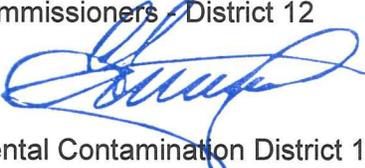


Memorandum



Date: February 13, 2013

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

From: Carlos A. Gimenez 
Mayor

Subject: Notice of Environmental Contamination 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), 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 January 28, 2013 due to documented soil and/or 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:	Amoco-Alex
RER File#:	File #9123 / UT #3166
Facility Address:	8200 NW 25 th Street, Miami-Dade County, Florida
Folio Number:	35-3034-008-0040.
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 the Department of Regulatory and Economic Resources – Environmental Resources Management at (305) 372-6754 or by email at HeftyL@miamidade.gov.

Attachment: Site Rehabilitation Order for Environmental Contamination

cc: Jack Osterholt, Deputy Mayor/Director – Department of Regulatory and Economic Resources
Lee N. Hefty, Assistant Director, RER-Environmental Resources Management



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

January 28, 2013

Carlos Ruben Pena, Director
Alex Electric, Inc
8200 NW 25 Street
Miami, FL 33122

CERTIFIED MAIL No. 7000 0810 0000 7059 7457
RETURN RECEIPT REQUESTED

RE: Amoco-Alex facility (UT-3166/File-9123/FDEP #13/9046557), located at, near, or in the vicinity of 8200 NW 25th Street, Miami-Dade County, Florida (Folio #35-3034-008-0040).

Dear Mr. Pena:

NOTICE OF VIOLATION AND
ORDERS FOR CORRECTIVE ACTION

A Discharge Reporting Form dated January 8, 2013 was submitted to this Department on January 10, 2013 for the above referenced site, and a groundwater sample collected by the Department on January 10, 2013 (results attached) 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 the Miami-Dade County Environmental Protection Ordinance, 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, Environmental Monitoring & Restoration Division, Miami-Dade County RER, 701 NW 1st Ct, 4th floor, Miami, FL 33136

Ensuring Excellence Every Day

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. The results may be emailed to Ana Chirino at chiria@miamidade.gov or faxed to her attention at (305) 372-6907.
4. 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, Environmental Monitoring & Restoration Division, Miami-Dade County RER, 701 NW 1st Ct, 4th floor, Miami, FL 33136.
5. 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.
6. 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.
7. 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.

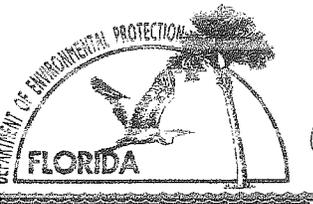
Sincerely,



Mayra Flagler, Manager
Environmental Evaluations-Delegated Programs

Enclosure(s)

cc: FDEP Oculus
RER File



Discharge Report Form

PLEASE PRINT OR TYPE

DEP Form # 62-761.900(1)

Form Title Discharge Report Form

Effective Date _____

11-2166

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

1. Facility ID Number (if registered): 9046557 2. Date of form completion: 01/08/13

3. General information

Facility name or responsible party (if applicable): ALEX Amoco
Facility Owner or Operator, or Discharger: JTC Pena or Ruben Pena
Contact Person: SAME Telephone Number: (305) 591-1675 County: DADE
Facility or Discharger Mailing Address: 8200 NW 25th MIAMI FL 33122
Location of Discharge (street address): SAME
Latitude and Longitude of Discharge (if known): _____

4. Date of receipt of test results or discovery of confirmed discharge: 01/08/13 month/day/year 5. Estimated number of gallons discharged: _____

6. Discharge affected: Air Soil Groundwater Drinking water well(s) Shoreline Surface water (water body name)

7. Method of discovery (check all that apply)

Liquid detector (automatic or manual) Internal inspection Closure/Closure Assessment
 Vapor detector (automatic or manual) Inventory control Groundwater analytical samples
 Tightness test Monitoring wells Soil analytical tests or samples
 Pressure test Automatic tank gauging Visual observation
 Statistical Inventory Reconciliation Manual tank gauging Other _____

8. Type of regulated substance discharged: (check one)

Unknown Used/waste oil Jet fuel Heating oil New/lube oil
 Gasoline Aviation gas Diesel Kerosene 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. Source of Discharge: (check all that apply)

Dispensing system Pipe Barge Pipeline Vehicle
 Tank Fitting Tanker ship Railroad tankcar Airplane
 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
 Other _____

11. Actions taken in response to the discharge: CONTACTED DISCOVERY TANK TEST TO CHECK ON DISCHARGE AND INVESTIGATION CAUSE.

12. Comments: _____

13. Agencies notified (as applicable):

State Warning Point 1-800 320-0519 National Response Center 1-800-424-8802 Florida Marine Patrol (800) 342-5367 Fire Department DEP (district/person) County Tanks Program

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

Carlos Ruben Pena
Printed Name of Owner, Operator or Authorized Representative,
or Discharger

[Signature]
Signature of Owner, Operator or Authorized Representative,
or Discharger



Florida Department of Environmental Protection
Twin Towers Office Bldg. 2600 Blair Stone Road. Tallahassee, Florida 32399-2400
Division of Waste Management
Bureau of Petroleum Storage Systems

Storage Tank Facility Discharge Site Inspection Report

Facility Information:

Facility ID: 9046557 County: MIAMI-DADE Inspection Date: 01/10/2013
Facility Type: A -Retail Station
Facility Name: AMOCO-ALEX # Of Inspected ASTs: 0
8200 NW 25TH ST USTs: 2
MIAMI, FL 33122 Mineral Acid Tanks: 0
Latitude: 25° 47' 47.115"
Longitude: 80° 19' 46.525"
LL Method: DPHO

Inspection Result:

Result : Minor Out of Compliance
Description: Facility is Minor Out of Compliance.

Financial Responsibility

Financial Responsibility: INSURANCE
Insurance Carrier: COMMERCE & INDUSTRY
Effective Date: 08/06/2012 Expiration Date: 08/06/2013

Signatures:

TKDERM - MIAMI - DADE DEPT OF ENVIRONMENTAL RESOURCE MGMT

Storage Tank Program Office

(305) 372-6700

Storage Tank Program Office Phone Number

Christopher S Runte
INSPECTOR NAME

Ruben Pena
REPRESENTATIVE NAME

INSPECTOR SIGNATURE

REPRESENTATIVE SIGNATURE

Facility ID: 9046557

Owners of UST facilities are reminded that the Federal Energy Policy Act of 2005 requires Operator Training at all facilities by August 8, 2012. For further information please visit: http://www.dep.state.fl.us/waste/categories/tanks/pages/op_train.htm

System Tests

Type	Date Completed	Results	Reviewed	Next Due Date	Comment
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Completed Tests

Annual Operability Test	01/02/2013	Passed	01/08/2013	01/02/2014	Discovery Tank Testing
Tank Tightness Test	01/02/2013	Passed	01/08/2013	01/02/2018	Discovery Tank Testing
Annual Inline Leak Detector Test	01/02/2013	Passed	01/08/2013	01/02/2014	Discovery Tank Testing

Outstanding Violations

Type: Violation
Significance Name: Minor
Rule: 62-761.640(2)(c)2.b., 62-761.640(2)(c)2.a.
Violation Text: Free product or sheen present in wells.
Explanation: Free floating product found in the monitoring well next to dispenser 13/14.
Corrective Action: Conduct a line tightness test, hydrostatic test on all dispenser liners, and spill buckets. Investigate where the leak is and stop the leak. Then begin the clean up process.

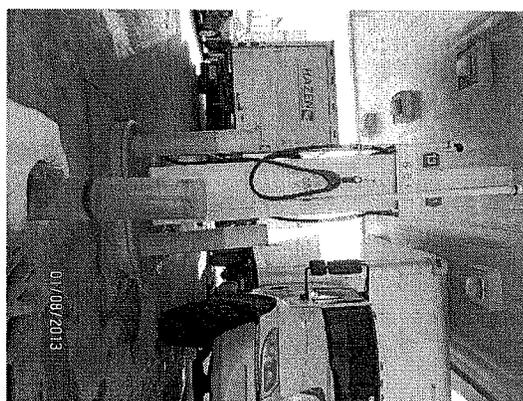
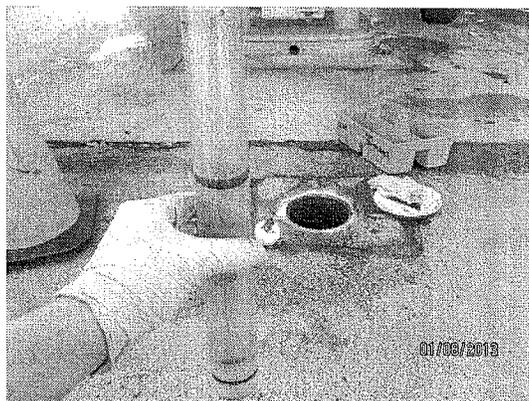
Violation Photos

Added Date 01/08/2013

Added Date 01/08/2013

Free floating product in MW next to dispenser 13/14.

Free floating product in MW next to dispenser 13/14.



Inspection Comments

01/10/2013

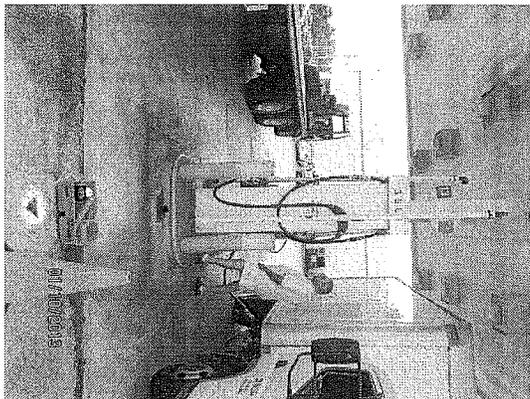
On site with Ruben Pena owner (305) 591-1675 for a discharge inspection due to free floating product found during the annual compliance inspection conducted on 01/08/2013. Free floating product was found in the monitoring well located next dispenser liner 13/14. A FLPRO sample was collected from said well at 11:03 am. The sample blue card # is 291584 and the time the sample was collected was 11:03 am. A discharge report form was filled out.

Facility ID: 9046557

Inspection Photos

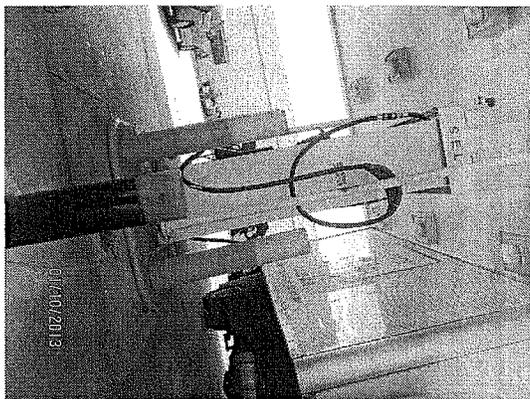
Added Date 01/10/2013

MW next to dispenser liner 13/14.



Added Date 01/10/2013

Sample collected.



Added Date 01/10/2013

Free floating product in MW.



Contract Lab Result Records



Laboratory Services

211 West Flagler St

Miami, FL 33130

Page 1 of 3

January 23, 2013

Dear Mr. Christopher Runte,

Enclosed is the analytical result for sample with BC#291584 being subcontracted to Pace lab with WO 1030 on January 11, 2013.

Please note that the sample was diluted due to very high concentration analytes. Therefore the result for sample with BC#291584 was reported with qualifier "D4"

Also sample surrogates were "S4" qualified because Surrogates recoveries not evaluated against control limits due to sample dilution.

The results have been reviewed for quality and completeness and are approved for release. You will receive the original hard copy of results and COCs through inter office mail services once the package arrives to the laboratory.

If you have any questions concerning this report, please feel free contact laboratory's QA Officer.

Thank you,

Maria Riaño, Chemist 2
Department of Regulatory and Economic Resources
Environmental Resources Management
211 West Flagler Street, Miami, Florida 33130
(305) 375-1851

ANALYTICAL RESULTS

Project: 1030-E
Pace Project No.: 3579824

Sample: AB93617 291584 Lab ID: 3579824001 Collected: 01/10/13 11:03 Received: 01/11/13 15:00 Matrix: Solid

Results reported on a "wet-weight" basis

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave		Analytical Method: FL-PRO Preparation Method: EPA 3546							
Petroleum Range Organics	1240000	mg/kg	9090	5780	100	01/17/13 16:00	01/18/13 17:31		D4
Surrogates									
o-Terphenyl (S)	78	%	62-109		100	01/17/13 16:00	01/18/13 17:31	84-15-1	S4
N-Pentatriacontane (S)	113	%	42-159		100	01/17/13 16:00	01/18/13 17:31	630-07-09	S4