

Memorandum



Date: September 1, 2015

To: Honorable Chairman Jean Monestime
County Commissioner - District 2

From: Carlos A. Gimenez
Mayor 

Subject: Notice of Environmental Contamination in Commission District 2

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 attached correspondence was sent to the party responsible for site rehabilitation on July 29, 2015 due to documented soil contamination. There is no evidence of a direct exposure risk to the contaminated soils because all soil sample locations are covered by asphalt. Note that groundwater sampling have not been conducted. Therefore, it is unknown whether groundwater contamination exists at this time at the subject site. However, this site is on municipal water therefore, their drinking water is not at risk from any potential 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.

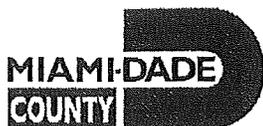
The summary of this case is noted below:

| | |
|----------------------------------|--|
| Subject | Environmental Contamination |
| Facility Name: | PetroChoice – Progressive Waste |
| DERM File #: | File-22691/IW5#17322 |
| Facility Address: | 13300 NW 38 Court, Miami, Florida in Miami-Dade County |
| Folio Number: | 08-2129-015-0010 |
| 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@miamidadegov.

Attachment

- c: Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources
- Lourdes M. Gomez, Deputy Director, Department of Regulatory and Economic Resources
- 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
T 305-372-6700 F 305-372-6982

miamidade.gov

August 4, 2015

CERTIFIED MAIL NO. 7013 2630 0001 2415 5817
RETURN RECEIPT REQUESTED

Mr. Neal Rodriguez
Opa-Locka Realty Holdings, LLC
2860 State Road 84, Ste. 103
Fort Lauderdale, FL 33312

CERTIFIED MAIL NO. 7013 2630 0001 2415 5824
RETURN RECEIPT REQUESTED

Mr. Glenn Miller
Opa-Locka Realty Holdings, LLC
2860 State Road 84, Ste. 103
Fort Lauderdale, FL 33312

Re: Interim Source Removal Report (ISRR)
Petrochoice - Progressive Waste
13300 NW 38th Court
Opa-Locka, Florida
(IW5#17322/File-22691)
Source Removal Initiated: March 13, 2015

Dear Messrs. Rodriguez and Miller:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has completed its review of the above-referenced document dated May 13, 2015 (received June 16, 2015). We have found that the report complies with the applicable portions of Rule 62-780.500, Florida Administrative Code (F.A.C.). We have determined that the 54 tons of soil have been properly identified as contaminated and disposed of.

The levels of PAH soil analytical results submitted in this report constitute violations of Chapter 24, Code of Miami-Dade County (the Code), specifically, Sections 24-44(1), 24-25, and 24-29 of the Code. Based on the concentrations of soil PAHs, depths of the PAH-impacted excavation sidewall and bottom confirmation samples, and the presence of other contaminants of concern (i.e., TRPH) in said samples, the analytical data does not suggest that the PAH-impacted soil is representative of anthropogenic background conditions. However, you have the option of conducting additional soil assessment as part of the site assessment activities to support your anthropogenic background contention. Be advised that samples obtained for an evaluation of PAH anthropogenic background shall include samples collected from the 0-6 inch and 6-24 inch intervals.

DERM acknowledges the receipt of the March 16, 2015 Discharge Report Form provided in the ISRR. Based on the above, and pursuant to Sections 24-7(15) and 24-7(26) of the Code, you are hereby ordered to submit to this office for review, within two hundred seventy (270) days of receipt of this letter, two copies of an approvable Site Assessment Report (SAR), one paper and one electronic PDF on CD, prepared in accordance with Chapter 62-780, F.A.C. Be advised that to support your conclusion that based on the OVA results, the lack of naphthalene and 1- and 2-methylnaphthalene constituents in the soil and the removal of 13 times more soil than the theoretical volume that

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Messrs. Rodriguez and Miller
Opa-Locka Realty Holdings, LLC.
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would require removal based on a 250-gallon release, the diesel spill from the March 2015 discharge was entirely remediated, said SAR shall include, but not be limited to, a detailed summary of site history and operations, a vicinity map that shows pertinent features (local drainage, land cover, etc.), a scaled site map that shows pertinent on-site surface and subsurface features and a map of the diesel spill areas, as required pursuant to paragraph 62-780.600(8)(a), F.A.C. Note that if it is established that the PAH soil contamination documented is not a result of the March 16, 2015 diesel spill, and therefore site rehabilitation under Chapter 62-780, F.A.C. is not required, site rehabilitation in accordance with Chapter 24, Code of Miami-Dade County may be required.

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, F.A.C., 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 DERM file number on all correspondence.

Be advised that failure to adhere to the items and timeframes stipulated above may result in enforcement action for this site.

Any questions you may have on the technical aspects of this review should be directed to 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

pc: Mr. Germain Cardona, Petro-Choice Progressive Waste, 13300 NW 38th Court, Opa-Locka, FL 33054
ec: Mr. Barry Westmark, P.E., Principal Engineer, ECT, Inc., bwestmark@ectinc.com
Mr. Rashid Z. Istambouli, P.E., DERM
Mr. Mike Graham, DERM