Memorandum

MIAMI-DADE COUNTY

Date: February 20, 2015.

To: Honorable Daniella Levine Cava
Board of County Commissioners-District 8

From: Carlos A. Gimenez
Mayor

Subject: Notice of Environmental Contamination in Commission District 8

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 12, 2014 due to documented soil and groundwater contamination. According to Water and Sewer Department records, municipal water and sewer services are available to the site, however the property is not connected to municipal services because the site is vacant (no buildings/dwelling/structures, etc. currently exist). Soils from the 0-2 foot interval have contaminant concentrations above the applicable cleanup target levels and thus pose a direct exposure risk. The owner/operator/responsible party must perform site rehabilitation action to bring the site into compliance with Chapter 24 of the Code of Miami-Dade County. Furthermore, the soil contamination must be addressed before site occupancy.

The summary of this case is noted below:

Subject	Environmental Contamination
Facility Name:	Vista Del Lago
DERM File #:	File-20743/HWR#566
Facility Address:	9000 SW 216 Street, Miami, Florida in Miami-Dade County
Folio Number:	36-6016-000-0027
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, 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/Director, Department of Regulatory and Economic Resources
Lourdes Gomez, Deputy Director, Regulatory Resources - RER
Lee N. Hefty, Assistant Director, Division of Environmental Resources Management - RER

MIAMI-DADE COUNTY
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 12, 2014

Mr. Rolando Delgado, Manager
Arc/Treo 216 LLC
2960 SW 27th Avenue, Suite 300
Miami, FL 33133

CERTIFIED MAIL NO. 7013 2630 0001 2418 6071
RETURN RECEIPT REQUESTED

Mr. Otto J. Boudet-Murias
Arc/Treo 216 LLC
2960 SW 27th Avenue, Suite 300
Miami, FL 33133

CERTIFIED MAIL NO. 7013 2630 0001 2418 6088
RETURN RECEIPT REQUESTED

Re: Phase 2 Environmental Assessment Report (Phase 2) / Site Assessment Report (SAR) dated October 13, 2014 and prepared by EE&G Environmental Services, LLC for the Vista Del Lago facility (HWR#566/File-20743) located at, near, or in the vicinity of 9000 SW 216 Street (Folio # 36-6016-000-0027), Miami, Miami-Dade County, Florida.

Dear Messrs. Delgado and Boudet-Murias:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the above-referenced document received October 15, 2014. Note that the levels of groundwater and soil analytical results for Arsenic 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 SAR Addendum, one paper and one electronic PDF on CD, prepared in accordance with Section 24-44(2)(j)(iv) of the Code. Note that the SARA shall address the following:

1. DERM acknowledges that you have elected to pursue a No Further Action with Conditions (NFAC) closure to address the soil and groundwater contamination at the subject site. Additionally, the report recommends that "the owner be released of responsibility to address off-site arsenic impacts, which are clearly part of a larger sub-regional anthropogenic source". Be advised that groundwater contamination originating from the subject property shall be appropriately delineated (i.e., horizontally and vertically) in pursuit of the elected NFAC closure. Please note that you have the option of moving to the property boundaries for the installation of the delineating monitoring wells. Additionally, it must be demonstrated to the Department by a minimum of one year of groundwater monitoring data and, if applicable, fate and transport modeling results that the groundwater contamination originating from the subject property is not migrating away from such localized source area (the plume is stable or shrinking). Be advised that you have the option of submitting a Groundwater Sampling Plan in pursuit of the NFAC closure for DERM's review and approval. Be advised that the laboratory reports for several of the groundwater sampling locations indicate that said samples were *filtered*. Please note that filtered analytical results cannot be compared to the prescribed Chapter 24, Miami-Dade County Code, cleanup target levels (CTLs).

2. The Phase 2 states that "there may be an area of elevated arsenic concentrations near the northern property boundary of the subject property (MW-11); however, it does not appear to have impacted off-site groundwater quality to the north (MW-14)". A review of historical records indicates that no laboratory reports have been submitted for several groundwater sample locations depicted in Figure 5, including TMW-14. Therefore, in order to confirm the January 9, 2013 and June 11, 2014 groundwater analytical results from the nearest northern off-site monitoring wells, TMW-3, TMW-14 and TMW-2 shall be re-sampled for Arsenic.

3. Be advised that several of the on-site soil sample locations (e.g., SB-20 and SB-21) depicted on Figure 3 have Arsenic concentrations (i.e., 55 mg/kg and 120 mg/kg, respectively) that are significantly higher than the Arsenic concentrations noted in other on-site and off-site soil sample locations. The SAR shall include information on how these "hot spot" locations will be addressed. Furthermore, the groundwater sampling required in comment 1 above shall address the potential of these hot spots to contribute to groundwater contamination at the property boundaries. Be advised that localized off-site groundwater assessment may be required to evaluate the extent of a localized groundwater plume associated with on-site soil hot spot contamination, if applicable. Be advised that based on groundwater analytical results, on-site soil hot spots may need to be addressed via an alternative remedial approach (i.e., source removal, etc.).

4. Based on the historical site use information provided in the submitted report (i.e., military satellite station and/or an agricultural staging area), groundwater assessment shall include PAH and Nitrate/Nitrite analysis.

5. The Calibration Logs for the equipment used during the upcoming groundwater sampling event(s) shall be provided.

6. The submitted report indicates that "the property will be caped with a surficial Engineering Control barrier consisting of the future development impervious structures (building, sidewalks, parking lots), and landscaped areas with a minimum of 2-feet of imported fill" and that "the Institutional Control will not restrict the use of the property for commercial/retail or multi-family residential". Please provide a scaled site map that depicts the extent of the proposed Engineering Control(s) in reference to all soil and groundwater sample locations and all other pertinent site features (including future development features).

7. All on-site groundwater sampling locations depicted on Figure 4 shall also be depicted on Figure 5 along with the applicable analytical results. Please include the contaminant of concern iso-concentration contours, if applicable, on said maps.

8. DERM records indicate that several private water wells may potentially exist in the residential area to the immediate northwest and northeast of the subject site. Please note that said wells do not appear to be referenced in the Potable Well Survey submitted in the April 26, 2011 Phase 2 Environmental Site Assessment, prepared and submitted by GZA Geo Environmental, Inc. Therefore, investigate the potential existence of private wells to the immediate northwest and northeast of the site and provide the results of your investigation in the next submittal.

9. The submitted report states that "Storm water will need to be managed using deep-well injection or discharge to the adjoining surface water body to avoid exacerbation of the arsenic-impacted groundwater". Please note that storm water drainage is generally not allowed in areas with groundwater contamination and shall not be placed in a manner which causes the groundwater plume to migrate to a potential exposure point (e.g., surface water, irrigation well, off-site, etc.). Attached are two DERM guidance documents for drainage installation or dewatering activities at contaminated sites.

10. Provide a Monitoring Well Construction Details Table and a Groundwater Elevation Table in the next deliverable.

11. The January 15, 2013 report submitted by EE&G Environmental Services, LLC indicated that said entity was "in the process of completing a Phase 1 Environmental Site Assessment". Please submit the aforementioned Phase 1 report in the next deliverable.

12. The following has not been provided and therefore shall be included in the next deliverable:

a. The laboratory reports for the soil and groundwater samples collected on June 2, 2011 and the soil samples collected January 28, 2013 along with the applicable field logs.

b. The Groundwater Sampling Logs for the groundwater samples collected on January 16, 2012.

c. The Calibration Logs for the groundwater sampling equipment used on January 8, 2013 and January 9, 2013.

13. Please note that a fee of $675 shall be included with the SARA.

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 re-sampling 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 RER file number on all correspondence.

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 Didier Camacho (camacd@miamidade.gov) of the Environmental Monitoring and Evaluation Section at (305) 372-6700.

Sincerely,

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

dc
Enclosures(2): DERM's Drainage Plans for Contaminated Sites and Dewatering at Contaminated Sites
ec: Craig C. Clevenger, P.G., EE&G Environmental Services, LLC, cclevenger@eeandg.com

MIAMI-DADE COUNTY

DERM
POLLUTION REMEDIATION SECTION
TECHNICAL GUIDANCE

DRAINAGE PLANS FOR CONTAMINATED SITES

03.10.10

MINIMUM REQUIREMENTS

The appropriate location of drainage structures is essential in preventing the movement of contaminant plumes into previously uncontaminated areas. All drainage installations at contaminated sites shall be reviewed and approved by the DERM's Pollution Remediation Section prior to construction. The scope of work provided by the PRS review is limited to evaluate the location of the proposed drainage system in reference to the contaminated areas. Approval from other departments, and/or sections and other governmental agencies having jurisdiction over the scope of work must be obtained prior to the implementation of the project. The following information is required:

1) The location of the contaminant plume(s) in reference to the area of the proposed drainage structures must be included on the site plan. The plume(s) must be delineated both horizontally and vertically to applicable target cleanup levels in the drainage area. Monitoring wells, including identification numbers, must be shown on the plan.

2) Groundwater analytical results must be submitted with the plan including copies of laboratory analyses sheets. An updated groundwater sampling event may be required if sample results are greater than nine (9) months old. The sampling event must include all applicable parameters associated with the site's type of contamination.

3) The groundwater flow direction must be shown on the plan.

4) The location and detailed construction drawings of the proposed drainage structure must be included on the plan (e.g., piping depth, drainage well depth, etc.). Plans must specify the locations of solid and perforated sections of piping. Details of the existing system must be provided if the proposed drainage system ties into the existing drainage system.

5) A minimum of two (2) plan sets that include all of the information requested are to be submitted for the review (1 set will be placed in the PRS DERM file). All applicable pages of the drainage plan must be signed and sealed by a Professional Engineer registered in the State of Florida. The appropriate review fee (see below), made out to Miami Dade County, must be included with the plans.

PRS REVIEW FEES (see Fee Schedule at http://www.miamidade.gov/derm/paying_fees.asp)

- Site under one acre in size - $300.00
- Sites over one acre in size or projects that encompassed multiple contaminated sites - $300.00 plus $100.00 per additional acre or site encompassed by the project

MIAMI-DADE COUNTY

TECHNICAL GUIDANCE
DERM
POLLUTION REMEDIATION SECTION

DEWATERING AT CONTAMINATED SITES
03-10-10

MINIMUM REQUIREMENTS

Dewatering activities are often conducted at contaminated sites (or in their vicinity) in order to perform aquifer pumping tests, underground utilities installation, underground tank and piping installations and repairs, among other construction related activities. All dewatering activities at contaminated sites must be coordinated with the DERM's Pollution Remediation Section prior to implementation. The scope of work provided by PRS review is limited to the predicted influent concentrations, treatment of the recovered groundwater and discharge. The PRS review does not evaluate the predicted flow rates or dewatering procedures and groundwater extraction equipment. Approval from other departments, and/or sections and other governmental agencies having jurisdiction over the scope of work must be obtained prior to the implementation of the project. Please contact the Water Control Section (WCS) of DERM at (305) 372-6681 pertaining to Class V Permit requirements for Temporary Dewatering Projects.

PRS PLAN REQUIREMENTS

1. A dewatering proposal must be submitted to DERM's Pollution Remediation Section (PRS) accompanied by a review fee (refer below for applicable review fees), when disposal into the ground, groundwater, surface waters or the sanitary sewers system is intended. The proposal must include the following:

   a. A scaled site diagram showing the water withdrawal location(s) and the effluent disposal location(s).
   b. The groundwater extraction rates, operating schedule and overall duration of dewatering at each location.
   c. The radius of influence (ROI) of the dewatering operations (e.g., based on flow rate(s), duration, etc.).
   d. Current contaminant concentrations (within 9 months) from the areas to be encompassed by the dewatering operations and the groundwater disposal areas, when disposal into the ground or groundwater is intended.
   e. The method of contaminant treatment (when applicable) including technical specifications of the treatment system and expected system influent and effluent concentrations. Supporting calculations, bench or pilot test results, or data from similar applications may be submitted to support the treatment system removal efficiency. The design must be signed and sealed by a professional engineer registered in the State of Florida under Chapter 471, F.S.
   e. The effluent sampling frequency and analysis turnaround time. The treated water must be sampled at the beginning and throughout the operation of the dewatering activities to ensure that applicable standards are not exceeded.

2. Only a notification to the PRS is required if off-site disposal using a tanker tuck is intended. A DERM approved waste hauler must be used for disposal. No review fee will apply in this instance.

I. **ON SITE DISPOSAL:**

1. For on site recharge of the dewatering effluent (infiltration gallery, swale, etc.), contaminated water must be treated to the applicable cleanup target levels (CTLs) specified in Chapter 62-777, Florida Administrative Code (F.A.C.), Chapter 24, the Miami - Dade County Environmental Protection Ordinance, or any other more stringent standards applicable to the site prior to disposal.

2. The treated dewatering effluent shall be discharged to an on-site area outside of the contaminant plume to avoid dispersing the plume. If the contaminant plume encompasses the entire site, then alternative disposal locations must be considered. Returning contaminated water to the original excavation is not an option.

3. The treated effluent must be sampled throughout the dewatering operations to ensure that applicable standards are not exceeded. A 24-hour turnaround time may be required for the processing of the samples in some instances. If at any time the effluent sampling results show levels of contaminants exceeding any of the applicable CTLs, the groundwater discharge should be immediately ceased and PRS notified.

II. OFF SITE DISPOSAL

1. Discharge through off-site storm drainage structures or to surface waters:

   a. If discharging to a surface water body, a United States Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) permit must be also obtained. Further information regarding NPDES permitting for effluents impacted by petroleum contaminants, may be found in the FDEP Remedial Action Guideline BPSS-3. For effluents impacted by other than petroleum contaminants, the Florida Department of Environmental Protection must be contacted for the NPDES requirements.
   c. The dewatering effluent must be treated to the applicable cleanup target levels (CTLs) specified in Chapter 62-777, Florida Administrative Code (F.A.C.), Chapter 24, the Miami - Dade County Environmental Protection Ordinance, or any other more stringent standards applicable to the site prior to disposal.
   d. The treated effluent must be sampled throughout the dewatering operations to ensure that applicable standards are not exceeded. A 24-hour turnaround time may be required for the processing of the samples in some instances. If at any time the effluent sampling results show levels of contaminants exceeding any of the applicable CTLs, the groundwater discharge should be immediately ceased and the DERM notified.

2. Discharge to the sanitary sewer system:

   a. Approval from the appropriate municipality's water and sewer department (i.e., MDWASA) must be obtained.
   b. The effluent must be treated to the appropriate sanitary sewer standards, specified in Chapter 24 the Miami - Dade County Environmental Ordinance.
   c. A Sewer Capacity Certification Letter Application must be completed and approved by DERM Plan Review Section

3. Discharge to tanker truck:

   a. At the conclusion of the activities, disposal receipts must be submitted to the Pollution Remediation Section.

PRS REVIEW FEES (see Fee Schedule at http://www.miamidade.gov/derm/paying_fees.asp)

$300.00 – For a plan not including groundwater modeling or a contaminant treatment system
$750.00 - For a plan including groundwater modeling or a contaminant treatment system