ] Vapor detector (automatic or manual)
[ ] Tightness test
[ ] Pressure test
[ ] Statistical Inventory Reconciliation
[ ] Internal inspection
[ ] Inventory control
[x] Monitoring wells
[ ] Automatic tank gauging
[ ] Manual tank gauging
[ ] Closure/Closure Assessment
[x] Groundwater analytical samples
[x] Soil analytical tests or samples
[ ] Visual observation
[ ] Other

8. Type of regulated substance discharged: (check one)
[x] Unknown [ ] Used/waste oil [ ] Jet fuel [ ] Heating oil [ ] New/lube oil
[ ] Gasoline [ ] Aviation gas [ ] Diesel [ ] Kerosine [ ] Mineral acid
[ ] Hazardous substance - includes CERCLA substances from USTs above reportable quantities, pesticides, ammonia, chlorine, and derivatives (write in name or Chemical Abstract Service (CAS) number)
[ ] Other

9. Discharge originated from a: (check all that apply)
[ ] Dispensing system [ ] Pipe [ ] Barge [ ] Pipeline [ ] Vehicle
[ ] Tank [ ] Fitting [ ] Tanker ship [ ] Railroad tankcar [ ] Airplane
[x] Unknown [ ] Valve failure [ ] Other Vessel [ ] Tank truck [ ] Drum
[ ] Other

10. Cause of the discharge: (check all that apply)
[ ] Loose connection [ ] Puncture [ ] Spill [ ] Collision [ ] Corrosion
[ ] Fire/explosion [ ] Overfill [ ] Human error [ ] Vehicle Accident [ ] Installation failure
[x] Other Unknown

11. Actions taken in response to the discharge: Obtain proposals of environmental consultants, notify DEP State State Warning Point and notify Miami-Dade DRER.

12. Comments: The soil and groundwater contamination was revealed by a Phase II Environmental Site Assessment (included herewith) that was undertaken in contemplation of the sale of the property, which has occurred. The contamination is from an unknown source and occurred at an unknown time. The contamination is consistent with petroleum contamination. See note below regarding seller's obligation to remediate.

13. Agencies notified (as applicable):
[x] State Warning Point *1-800-320-0519* [ ] National Response Center *1-800-424-8802* [ ] Fire Department. [ ] County Tanks Program [ ] DEP (district/person)

14. To the best of my knowledge and belief all information submitted on this form is true, accurate, and complete.

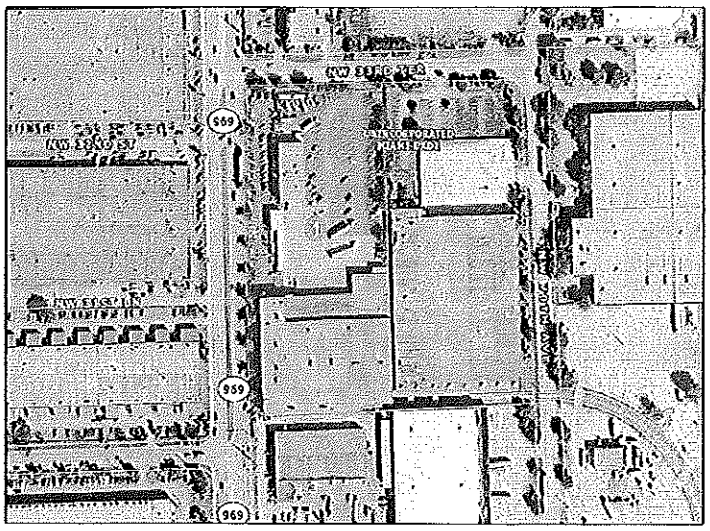
Jay Eversman, counsel to Eagle Brands WEDCO LP (with consent of owner)
Printed Name of Owner, Operator or Authorized Representative Signature of Owner, Operator or Authorized Representative.

*The seller of the property, Eagle Brands WEDCO L.P., retains the obligation to remediate contamination existing at the property and relating to this Discharge Reporting Form.

MIAMI-DADE COUNTY
OFFICE OF THE PROPERTY APPRAISER
PROPERTY SEARCH SUMMARY REPORT

Honorable Pedro J. Garcia
Property Appraiser

Property Information:	
Folio	30-3026-012-0010
Property Address	3201 NW 72 AVE
Owner Name(s)	EAGLE BRANDS WEDCO LTD PTNRSHIP
Mailing Address	3201 NW 72 AVE MIAMI FL 33122-1317
Primary Zone	7300 INDUSTRIAL-HEAVY
Use Code	0034 CANNERIES - BOTTLER
Beds/Baths/Half	0/0/0
Floors	2
Living Units	0
Adj. Sq. Footage	72,961
Lot Size	5.51 ACRES
Year Built	1982
Legal Description	COMMERCE PARK 4TH ADDN PB 115-32 TRACTS 4-A & 4-B & PORT OF TR 4-J DESC BEG NW COR TR 4-J TH S30FT E270.85FT NELY ELY & SELY A/D 85.78FT N12FT W355FT TO POB LOT SIZE 240080 SQ FT



Aerial Photography 2010

Assessment Information:

	Current	Previous
Year	2011	2010
Land Value	$3,841,280	$4,321,440
Building Value	$1,513,720	$1,033,560
Market Value	$5,355,000	$5,355,000
Assessed Value	$5,355,000	$5,355,000

Exemption Information:

	Current	Previous
Year	2011	2010
Homestead	$0	$0
2nd Homestead	$0	$0
Senior	$0	$0
Veteran Disability	$0	$0
Civilian Disability	$0	$0
Widow(er)	$0	$0

Taxable Value Information:

	Current	Previous
Year	2011	2010
	Exemption/Taxable	Exemption/Taxable
County	$0 / $5,355,000	$0 / $5,355,000
School Board	$0 / $5,355,000	$0 / $5,355,000
City	$0 / $0	$0 / $0
Regional	$0 / $5,355,000	$0 / $5,355,000

Sale Information:

Date	Amount	Recording Book-Page	Qualification Code
9/2007	$6,300,000	25969-0004	Sales which are qualified
12/1991	$3,341,700	15329-6831	Sales which are qualified

UT-0295
FDEP # 894533

Disclaimer:

The Office of the Property Appraiser and Miami-Dade County are continually editing and updating the tax roll and GIS data to reflect the latest property information and GIS positional accuracy. No warranties, expressed or implied, are provided for data and the positional or thematic accuracy of the data herein, its use, or its interpretation. Although this website is periodically updated, this information may not reflect the data currently on file at Miami-Dade County's systems of record. The Property Appraiser and Miami-Dade County assumes no liability either for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any information provided herein. See Miami-Dade County full disclaimer and User Agreement at http://www.miamidade.gov/info/disclaimer.asp.

Property information inquiries, comments, and suggestions email: pawebmail@miamidade.gov
GIS inquiries, comments, and suggestions email: gis@miamidade.gov

Generated on: Friday, July 20, 2012

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Foreign Limited Partnership

EAGLE BRANDS WEDCO LIMITED PARTNERSHIP

Filing Information

Document Number	B07000000301
FEI/EIN Number	261106523
Date Filed	09/21/2007
State	DE
Status	ACTIVE
Last Event	LP AMENDMENT
Event Date Filed	12/03/2007
Event Effective Date	NONE

CT-0295

Principal Address

3201 NW 72ND AVENUE
MIAMI FL 33122

Mailing Address

3201 NW 72ND AVENUE
MIAMI FL 33122

Registered Agent Name & Address

C T CORPORATION SYSTEM
1200 SOUTH PINE ISLAND ROAD
PLANTATION FL 33324 US

General Partner Detail

Name & Address

Document Number L07000097869

TAN EAGLE HOLDINGS, LLC → see next page
12751 SW 17TH CT.
MIRAMAR FL 33027

Annual Reports

Report Year	Filed Date
2010	01/11/2010
2011	01/04/2011
2012	01/25/2012

Document Images

01/25/2012 -- ANNUAL REPORT | View image in PDF format

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Florida Limited Liability Company

TAN EAGLE HOLDINGS, LLC

UT0295
FDEP Facility # 8945313

Filing Information

Document Number	L07000097869
FEI/EIN Number	N/A
Date Filed	09/25/2007
State	FL
Status	ACTIVE

Principal Address

12751 SW 17TH COURT
MIRAMAR FL 33027

Mailing Address

12751 SW 17TH COURT
MIRAMAR FL 33027

Registered Agent Name & Address

ARAZOZA & FERNANDEZ-FRAGA, P.A.
2100 SALZEDO STREET, SUITE 300
CORAL GABLES FL 33134 US

Manager/Member Detail

Name & Address

Title MGR

HALPER, GEORGE *
12751 SW 17TH COURT
MIRAMAR FL 33027

Annual Reports

Report Year	Filed Date
2010	03/30/2010
2011	03/02/2011
2012	01/05/2012

Document Images

01/05/2012 -- ANNUAL REPORT	View image in PDF format
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03/30/2010 -- ANNUAL REPORT	View image in PDF format