

Memorandum



Date: March 12, 2015

To: Honorable Jose "Pepe" Diaz
County Commissioners-District 12

From: Carlos A. Gimenez
Mayor 

Subject: Notice of Environmental Contamination in Commission District 12

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 12, 2015 due to documented groundwater contamination. Additionally, the site is on municipal water; therefore, their 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:	Lopetra Investments Lakefill Site
DERM File #:	File-5052/ SW-1382
Facility Address:	NW 90 th St. and North of theoretical NW 77 th St., Miami, Florida in Miami-Dade County
Folio Number:	22-3010-000-0020
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 hefty1@miamidade.gov.

Attachment: Site Rehabilitation Order for Environmental Contamination

- c: Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources (RER)
- Lourdes M. Gomez, Deputy Director - Regulatory Resources, RER
- Lee N. 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

February 26, 2015

CERTIFIED MAIL NO. 7013 2630 0001 2415 1598

RETURN RECEIPT REQUESTED

Carlos C. Lopez
Lopefra Corp
7855 NW 29th Street, #182
Doral, FL 33122

Re: Baseline Semi-Annual & Post Closure Groundwater & Surface Water Monitoring Report (Phase X) dated December 12, 2014, and Post Closure (Phase X) and Initial Baseline and Semi-Annual (Phase XI) Ground Water and Surface Water Monitoring Reports dated December 19, 2014, prepared by All State Engineering and Testing Consultants, Inc. for the Lopefra Investments Lakefill site (SW-1382/File-5052), located at, near, or in the vicinity of East of NW 87th Ave., South of NW 90th St., and North of theoretical NW 77th St., Miami-Dade County, Florida.

Dear Mr. Lopez:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the above-referenced document received on December 5, 2014 and January 5, 2015, respectively, and offers the following comments:

1. Ground Water sampling results in Phases X and XI exceeded the Cleanup Target Levels (CTLs) for Aluminum, Ammonia(N), Phenol, TRPH, Total Dissolved Solids, and pH.
2. Surface Water sampling results exceeded CTLs for Aluminum and pH.

Be advised that the levels of groundwater and surface water analytical results (Aluminum, Ammonia(N), Phenol, TRPH, Total Dissolved Solids, and pH) submitted in these reports 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.

Delivering Excellence Every Day

Mr. Lopez
SW-1382/File-5052
December 17, 2014
Page 2 of 2

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 Serge V. Beregovoy (BeregS@miamidade.gov) of the PRS at (305) 372-6700.

Sincerely,



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

svb

pc: Waseem Quadri, P.E. - American Testing Material Engineering, LLC, - 3876 30th Ave.,
Hollywood, FL 33312
Howard E. Nelson, P.A. - Bilzin Sumberg Baena Price & Axelrod LLP,
hnelson@bilzin.com
Patti Emad - DERM