

Memorandum



Date: January 24, 2014

To: Honorable Barbara Jordan
Board of County Commissioners-District 1

From: Carlos A. Gimenez
Mayor 

Subject: Notice of Environmental Contamination in Commission District 1

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, 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. Contaminated soils are present and the responsible party is implementing soil removal as approved by DERM to address direct exposure to those contaminated soils.

The summary of this case is noted below:

Subject	Environmental Contamination
Facility Name:	Warehouse Property
DERM File #:	HWR-774
Facility Address:	135 NE 179 Street
Folio Number:	30 2112 023 0146
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 Environmental Resources Management, 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/Director Department of Regulatory and Economic Resources
Lee N. Hefty, Director, Division 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

January 16, 2014

CERTIFIED MAIL NO. 7011 0470 0002 4387 5144

RETURN RECEIPT REQUESTED

Francis Greenburger, Manager
Miami Airport Industrial Equities, LLC
c/o Time Equities
55 Fifth Avenue, 15 Floor
New York, NY 10003

Re: Subsurface Investigation and Source Removal Plan dated November 2013 and prepared by Hydrologic Associates for the Warehouse facility (HWR-774) located at, near, or in the vicinity of 135 NE 179 Street, Miami, Miami-Dade County, Florida.

Dear Mr. Greenburger:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the above-referenced document received November 21, 2013 and offers the following comments:

1. The Table 6 arsenic results list mg/l as the unit measured and indicates detection limits above established cleanup target levels (CTLs). However, the laboratory results are in ug/l. Please provide corrections.
2. Provide the locations of SB-1 through SB-6 on the site diagram and provide all the laboratory data for these borings.
3. The site diagrams depict MW-1 through MW-5 with no "R" following the well designation. However, Table 5 lists MW-2R and MW-3R. Please clarify the discrepancy in well designations. Furthermore, provide all laboratory data for these wells.
4. The proposed soil source removal is approved.
5. It does not appear that all data from the Phase 2 Environmental Site Assessment was provided. Provide all assessment data for the site and include the information in the site diagrams and data tables. Furthermore, provide the Phase 1 Environmental Site Assessment report. Additional comments shall be provided upon receipt of this information.

Delivering Excellence Every Day

Mr.
HWR-774
January 16, 2014
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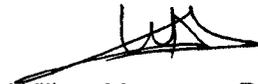
Be advised that the levels of soil analytical results for PAHs submitted in this report constitute violations of Chapter 24, Code of Miami-Dade County (the Code), specifically, Sections 24-44, 24-27, 24-28, and 24-29 of the Code.

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 which addresses the above comments. Specific guidance for the preparation of the SAR may be downloaded from DERM's web page at: www.miamidade.gov/environment/pollution-remediation.asp.

Be advised that 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 concerning the above, please contact Thomas Kux, P.G., (kuxt@miamidade.gov) of the Environmental Assessment Section at (305) 372-6700.

Sincerely,



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

TK

pc:

Patricia Lebow, Broad & Cassel, plebow@broadandcassel.com
Jim Miller, P.E., Hydrologic, jmiller@haimiami.com