Memorandum

MIAMI-DADE COUNTY

Date: September 1, 2015

To: Honorable Rebeca Sosa
County Commissioner - District 6

From: Carlos A. Gimenez
Mayor

Subject: Notice of Environmental Contamination in Commission District 6

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 August 11, 2015 due to documented soil and groundwater contamination. However, the soil arsenic concentrations do not pose an inappropriate exposure risk based on the land use (commercial/industrial). 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:	Hialeah Park Race Track
DERM File #:	File-10009/ UT-4324
Facility Address:	2200 East 4th Avenue, Hialeah, Florida in Miami-Dade County
Folio Number:	04-310-7001-0010 and 04-310-7001-0020
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 heftyl@miamidade.gov.

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

MIAMI-DADE COUNTY
Carlos A. Gimenez, Mayor

Department of Regulatory and Economic Resources
Environmental Resources Management
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Miami, Florida 33136-3912
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miamidade.gov

August 11, 2015

CERTIFIED MAIL NO. 7013 2630 0001 2419 6414
RETURN RECEIPT REQUESTED

Stephen Brunetti
Bal Bay Management LLC
PO BOX 158
Hialeah, FL 33010

Re: Phase I Environmental Site Assessment Report (Phase I) dated June 20, 2014, Limited Phase II dated August 27, 2014 and Limited Soil and Groundwater Quality Evaluation reports dated November 7, 2014 and February 13, 2013 and prepared by Nutting Environmental of Florida (NEF) for the Hialeah Park facility (UT-4324/File-10009/DEP-NA) located at, near, or in the vicinity of 2200 East 4th Avenue, Hialeah, Miami-Dade County, Florida.

Dear Mr. Brunetti:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the above-referenced documents received July 16, 2015 and offers the following comments:

1. Additional soil and groundwater assessment is required in the area where the Ground Penetrating Radar (GPR) and Electromagnetic (EM) survey identified anomalies that were reported as abandoned septic drain fields. Assessment shall include analysis for volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs), total recoverable petroleum hydrocarbons (TRPHs), metals (As, Ba, Cd, Cr, Pb, Se, Ag, etc.), ammonia, bacteria (total and fecal) and nitrate/nitrite. Depending on the results, additional soil and/or groundwater assessment may be required.

2. DERM does not object to the proposed source removal to remove soils contaminated with arsenic in the vicinity of SB-K13. Confirmation wall samples shall be collected from the walls and bottom of the excavation, if the groundwater table is not reached. Be advised, if bottom samples indicate that soil contamination remains, a shallow monitoring well in the center of the excavation may be required.

3. DERM does not object to the proposed use of the calculated 95 % upper confidence limit of the mean (95 % UCL) as the exposure point concentration (EPC) for comparison to the direct exposure cleanup target levels. However, please provide a table and/or map that summarize the soil sample IDs and/or locations used in the UCL calculation from each interval in the next submittal.

4. Be advised, the following criteria are required in order to qualify for a no further action *with* conditions (NFAC) site closure:

    a. Concentrations of arsenic in soils at the property boundaries shall meet the residential direct exposure cleanup target level (RDECTL) of 2.1 mg/kg or the anthropogenic background value for arsenic for the subject area.

    b. It must be demonstrated by a minimum of one year of groundwater monitoring that contaminant concentrations in the groundwater at the property boundaries will not exceed the applicable CTLs.

5. Please investigate the following discrepancies identified between the soil analytical summary table (Table 1) and the laboratory analytical reports:

    a. Soil sample C25-25S was not included in the soil analytical summary table, although it was reported on the chain of custody (COC) and the lab analytical report. Additionally, soil sample SS-J35 25'S was included on Table 1 but did not have a corresponding analytical report, and has the same arsenic value (5.6 mg/kg) as listed for C25-25S in the laboratory analytical report. Please provide an explanation (e.g. mislabeled sample) in the next submittal.

    b. SS-C25 15'S incorrectly list an arsenic value from 0-6 inches below land surface (bls) as 6.3 mg/kg. According to the lab analytical report, arsenic should be reported as 6.2 mg/kg.

    c. SS-E13* (aka SS-J13) lists an arsenic value of 1.0 mg/kg at 4-6 feet bls when no corresponding analytical report was included in the submittals.

    d. SS-J28 list an arsenic value of N/A at 4-6 feet bls when the corresponding lab analytical report has a reported value of 1.0 mg/kg.

Be advised 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 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. A review fee of $1350 shall be included with the submittal. Specific guidance for the preparation of the SAR may be downloaded from DERM's web page at: www.miamidade.gov/environment/pollution-remediation.asp. Be advised, the SAR shall be signed and sealed by a qualified Professional Engineer or Professional Geologist registered under Chapters 471 and 492, Florida Statues, respectively.

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 Caroline Wright (wrighc@miamidade.gov) of the Environmental Monitoring and Evaluation Section at (305) 372-6700.

Sincerely,

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

cw
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