

Memorandum



Date: March 25, 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, 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 property is currently a vacant lot, surrounded by a fence and parcels in the vicinity are connected to municipal water, so there is no risk of exposure to contaminated soil or groundwater.

The summary of this case is noted below:

Subject	Environmental Contamination
Facility Name:	Riverfront Parcel 5
DERM File #:	HWR-787
Facility Address:	SW 1 st Ave and SW 3 rd ST, Miami, Florida in Miami-Dade County
Folio Number:	01 4137 048 0011
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.

Attachment: Site Rehabilitation Order for Environmental Contamination

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

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miamidade.gov

March 18, 2014

CERTIFIED MAIL NO. 7011 0470 0002 4386 4995
RETURN RECEIPT REQUESTED

Paulo Tavares De Melo, Registered Agent
Riverfront Parcel 5, LLLP
150 SE 2nd Ave, STE 800
Miami, FL 33131

Re: Phase 2 Environmental Assessment Report (Phase 2) dated March 15, 2011 and prepared by EE&G for the Riverfront Parcel 5 property (HWR-787) located at, near, or in the vicinity of SW 1st Ave and SW 3rd ST, Miami, Miami-Dade County, Florida.

Dear Mr. Melo:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the above-referenced document received March 11, 2014.

Be advised that the levels of groundwater and soil analytical results for arsenic and Polycyclic Aromatic Hydrocarbons (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, two copies of a Site Assessment Report (SAR), one paper and one electronic PDF on CD, 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 \$1350 shall be included with the report.

Additionally, based on the concentrations of arsenic documented in the soils, the fencing surrounding the property shall be maintained as a temporary engineering control.

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 Kevin Slapp, P.G. (SlappK@miamidade.gov) of the Environmental Assessment Section at (305) 372-6700.

Sincerely,

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

pc: Howard Nelson – Bilzin Sumberg (hnelson@bilzin.com) *Delivering Excellence Every Day*