

# Memorandum



**Date:** May 2, 2013

**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), 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 15, 2013 due to documented soil and groundwater contamination. There is no evidence of a direct exposure risk to the contaminated soils. 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.

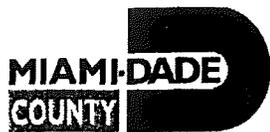
The summary of this case is noted below:

Subject	Environmental Contamination
Facility Name:	Dade Paper & Bag Company, Inc.
DERM File #:	File-7407/ UT-724
Facility Address:	2323 NW 72 <sup>nd</sup> St., Miami, Florida in Miami-Dade County
Folio Number:	30-3035-002-0070
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 RER-Environmental Resources Management at (305) 372-6754 or by email at [heftyl@miamidadegov](mailto:heftyl@miamidadegov).

Attachment: Site Rehabilitation Order for Environmental Contamination

c: 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, 4th Floor  
Miami, Florida 33136-3912  
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miamidade.gov

April 15, 2013

Mr. Leonard Genet, President  
Dade Paper & Bag Company, Inc.  
9601 NW 112<sup>th</sup> Ave.  
Miami, FL 33178

CERTIFIED MAIL # 7011 0470 0002 4386 2632  
RETURN RECEIPT REQUESTED

Re: Response to the Regulatory and Economic Resources (RER) letter dated October 10, 2012, dated January 31, 2013 and prepared by EE&G Environmental Services, LLC for the Dade Paper & Bag Company, Inc. facility (UT-724/File-7407FDEP-138944117) located at, near, or in the vicinity of 2323 NW 72<sup>nd</sup> St., Miami, Miami-Dade County, Florida.

Dear Mr. Genet:

The Department of Regulatory and Economic Resources (RER) has reviewed the above-referenced document received April 9, 2013 pertaining to the removal of one (1) 10,000 gallon double wall diesel underground storage tank (UST) system on September 12, 2012, and offers the following comments:

1. RER has no objection to the proposed source removal of soil sample locations SB-2 and SS-3 to remove these concentrations from the data set from which the 95% UCL was calculated. However, the source removal excavations for SB-2 and SS-3 shall extend to the closest delineating boring, not fifteen (15) feet as indicated in the recommendations section of the submitted report. In directions where there are no delineating borings (i.e., northeast of soil sample SS-3 and north of soil sample SB-2) the excavation shall extend the distance of the farthest delineating boring for that excavation.
2. Be advised that the results for soil boring sample SS-1(4 feet) should not have been included in the data set used to calculate the 95% UCL for the 2 foot depth interval. Since average soil concentrations could not be calculated for the 4 foot depth interval due to an insufficient number of soil samples for utilization of the Florida-UCL tool, the contamination at SS-1(4 feet) shall be addressed (e.g., via source removal followed by confirmatory soil samples at the appropriate depths). Confirmation soil sample results shall meet the direct exposure residential CTLs. Alternately, if a minimum of 10 soil samples are collected from the 4 foot interval, then the 95% UCL approach can be utilized to determine whether average soil concentrations meet the direct exposure residential CTLs.
3. The submitted soil analytical results table has incorrect Direct Exposure Commercial CTLs for Benzo(a)anthracene, Benzo(b)fluoranthene, Chrysene and Indeno(1,2,3-cd)pyrene. Therefore, said table shall be updated accordingly and provided in the next deliverable.
4. Submit a Discharge Reporting Form (DRF), FDEP form 62-761.900(1), within 10 days of receipt of this letter to Ms. Ana Chinno of RER.

Be advised that the levels of groundwater and/or soil 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.

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, an approvable Site Assessment Report (SAR) prepared in accordance with Chapter 62-770, FAC. However, based on the source removal proposed, within sixty (60) days of completion of source removal activities, submit to this office for review two copies of a Source Removal Report. If analytical results obtained after completion of the source removal demonstrate that the applicable No Further Action criteria of

Mr. Leonard Genet/Dade Paper & Bag Company, Inc.  
UT-724/file-7407  
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subsection 62-770.681(1), FAC, are met, the results shall be provided in a Limited Site Assessment Report pursuant to subsection 62-770.600(7), FAC. Please note that for all future submittals to RER, one of the two required copies shall be provided in a compact disk (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.

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](mailto:gonzaed@miamidade.gov)) of the Environmental Monitoring & Evaluation Section at (305) 372-6700.

Sincerely,



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

eg

pc: FDEP file copy 138944117

ec: Mr. Craig Clevenger, P.G., EE&G Environmental Services, LLC., [cclevenger@eeandg.com](mailto:cclevenger@eeandg.com)