

Memorandum



Date: February 28, 2014

To: Honorable Bruno A. Barreiro
Board of County Commissioners - District 5

From: Carlos A. Gimenez
Mayor 

Subject: Notice of Environmental Contamination in Commission District 5

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 February 18, 2014 due to documented soil contamination from a discharge from an aboveground storage tank. The site is in an area receiving County water service; therefore, 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.

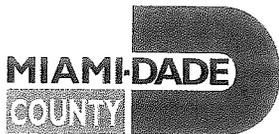
The summary of this case is noted below:

Subject	Environmental Contamination
Facility Name:	Former Department of Justice Lot
DERM File #:	UT-4657/File 12045/FDEP Fac. ID 139813990
Facility Address:	35 NE 2 Street, Miami, FL
Folio Number:	01-0109-080-1120
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, Division of 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
Lee N. Hefty, Director, Division of Environmental Resources Management-RER



Carlos A. Gimenez, Mayor

Department of Regulatory and Economic Resources
Environmental Resources Management
701 NW 1st Court, 7th Floor
Miami, Florida 33136-3912
T 305-372-6600 F 305-372-6893

February 18, 2014

miamidade.gov

Neyda Otero, Asst. Vice Provost
Miami Dade College
Department of Facilities Management
11011 SW 104th Street
Room L-105
Miami, FL 33176

CERTIFIED MAIL No. 7000 0600 0026 0723 2009
RETURN RECEIPT REQUESTED

RE: Former Department of Justice lot (UT-4657/File-12045/DEP Facility ID #13/9813990), located at, near, or in the vicinity of 35 NE 2nd Street, Miami, Miami-Dade County, Florida for the January 7, 2014 discharge (Folio #01-0109-080-1120).

Dear Ms. Otero:

NOTICE OF VIOLATION AND
ORDERS FOR CORRECTIVE ACTION

On January 15, 2014, the Department of Regulatory & Economic Resources, Division of Environmental Resources Management (DERM), conducted an inspection at the above referenced facility in response to a discharge reporting form received from CRB Geological & Environmental Services, Inc. A sample collected during the inspection revealed hydrocarbon contamination in the groundwater of Miami-Dade County.

Be advised that the discharge of hydrocarbons to the ground and/or groundwater of Miami-Dade County constitute violations of Chapter 24 of the Code of Miami-Dade County, to wit:

Section 24-42(1), of the aforesaid Code, inasmuch as said discharge causes water pollution, and constitutes a nuisance and sanitary nuisance as defined in Sections 24-5 and/or 24-28;

Section 24-27, of the aforesaid Code, which states in pertinent part: "No person shall cause any nuisance or sanitary nuisance as defined in Sections 24-5 and/or 24-28 hereof"; and

Section 24-25(4), of the aforesaid Code, inasmuch as any person who commits a violation of any of the rules and regulations which are adopted pursuant to this section shall be deemed guilty of committing a violation of this chapter by reference.

Based on the above and pursuant to the authority granted to me under Sections 24-7(15), 24-7(26), and pursuant to the requirements of Sections 24-45(5) and Section 24-25(1) of Chapter 24 of the Code of Miami-Dade County, I am hereby ordering you to:

1. Upon receipt of this NOTICE, immediately CEASE and DESIST from any further discharges of hazardous materials to the ground and groundwater of Miami-Dade County from the subject facility.

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2. Within twenty-four (24) hours of receipt of this NOTICE, commence emergency response, including but not limited to free product removal, or interim source removal, as applicable, in accordance with Chapter 62-780.500, Florida Administrative Code (F.A.C.).
3. If emergency response action or interim source removal is conducted, pursuant to the provisions of Chapter 62-780.500, Florida Administrative Code (F.A.C.), then two copies of the appropriate report shall be submitted to Wilbur Mayorga, P.E., Chief, Environmental Monitoring & Restoration Division, Miami-Dade County DERM, 701 NW 1st Ct, 4th floor, Miami, FL 33136, within the specified timeframes as per Table A of Chapter 62-780, F.A.C.
4. Within thirty (30) days of receipt of this NOTICE, conduct soil investigation, in accordance with the provisions of Chapter 62-780, F.A.C., to establish the degree and extent of contamination. Based on the current land use, assessment of open ground areas shall include an evaluation the 0-6 inch interval, separate from the remainder of the unsaturated zone. Within sixty (60) days of receipt of this NOTICE, submit two signed and sealed copies of a report including the results of the soil investigation to Wilbur Mayorga, P.E., Chief, Environmental Monitoring & Restoration Division, Miami-Dade County DERM, 701 NW 1st Ct, 4th floor, Miami, FL 33136.
5. Within two hundred seventy (270) days of receipt of this NOTICE, submit to two signed and sealed copies of a "Site Assessment Report" (SAR) which meets the criteria of Chapter 62-780, F.A.C., including the identification of the extent of ground and/or groundwater contamination at the subject site. The SAR shall include a Monitoring Only Proposal (MOP), or a no Further Action Proposal (NFAP), or a recommendation to prepare a Remedial Action Plan (RAP). The SAR must be submitted to Wilbur Mayorga, P.E., Chief, Environmental Monitoring & Restoration Division, Miami-Dade County DERM, 701 NW 1st Ct, 4th floor, Miami, FL 33136.
6. For sites requiring active remediation, within ninety (90) days of receipt of approval from DERM for the SAR, submit two copies of a Remedial Action Plan (RAP) prepared in accordance with Chapter 62-780, F.A.C.
7. Upon receipt of approval for the RAP or MOP, immediately implement and complete the RAP or MOP in accordance with the timeframes stipulated in the approval.
8. Submit activity reports which describe the progress of the active remediation or monitoring activities at a frequency approved in the RAP or MOP.

FAILURE TO COMPLY WITH THE ABOVE MAY RESULT, AT A MINIMUM, IN CIVIL PENALTIES AND THE PAYMENT OF ALL DERM COSTS INCURRED IN THE INVESTIGATION AND SETTLEMENT OF THIS CASE. IN ADDITION, FAILURE TO COMPLY MAY RESULT IN YOUR CASE BEING PREPARED FOR FORMAL ENFORCEMENT ACTION IN A COURT OF COMPETENT JURISDICTION PURSUANT TO THE ENFORCEMENT AND PENALTY PROVISIONS OF SECTIONS 24-29 AND 24-30 OF THE CODE OF MIAMI-DADE COUNTY.

Any person aggrieved by any action or decision of the DERM Director may appeal said action or decision to the Environmental Quality Control Board (EQCB) by filing a written notice of appeal along with submittal of the applicable fee, to the Code Coordination and Public Hearings Section of DERM within fifteen (15) days of the date of the action or decision by DERM.

Ms. Otero
UT-4657/File-12045
FDEP Fac. ID #13/9813990
February 18, 2014
Page 2

If you have any questions concerning this matter, please contact **Tricia Kong** of the Environmental Evaluations Section of this office at (305) 372-6600.

Sincerely,

A handwritten signature in cursive script that reads "Mayra Flagler".

Mayra Flagler, Manager

Environmental Evaluations – Delegated Programs

Enclosure(s)
TK

cc: FDEP File Copy

Doug Lowell, CRB Geological & Environmental Services, Inc., 8744 SW 133rd Street, Miami, FL 33176

Kevin Slapp, P.G. (DERM)

File



Discharge Reporting Form

PLEASE PRINT OR TYPE

DEP Form # 62-761.900(1)

Form Title Discharge Reporting Form

Effective Date _____

Instructions are on the reverse side. Please complete all applicable blanks

1. Facility ID Number (if registered): N/A 2. Date of form completion: 1/7/14

3. General information

Facility name: Former Department of Justice Lot
Facility Owner or Operator: Miami Dade College
Facility Contact Person Neyda Otero Telephone number: (305) 237-0608 County: Miami-Dade
Facility Mailing address: 11011 S.W. 104th Street, Room L-105, Miami, FL 33176
Location of discharge (facility street address): 35 N.E. 2nd Street, Miami, FL
Latitude and Longitude of discharge (If known.) _____

4. Date of receipt of test results or discovery of confirmed discharge: _____ month/day/year 5. Estimated number of gallons discharged: _____

6. Discharge affected: Air Soil Ground water Drinking water well(s) Shoreline Surface water (water body name) _____

7. Method of discovery (check all that apply)

Liquid detector (automatic or manual) Internal inspection Closure/Closure Assessment
 Vapor detector (automatic or manual) Inventory control Groundwater analytical samples
 Tightness test Monitoring wells Soil analytical tests or samples
 Pressure test Automatic tank gauging Visual observation
 Statistical Inventory Reconciliation Manual tank gauging Other _____

8. Type of regulated substance discharged: (check one)

Unknown - - - - Used/waste oil Jet fuel Heating oil New/lube oil
 Gasoline Aviation gas Diesel Kerosine Mineral acid
 Hazardous substance - includes CERCLA substances from USTs above reportable quantities, pesticides, ammonia, chlorine, and derivatives
(write in name or Chemical Abstract Service (CAS) number) _____
 Other _____

9. Discharge originated from a: (check all that apply)

Dispensing system Pipe Barge Pipeline Vehicle
 Tank Fitting Tanker ship Railroad tankcar Airplane
 Unknown Valve failure Other Vessel Tank truck Drum
 Other _____

10. Cause of the discharge: (check all that apply)

Loose connection Puncture Spill Collision Corrosion
 Fire/explosion Overfill Human error Vehicle Accident Installation failure
 Other Unknown

11. Actions taken in response to the discharge: Owner will be performing source removal.

12. Comments: _____

13. Agencies notified (as applicable):

State Warning Point National Response Center Fire Department. County Tanks Program DEP (district/person)
1-800-320-0519 1-800-424-8802 _____

14. To the best of my knowledge and belief all information submitted on this form is true, accurate, and complete.

Doug Lowell, Project Manager
Printed Name of Owner, Operator or Authorized Representative

Signature of Owner, Operator or Authorized Representative.



Carlos A. Gimenez, Mayor

Department of Regulatory and Economic Resources
Environmental Resources Management
701 NW 1st Court, 7th Floor
Miami, Florida 33136-3912
T 305-372-6600 F 305-372-6893

miamidade.gov

Facility Name: MIAMI DADE COLLEGE (FORMER DEPT OF JUSTICE)		UT#: 4657	File #: 12045
Facility Address: 35 NE 2 ND ST. MIAMI, FL	Zip Code: 33132	DEP#: Not available	
Inspector: CARLOS LINCHETA	Type of Inspection: REQ	Inspection Date: 01/14/2014	

On site at 10:45 AM with Mr. Douglas Lowell from CRB Geological & Environmental Services, Inc., phone number (305) 447-9777 and email address dlowell@crbgeo.net and Mr. Robert Hule, superintendent for Skanska, phone number (352) 363-0400 and email address robert.hule@skanska.com, for a special request inspection due to the reported presence of petroleum product in a monitoring well. Site is a fenced parking lot which is not in use.

A sample was collected from a monitoring well located approximately 45 ft south of the northern property line (see site diagram). The presence of a thick petroleum base product was detected when a sample was taken from the well. Sample was collected and taken to the laboratory for analysis, blue card number is 29551.
See pictures attached.

INSPECTOR:
CARLOS LINCHETA

Inspector Signature

FACILITY REPRESENTATIVE:
DOUG LOWELL

Facility Representative Signature

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East entrance through NE 3rd ST. Picture taken facing south.



Monitoring well is located approximately 45 ft south of entrance. Picture taken facing north.



The presence of a thick petroleum base product was noted inside the monitoring well.

MIAMI-DADE COUNTY, FLORIDA
 Department of Regulatory and Economic Enforcement
 LABORATORY ANALYSIS RECORD
 ENFORCEMENT

Site: MIAMI DADE COLLEGE Sample #: 295551
 Address: 25 NE 2ND ST MIAMI, FL 33132
 Date: 01/14/2014 Time: 10:45 AM
 Sampler/Section: CARLOS LUCHEITA/PEO ENV EVALUATION Collection Point:
 Deliverer/Section: CARLOS LUCHEITA/PEO ENV EVALUATION
 Return Analysis to Section: TRICIA KNOX/PEO ENV EVALUATION Observation/Concern Hazards:
 C.C.#: DE-387196 Permit: UT-4457 Phone: (305) 312-2600 PEO PRODUCT

Check to Indicate: Sign By Inspector: Sign By Lab Custodian: Laboratory ID #: Project ID:
 Return For: TCLP / SPLP

Check to Indicate: Date Requested: Laboratory ID #: Fridge #: Laboratory ID #: Fridge #

Requirements	<u>SOWA</u>	<u>RFDES</u>	Other
Matrix	<u>KID</u>	<u>Soil/Sludge</u>	Product / Layer / Sewage / Other
Preservative	None	Acid	Base / Thermal / Acid / No Pres
Sample Bottle	Picked Up Date: <u>01/14/2014</u>		
Prepared Lot #	By Inspector: <u>01/14/2014</u>		
Spot Sample?	Yes	No	Consultant Lab
Test(s) Run/Method #	Test(s) Run/Method #		
<u>FL-PEG</u>			

Relinquished To: Contract Lab
 Delivered By / Date: _____
 Received By / Date: _____
 Extracted By / Date: _____
 Analyzed By / Date: _____
 Recused By / Date: _____

Comments: _____

* By: REB Lab ** By: Contract Lab

01/14/2014

Sample card number 29551.



STORAGE TANKS
Facility Site Diagram

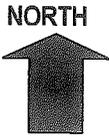
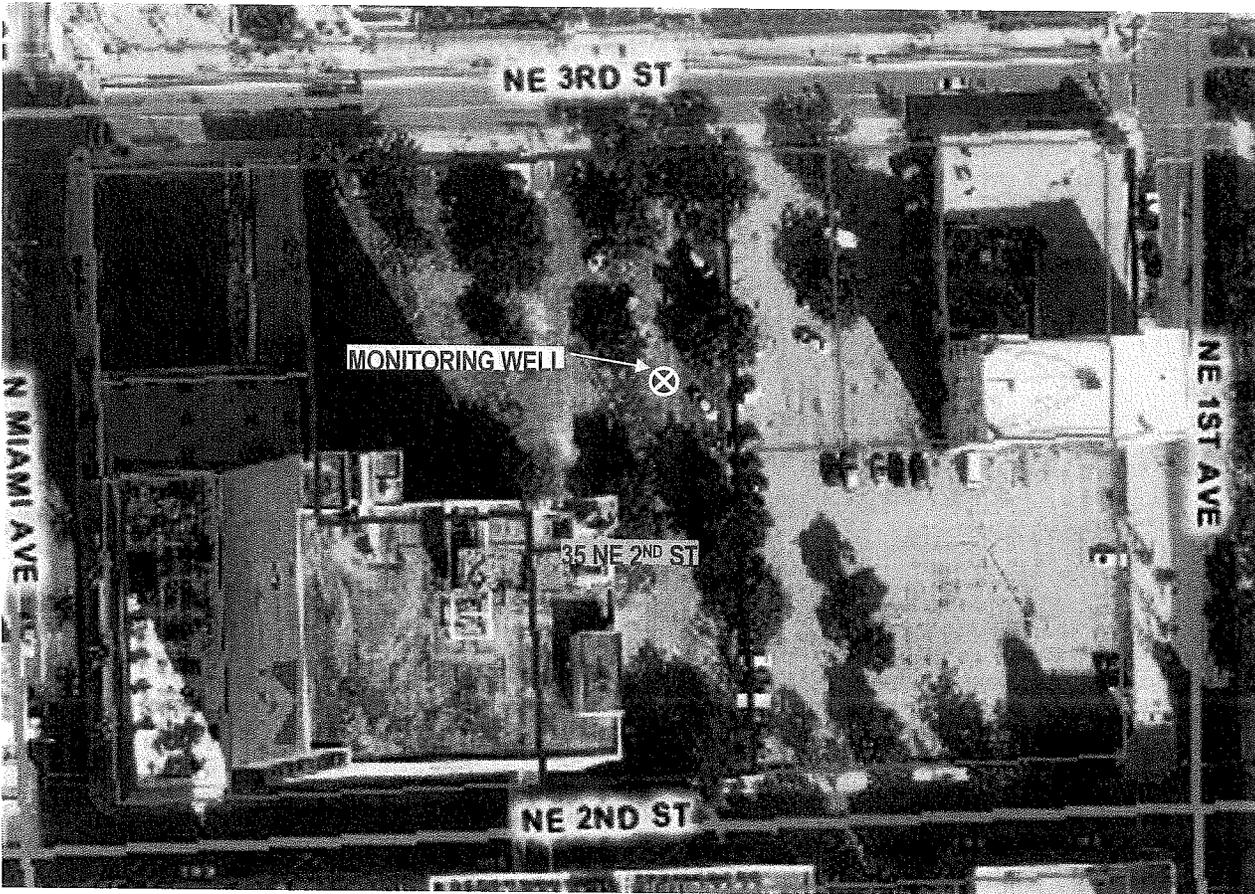
Department of Regulatory and Economic Resources
Environmental Resources Management
701 NW 1st Court, 7th Floor, Miami, Florida 33136.
(305) 372-6600 (305) 372-6957 fax
<http://www.miamidade.gov/economy>

Facility Name: MIAMI DADE COLLEGE (FORMER DEPT OF JUSTICE)	
Facility Address: 35 NE 2 ND ST. MIAMI, FL	Zip Code: 33132

UT #: 4657	File #: 12045
FDEP #: Not available	

Inspector: CARLOS LINCHETA

Inspection Date: 01/14/2014





Report To:
 Claudia Mancini
 Miami-Dade Dept Env. Res. Mgmt
 211 West Flagler Street
 Miami FL, 33130

Page 1 of 5
 Report Printed: 1/22/2014
 Work Order # 14A0448
 Project:
 225-E

[none]

Lab ID: 14A0448-01
 Client Sample ID: Miami Dade College - 295551
 Matrix: Oil

Collection Date: 01/14/14 10:45
 Received Date: 01/15/14 15:50
 Collected By: Client

Laboratory Analysis Report

Parameter	Result	QC	Units	Dil	MDL	PQL	Method	Date Ext.	Date Analy.	Analyst
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Florida Petroleum Residual Organics

Total FL-PRO(C8-C40)	1040		mg/kg wet	1	0.190	0.570	FL-PRO	01/20 15:27	01/20 23:19	AC
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Florida-Spectrum Environmental Services, Inc.
 1460 W. McNab Road, Fort Lauderdale, FL 33309

Pembroke Laboratory
 528 Gooch Rd.
 Fort Mead, FL 33841

Big Lake Laboratory
 610 Parrot Ave. N.
 Okeechobee, FL 34972

Spectrum Laboratories
 630 Indian St.
 Savannah, GA 31401