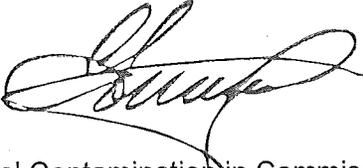


Memorandum



Date: October 9, 2013

To: Honorable Dennis C. Moss
Board of County Commissioners-District 9

From: Carlos A. Gimenez
Mayor 

Subject: Notice of Environmental Contamination in Commission District 9

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 September 24, 2013 due to documented groundwater contamination. Note that soil assessment conducted during the tank closure indicates that there is no evidence of a direct exposure risk to 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:	Sunshine #30082
DERM File #:	UT-1478/ File-7892
Facility Address:	18398 S. Dixie Hwy., Miami, Florida in Miami-Dade County
Folio Number:	30-5032-000-1451
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 Director of Environmental Resources Management Department of Regulatory and Economic Resources at (305) 372-6754 or by email at hefty1@miamidade.gov.

Attachment: Site Rehabilitation Order for Environmental Contamination

c: Jack Osterholt, Deputy Mayor/Director Department of Regulatory and Economic Resources
Lee Hefty, Director of Environmental Resources Management - RER



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

September 24, 2013

Mr. Maximo Alvarez, President
Sunshine Gasoline Distributors, Inc.
1650 NW 87th Ave.
Doral, FL 33172

CERTIFIED MAIL # 7011 0470 0002 4387 6011
RETURN RECEIPT REQUESTED

Mr. Barry Hanna, Manager
184 US1, Inc.
9241 SW 140 St.
Miami, FL 33176

CERTIFIED MAIL # 7011 0470 0002 4387 6028
RETURN RECEIPT REQUESTED

Re: Tank Closure Assessment Report Addendum (TCARA) dated September 4, 2013 and prepared by Water Restoration, Inc. for the Sunshine #30082 facility (UT-1478/File-7892/FDEP #138841567) located at, near, or in the vicinity of 18398 S. Dixie Hwy., Miami, Miami-Dade County, Florida.

Dear Messrs. Alvarez and Hanna:

The Department of Regulatory and Economic Resources (RER) has reviewed the above-referenced document received September 9, 2013 pertaining to the secondary containment upgrade (i.e., relining) of one (1) 6,000 gallon and three (3) 10,000 gallon underground storage tanks (USTs) and the removal of four (4) spill containment buckets (SCBs) and one (1) sump on July 28, 2011 and has determined that the TCARA 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 levels of 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. A Discharge Reporting Form (DRF) DEP form 62-761.900(1), must be submitted within ten (10) days of receipt of this letter to Tricia Kong (kongt@miamidade.gov) of RER. Additionally, 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 62-780, FAC.

Note that in lieu of the submittal of the DRF and SAR noted above, pursuant to comment 2 of the Florida Department of Environmental Protection's (FDEP's) February 19, 2013 correspondence (attached), if you still wish to request the rescission of the FDEP's May 26, 1999 Site Rehabilitation Completion Order (SRCO), please submit a letter to Ken Bussen of the FDEP at 2600 Blairstone Road, MS 4500, Tallahassee, FL (please provide RER with a copy of said letter) requesting the rescission of the SRCO along with the results of the additional soil and groundwater testing performed to address the comments in RER's June 19, 2013 TCAR review letter.

Note that the submitted Groundwater Sampling Logs indicate that 5 to 7.5 gallons of water was purged before the first set of stabilization readings were collected from MW-1, MW-2R, MW-3R and MW-4 without an explanation as to why said wells were purged in excess of one well volume. Be advised that pursuant to Section FD-1000 of the FDEP's Standard Operating Procedures (SOPs) DEP-SOPS-001/01 (effective December 3, 2008), enough information shall be recorded so that clarifications, interpretations, or explanations of the data are not required from the originator of the documentation. Therefore, please insure that the above-referenced requirement is met for all future sampling events.

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.

Delivering Excellence Every Day

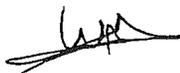
Messrs. Alvarez and Hanna/Sunshine Gasoline Distributors, Inc./184 US1, Inc.
UT-1478/File-7892
FDEP #138841567
September 24, 2013
Page 2 of 2

Be advised that 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, 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 the RER split sample analysis, a complete re-sampling using two independent certified laboratories will be required.

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 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
pc: FDEP file copy 138841567
ec: Ms. Madeline Wu, P.E., Water Restoration, Inc., wri1603@gmail.com
Ms. Tricia Kong, RER, kongt@miamidade.gov
Mr. Ken Bussen, ken.bussen@dep.state.fl.us



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**
BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

JENNIFER CARROLL
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

February 19, 2013

Mr. Barry Hanna
184 US 1, L.L.C.
9241 SW 140th Street
Miami, Florida 33176

RE: Sunshine #30082
18398 South Dixie Highway
Miami, Miami-Dade County
DEP Facility #138841567

Dear Mr. Hanna:

The Bureau of Petroleum Storage Systems has reviewed the Request of Rescission of Site Rehabilitation Completion Order (SRCO) Report dated December 14, 2012, prepared and submitted by Water Restoration, Inc. (WRI) and your letter dated December 6, 2012 requesting the rescission of the Department's May 26, 1999 Site Rehabilitation Completion Order (SRCO) for the above referenced facility. After reviewing the site file and the Report, the request to rescind the SRCO cannot be approved at this time. The following comments need to be addressed before the department can make a decision on whether or not to rescind the SRCO:

1. All the comments in the Miami-Dade County December 19, 2011 Tank Closure Assessment Report (TCAR) review letter need to be addressed.
2. After addressing the TCAR review letter comments, if you still wish to request the rescission of the Department's May 26, 1999 SRCO, please submit a letter requesting the rescission of the SRCO along with the results of the additional soil and groundwater testing performed to address the comments in the TCAR review letter to me at the letterhead address, Mail Station 4580.

The DEP Facility Number for this site is 138841567. Please use this identification on all future correspondence with the Department. If you should have any questions concerning this review,