

Memorandum



Date: September 17, 2015
To: Honorable Jose "Pepe" Diaz
County Commissioner - 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 an environmental contamination is identified by the Department of Regulatory and Economic Resources' Division of Environmental Resources Management (DERM), the Commissioner of the District where the environmental contamination is located shall be notified.

Pursuant to R-227-09, please be advised that the attached letter was sent to the party responsible for site rehabilitation on August 20, 2015 due to documented groundwater contamination. The site is a closed construction and demolition debris landfill. 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:	C & C Recycling, Inc.
DERM File #:	File-12822/ SW-1214
Facility Address:	16401 NW 102 nd Avenue, Miami, Florida in Miami-Dade County
Folio Numbers:	04-2017-001-0120, 04-2017-001-0110, 04-2017-001-0101, 04-2017-001-0090
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 (RER) 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 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 20, 2015

Mr. John Caldwell
C&C Recycling Inc.
18910 Wentworth Drive
Miami, Florida 33015

CERTIFIED MAIL NO. 7013 2630 0001 2419 3130
RETURN RECEIPT REQUESTED

RE: Groundwater Monitoring Report dated May 4, 2015 and prepared by James D. Burkhart, P.E. for the C&C Recycling Inc. facility (SW-1214/File-12822, FDEP-0144654-011-SF) located at, near, or in the vicinity of 16401 NW 102nd Avenue, Hialeah, Miami-Dade County, Florida.

Dear Mr. Caldwell:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the referenced document, received on June 10, 2015 and hereby offers the following comments:

1. Groundwater concentration for Ammonia(N) continue to exceed the Cleanup Target Levels (CTLs) specified in Section 24-44, Code of Miami-Dade County (MDAC) and Chapter 62-780, Florida Administrative Code (FAC) for Ammonia(N). Therefore, the groundwater Ammonia(N) exceedances at the site shall be delineated to the southeast, east, and northeast of the landfill's east perimeter.
2. The construction details for MWCC-7 were not submitted and shall be included in the next deliverable.

Be advised that the levels of groundwater analytical results for Ammonia(N) 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. John Caldwell
C&C Recycling Inc.
SW-1214/File-12822, FDEP-144654-001-SF
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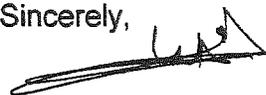
Be advised that failure to comply with above orders may result in this case being prepared for formal enforcement action in a court of competent jurisdiction for appropriate legal action under the enforcement provisions of Chapter 24 of the Code of Miami-Dade County, Florida.

Notwithstanding the above and pursuant to permit and to Chapter 62-701, Florida Administrative Code, continue with the designated monitoring, items and timeframes as stipulated in the permit. Two copies of the Groundwater Monitoring Reports, one paper and one electronic PDF on CD, shall be submitted. The next semi-annual monitoring report is past due as of July 31, 2015.

Any person aggrieved by any action or decision of the DERM Director may appeal said action or decision to the Environmental Quality Control Board (EQCB) by filing a written notice of appeal along with submittal of the applicable fee, to the Code Coordination and Public Hearings Section of DERM within fifteen (15) days of the date of the action or decision by DERM.

If you have any questions concerning the above, please contact Serge V. Beregovoy of the Pollution Remediation Section at (305) 372-6700.

Sincerely,



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

SVB

pc: James D. Burkhart, P.E – 21071 Shady Vista Lane, Boca Raton, FL 33428
Johnny Vega, P.E. – DERM
Patti Emad – DERM
FDEP Copy – WACS No. 59443