

Memorandum



Date: January 3, 2014

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 Division of Environmental Resources Management (DERM), 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 20, 2013 due to documented soil contamination. There is no evidence of a direct exposure risk to the contaminated soils. 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:	Vacant Medley Parcel
DERM File #:	File-23257/ SW-1547
Facility Address:	11001 NW 124 Street, Miami, Florida in Miami-Dade County
Folio Number:	22-2030-016-0040
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, Director of the Division of Environmental Resources Management at (305) 372-6754 or by email at 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, Director of the Division 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

December 23, 2013

CERTIFIED MAIL NO. 7011 0470 0002 4386 9983
RETURN RECEIPT REQUESTED

Andrea Karp, IIT
Miami DC III, LLC
518 17th Street, Ste. 1700
Denver, CO 80202

RE: Limited Source Removal Report dated December 2, 2013 and submitted by AWS Engineering, Inc. for the Vacant Medley Parcel (SW-1547/File-23257) located at, near, or in the vicinity of 11001 NW 124th Street, Miami, Miami-Dade County, Florida.

Dear Ms. Karp:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the referenced submittal, received December 6, 2013 and hereby provides the following comments and requirements:

1. The Phase I and the Limited Site Investigation reports for the Parcels were not provided and are required. Therefore, at this time, DERM cannot fully comment on the sampling results described in the narrative of the current submittal. The above referenced reports shall be submitted to DERM. All summary tables, soil analytical results, groundwater analytical results, sampling logs, boring logs, etc. shall be provided. The Phase I shall also include additional details regarding the content of the referenced drums, potential origins of the material based on the Phase 1 ESA and aerial photograph records review, and disposal manifests for the drums.
2. Be advised that the residential Cleanup Target Level (CTL) for PCB established in Chapter 24, Code of Miami-Dade County is 0.5 mg/Kg. The 2.6 mg/Kg referenced in the report is the commercial industrial CTL. Delineation and remediation is required to the lower of the residential or leachability-based CTL to achieve unconditional closure. Levels above commercial industrial CTL may remain onsite provided Institutional/Engineering controls are utilized following completion of the Site Assessment Report (SAR). Off-site contamination, as applicable, is not permitted to remain. Based on the above and the soil sampling results in the current submittal, additional soil delineation to the residential level CTL of the soil borings that exceeded 0.5 mg/Kg is required. Alternatively, you may conduct additional source removal excavation with confirmation samples to ensure the removal of all soils above the residential CTL. The Phase 1 and site reconnaissance shall support localized areas of impacts or additional investigation may be warranted.
3. DERM cannot provide comments regarding soil and groundwater quality at the Southern Parcels due to the lack of soil and groundwater sampling, nor can DERM comment on historic or current recognized environmental concerns because the referenced Phase I report was not included in the submittal.

Beating Pollution Every Day

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Be advised that the levels of groundwater and/or soil analytical results submitted in this report constitute violations of Chapter 24, Code of Miami-Dade County (the Code), specifically, Sections 24-44, 24-27, 24-28, and 24-29 of the Code.

Based on the above, and pursuant to Sections 24-7(15), 24-7(26), and 24-44(2)(g) of the Code, you are hereby ordered to submit to this office for review, within sixty (60) days of receipt of this letter, a Site Assessment Report (SAR) prepared in accordance with Section 24-44(2)(j)(iv) of the Code. Specific guidance for the preparation of the SAR may be downloaded from DERM's web page at: www.miamidade.gov/environment/pollution-remediation.asp. A review fee of \$950 for the current document along with a review fee of \$475 for the next document for a total of \$1425 shall be included with the next submittal.

Be advised that the vertical and horizontal extent of the contaminant plume(s) shall be fully delineated. DERM 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 DERM split sample analysis, a complete resampling using two independent certified laboratories will be required.

DERM 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 DERM file number on all correspondence.

Failure to comply with above orders may result in this case being prepared for formal enforcement action in a court of competent jurisdiction for appropriate legal action under the enforcement provisions of Chapter 24 of the Code of Miami-Dade County, Florida.

If you have any questions regarding this letter, please contact Serge V. Beregovoy (BeregS@miamidade.gov) of the Environmental Assessment Section at (305) 372-6700.

Sincerely,



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

SVB

pc: Curtis L. Dokken, P.E. – AWS Engineering, Inc., 3304 Pebble Beach Dr., Lake Woerth,
FL 33467