Memorandum

MIAMI-DADE COUNTY

Date: January 18, 2013

To: Honorable Bruno A. Barreiro
Board of County Commissioners-District 5

From: Carlos A. Gimenez
Mayor

Subject: Notice of Environmental Contamination in Commission District 5

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 of such.

Pursuant to R-227-09, please be advised that the attached letter was sent to the party responsible for site rehabilitation on December 14, 2012 due to documented soil and groundwater contamination. Please note that further soil assessment has been requested. 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:	Seville Hotel
DERM File #:	File-N/A/UT-7038
Facility Address:	2901 Collins Ave., Miami Beach, Florida in Miami-Dade County
Folio Number:	02-3226-001-1070
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 Department of Regulatory and Economic Resources at (305) 372-6754 or by email at heftyl@miamidade.gov.

Attachment: Site Rehabilitation Order for Environmental Contamination

c: Jack Osterholt, Deputy Mayor
Lee Hefty, Assistant Director, RER

MIAMI-DADE COUNTY
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

December 14, 2012

Seville Acquisitions, LLC.
c/o Mr. Robert J. McCarthy
Courtyard Management Corporation
10400 Fernwood Rd.
Bethesda, MD 20817

CERTIFIED MAIL # 7011 0470 0002 4385 5221
RETURN RECEIPT REQUESTED

Re: Tank Closure Assessment Report (TCAR)/Site Assessment Report (SAR) dated October 8, 2012 and prepared by EE&G Environmental Services, LLC. for the Seville Hotel facility (UT-7038/File-N/A/FDEP#N/A) located at, near, or in the vicinity of 2901 Collins Ave., Miami Beach, Miami-Dade County, Florida.

Dear Mr. McCarthy:

The Department of Regulatory and Economic Resources (RER) has reviewed the above-referenced document received October 17, 2012 and has determined the following:

TCAR
The TCAR portion of the submitted report, which pertains to the removal of one (1) heating oil underground storage tank (UST) on June 28, 2012 meets the requirements of Section 24-45, Code of Miami-Dade County (please note that heating oil USTs are exempt from the requirements of Rule 62-761.800, Florida Administrative Code). Therefore, the TCAR portion of the report has been placed on file with other pertinent material regarding the subject site.

Be advised that levels of soil and groundwater analytical results submitted in this report 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. RER acknowledges that you have conducted assessment in an attempt to address the soil and groundwater contamination referenced above. Therefore, please see the comments below regarding the SAR portion of the submitted report.

SAR
Please note that the SAR portion of the submitted report is hereby disapproved due to the following:

1- The PAH and/or TRPH soil contamination documented for soil samples SS-5, SS-6, SS-9 and SS-11 was not horizontally and vertically delineated. Therefore, further soil assessment is required (to include appropriate horizontal and vertical delineation of the soil contaminant plume(s)). Furthermore, a proposal for addressing the soil shall be included in the next submittal.

2- The Groundwater Sampling Log for the September 18, 2012 sampling of monitoring well TMW-5 was not provided in the report. Therefore, said log shall be included in the next submittal.

3- Investigate the possible causes for the VOA and PAH concentration increases in TMW-5 when comparing the August 2012 to September 2012 sampling events and provide your findings in the next submittal.

4- The submitted report indicates that the removed tank had a capacity of 8,000 gallons. However, the June 28, 2012 RER Tank Closure Inspection Report notes that said tank had a capacity of 4,000 gallons. Please clarify this discrepancy in the next deliverable.

5- Please note that since this site falls under the purview of Chapter 24, Code of Miami-Dade County, the submittal of document review fees is required. Therefore, a SAR review fee of $1,350 and a SAR Addendum review fee of $675 shall be included with the next deliverable.

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Be advised that RER will provide comment on the Monitoring Only Plan proposed in the TCAR/SAR upon review of the response to comments 1, 2 and 3 above.

Be advised that the vertical and horizontal extent of the contaminant plume(s) shall be fully delineated. RER 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, Florida Administrative Code (FAC), as amended. The laboratory analyzing the samples shall perform laboratory analyses pursuant to the National Environmental Laboratory Accreditation Program (NELAP) certification requirements. If the data submitted exhibits a substantial variance from RER split sample analysis, a complete re-sampling using two independent certified laboratories will be required.

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. Please include the RER file number on all correspondence.

Therefore, within sixty (60) days of receipt of this letter, you are hereby required to submit to RER for review an addendum to the Site Assessment Report, prepared in accordance with Section 24-44(2)(j)(iv), Code of Miami-Dade County, which shall address the above comments.

Failure to adhere to the items and timeframes stipulated above may result in enforcement action for this site.

If you have any questions concerning the above, please contact Eddie Gonzalez (gonzaed@miamidade.gov) of the Environmental Monitoring & Evaluation Section at (305) 372-6700.

Sincerely,

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

eg
ec: Mr. Craig C. Clevenger, P.G., EE&G Environmental Services, LLC., cclevenger@eeandg.com