

# Memorandum



**Date:** September 11, 2012

**To:** Honorable Esteban Bovo, Jr.  
Board of County Commissioners - District 13

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Notice of Environmental Contamination in Commission District 13

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), 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 August 28, 2012 due to documented groundwater contamination. 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:	Chevron-Miami Lakes
DERM File #:	UT-432 / F-4912
Facility Address:	7375 Miami Lakes Drive, Miami Lakes, Florida in Miami-Dade County
Folio Number:	32-2023-018-0010
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, Environmental Resources Management – RER 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, Deputy Mayor/Director – Department of Regulatory and Economic Resources  
Lee N. Hefty, Assistant Director, Environmental Resources Management - RER

F  
SR



Carlos A. Gimenez, Mayor  
August 28, 2012

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

Mr. Carlos Fontecilla, President  
Victory Petroleum, Inc.  
2200 South Dixie Hwy.  
Suite 601  
Miami, FL 33133

CERTIFIED MAIL # 7011 0470 0002 4384 9947  
RETURN RECEIPT REQUESTED

Mr. Arturo Zizold  
Biscayne Petroleum, LLC  
2200 South Dixie Hwy.  
Suite 601  
Miami, FL 33133

CERTIFIED MAIL # 7011 0470 0002 4384 9954  
RETURN RECEIPT REQUESTED

Re: Tank Closure Assessment Report (TCAR) dated June 20, 2012 and supplemental information dated August 28, 2012 and prepared by Enercon Services, Inc. for the Chevron-Miami Lakes facility (UT-432/File-4912/FDEP-138505404) located at, near, or in the vicinity of 7375 Miami Lakes Drive, Miami Lakes, Miami-Dade County, Florida.

Dear Messrs. Fontecilla and Zizold:

The Department of Regulatory and Economic Resources (RER) has reviewed the above-referenced documents received July 3, 2012 and August 28, 2012, respectively, pertaining to the removal of three (3) 10,000 gallon unleaded and one (1) 1,000 gallon waste oil underground storage tank (UST) systems on April 18, 2012 and has determined that this closure meets the requirements of Rule 62-761.800, Florida Administrative Code (FAC). Therefore, the report has been placed on file with other pertinent material regarding the subject site.

Be advised that the groundwater analytical results submitted in this report exceed 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; therefore, additional assessment is required.

RER acknowledges the receipt of the Discharge Report Form with a discovery date of April 27, 2012. Therefore, pursuant to Sections 24-7(15) and 24-7(26) of the Code, an approvable Site Assessment Report (SAR) prepared in accordance with Chapter 62-770, FAC, is required.

Based on the above, and 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 two hundred seventy (270) days of receipt of this letter, two copies of an approvable SAR prepared in accordance with Chapter 62-770, FAC. Please note that for all future submittals to RER, one of the two required copies shall be provided in a compact disc (CD) as a single pdf file.

RER 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 RER file number on all correspondence.

Be advised that failure to comply with the above may result in this case being prepared for further enforcement action up to and including being referred to the Office of the County Attorney for formal enforcement action in a court of competent jurisdiction.

If you have any questions concerning the above, please contact Stanley Edouard ([edouas@miamidade.gov](mailto:edouas@miamidade.gov)) of the Environmental Monitoring & Restoration Division at (305) 372-6700.

Sincerely,

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

se  
pc: FDEP file copy 138505404  
ec: Ms. Ana Chirino, PERA, [chiria@miamidade.gov](mailto:chiria@miamidade.gov)  
Mr. Richard Prather, Project Geologist, Enercon Services, Inc., [gstector@langan.com](mailto:gstector@langan.com)

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