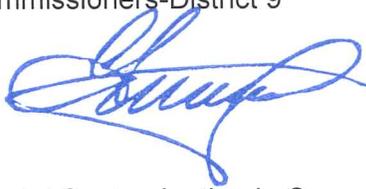


# Memorandum



**Date:** January 27, 2014

**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 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. The facility is not being served by public water; however, the business is vacant and the Responsible Party has been advised not to use the on-site groundwater for any reason other than environmental monitoring. Additionally, there is no direct exposure to soil contamination as the facility is covered by an asphalt parking lot and buildings.

The summary of this case is noted below:

Subject	Environmental Contamination
Facility Name:	Michael Budzinski Property (former Bob's Spray Service)
DERM File #:	IW5-292/File-273
Facility Address:	17600 & 17630 S. Dixie Highway
Folio Number:	30-5032-004-2130, 30-5032-004-2140 & 30-5032-004-2150
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, Environmental Resources Management, Department of Regulatory and Economic Resources at (305) 372-6754 or by email at [hefty1@miamidade.gov](mailto:hefty1@miamidade.gov).

Attachment: Site Rehabilitation Order for Environmental Contamination

c: Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources  
Lee Hefty, Assistant Director, 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 13, 2014

**CERTIFIED MAIL NO. 7011 0470 0002 4387 2761  
RETURN RECEIPT REQUESTED**

Mr. Scott Brenner, Receiver  
Brenner Real Estate Group  
1500 W. Cypress Creek Road,  
Suites 402 & 409  
Fort Lauderdale, Florida 33309

**Re: Phase 2 Environmental Assessment Report (Phase 2) dated November 7, 2013 and prepared by Environmental Assessments + Consulting for the Michael Budzinski property (former Bob's Spray Service) facility (IW5-0292/File-0273) located at, near, or in the vicinity of 17600 and 17630 S. Dixie Highway, Miami, Miami-Dade County, Florida.**

Dear Mr. Brenner:

This letter supersedes our letter of December 4, 2013; however, you are still subject to the timeframes provided within that letter. The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the above-referenced document received November 12, 2013 and offers the following comments:

1. The report documents soil and groundwater contamination at the facility. Therefore, an approvable Site Assessment Report is required for this facility. The SAR shall include recommendations for the next appropriate course of action.
2. Assessment activities shall include the interior area of the northern building, the area of the "trench" and the area of the former underground storage tank and shall assess the soil and the groundwater for waste oil/unknown petroleum products as detailed in Table D of the Chapter 62-780, Florida Administrative Code (FAC), fertilizers, pesticide contaminants of concern to include both organochlorine and organophosphate pesticides and herbicides including, but not limited to Dursban, Diazinon and Atrazine. Soil assessment shall include the 0-0.5 foot interval and each 2 foot interval down to the groundwater interface.
3. Areas that were documented in the Phase 2 report to be contaminated with organochlorine pesticides and/or metals shall be sampled to complete horizontal and vertical delineation in the soil and groundwater applicable to Cleanup Target Levels (CLTs) for herbicides, fertilizers and both organochlorine and organophosphate pesticides.
4. A survey of all public and private potable, irrigation and industrial well within ¼ mile of the facility shall be conducted.

*Delivering Excellence Every Day*

Scott Brenner, Receiver  
Michael Budzinski Property  
(IW5-0292/File-0273)  
January 13, 2013  
Page 2

5. Any on-site drinking, irrigation or industrial wells shall be sampled for the chemicals of concern. Access to the on-site groundwater for potable, irrigation, production or any use other than environmental monitoring shall be prohibited until such time that the groundwater or the referenced wells have been determined not to be contaminated.
6. All facility site maps submitted to the DERM for review are required to be drawn to scale and shall provide a graphic representation of the scale used to maintain accuracy.
7. You are required to provide the monitoring well SOP groundwater stabilization data sheets for each well for each sampling event.
8. You are required to provide the laboratory reports for the May 16, 2012 sampling event and for all future sampling events.

Be advised that the levels of groundwater and/or soil analytical results for petroleum and pesticide chemicals of concern 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 the December 4, 2013 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](http://www.miamidade.gov/environment/pollution-remediation.asp) . A review fee of \$1,350 shall be included with the report.

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 David B. Shapiro, P.G. (ShapiD@miamidade.gov) of the Environmental Assessment Section at (305) 372-6700.

Sincerely,



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

dbS

pc: Samir Elmir, FDOH, [Samir\\_Elmir@doh.state.fl.us](mailto:Samir_Elmir@doh.state.fl.us)  
Monty Watson – Environmental Assessment + Consulting ([mwatson@eacusa.com](mailto:mwatson@eacusa.com))