

Memorandum



Date: November 9, 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 an environmental contamination is identified by the Department of Regulatory and Economic Resources' Division of Environmental Resources Management (DERM), the Commissioner in the District where the environmental contamination is located, shall be notified.

Pursuant to R-227-09, be advised the attached letter was sent to the party responsible for site rehabilitation on October 13, 2015 due to documented groundwater contamination. Although the documented contaminated soils have been removed, further assessment of soil conditions at the site is required. 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:	Republic Metals Warehouse, LLC
DERM File #:	File-15922/IW5-11319/IWP-395
Facility Address:	13000 NW 38 Avenue, Miami, Florida in Miami-Dade County
Folio Number:	08-2129-010-0040
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, Environmental Resources Management Division, Department of Regulatory and Economic Resources



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

October 16, 2015

Mr. Richard Rubin
Republic Metals Warehouse, LLC
12900 NW 38th Avenue
Opa-Locka, FL 33054

CERTIFIED MAIL NO. 7013 2630 0001 2415 6234
RETURN RECEIPT REQUESTED

Mr. Jason Rubin, Esq.
Republic Metals Warehouse, LLC
12900 NW 38th Avenue
Opa-Locka, FL 33054

CERTIFIED MAIL NO. 7013 2630 0001 2415 6241
RETURN RECEIPT REQUESTED

RE: Source Removal Report
Republic Metals Warehouse, LLC
13000 NW 38 Ave.
Miami, FL
IW5#11319/IWP#395/File-15922
Source Removal Initiated: July 30, 2015

Dear Messrs. Rubin:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has completed its review of the above-referenced document dated August 28, 2015 (received September 1, 2015). We have found that the report complies with the applicable portions of Chapter 24, Miami-Dade County Code. We have determined that the 5.8 cubic yards (8.73 tons) of soil have been properly identified as contaminated and disposed off-site.

Be advised that the levels of groundwater analytical results (Arsenic, Iron, Lead, Selenium and Silver) 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. As such, the following shall be addressed in a Site Assessment Report (SAR):

- 1. The submitted report states that Langan Engineering "cannot explain the presence and basis for the concentrations of many of these compounds in the groundwater when they were not detected in the soil above leachability criteria in the process water release area. Furthermore, Iron is naturally occurring and is known to be elevated regionally in and around Opa-Locka. Langan recommends additional groundwater assessment, including to evaluate potential for elevated background concentrations and to delineate the observed impacts horizontally and vertically". Please note that DERM does not object to the proposal to conduct further groundwater assessment to delineate the horizontal and vertical extent of the groundwater contamination. The following is required:
a. Note that DERM records indicate that previous uses at the subject facility included sheet metal cutting, pressure cleaning of metal parts, the use of paints, solvents, etc. to refurbish and repair aircraft seats, the manufacturing of window shutters, etc. Moreover, in 1998 DERM documented that wastewater generated during the pressure cleaning of the dismantled aircraft seats with "bridgeable solvents" was being dumped into the toilet and sink connected to the sewers. Therefore, an investigation as to the source(s) of the groundwater contamination documented during the August 2015 sampling events shall be conducted and the findings of said investigation shall be included in the next deliverable. Additionally, groundwater samples shall be collected from the well with the highest contaminant concentrations for analysis of Volatile Organic Compounds via EPA Method 8260 Full List. Be advised that based on the investigation findings and/or the analytical results, further groundwater analysis may be required for additional contaminants of concern.

- b. The submitted report indicates that Langan Engineering was notified by PACE Analytical Lab that environmental laboratories are not certified for the analysis of Tellurium and Rhodium, which according to the report were detected as part of the contents of the pure silver that is introduced into the furnace at the site. Please note that pursuant to the Florida Department of Environmental Protection's NELAP Certified Laboratories web-page: <https://fldeploc.dep.state.fl.us/aams/index.asp>, the following labs are certified to analyze non-potable water samples for Rhodium and Tellurium, respectively: Energy Laboratories, Inc. (406-252-6325) in Billings, Montana, and Activation Laboratories, LTD (905-648-9611) in Ancaster, Ontario, Canada. Therefore, groundwater samples shall be collected from the well with the highest contaminant concentrations and the samples shall be analyzed for Rhodium and Tellurium by a certified laboratory. Be advised that based on the results, further assessment may be required.
- c. Based on the groundwater sampling analytical results, the next deliverable shall contain a scaled site map that illustrates the degree and extent of groundwater contamination using sufficient iso-concentration lines to identify source area(s) as well as the extent of the contaminants of concern (COC). Provide supporting documentation for the technique(s) (e.g., Kriging, etc.) used in the development of the contours.

Be advised that you have the option of conducting a background study. The background study shall be developed in accordance with the technical guidance document titled "Natural Background Study for Contaminated Sites Regulated by Section 24-44(2), Code of Miami-Dade County" (http://www.miamidade.gov/derm/risk_based_corrective_action.asp) and shall be submitted to DERM within sixty (60) days of the receipt of this letter. Be advised that although anthropogenic background concentrations cannot be utilized as a basis for determining whether cleanup is required, these concentrations can be utilized to establish the area where liability for cleanup exists. The appropriate review fee of \$925 must be included with submittal.

2. The submitted aerial maps do not clearly depict the ground cover type in and around the extent of the contaminated area. Therefore, provide a scaled site map of sufficient size that clearly depicts all soil and groundwater sampling locations in reference to the extent of the impacted area, the source removal excavations, the Aboveground Storage Tank (AST) systems (including the piping and secondary containment schematics), extent of the former ditch area, open and covered ground areas, drainage features, wastewater pretreatment system, building footprint, property boundaries and all other pertinent surface and subsurface site features. Please overlay the underground utilities noted during the Ground Penetrating Radar Survey conducted prior to the source removal activities. Please note that based on the information provided, further assessment may be required.
3. The submitted report indicates that soil and groundwater samples could not be collected in the impacted walkway area south of the ASTs because of the presence of underground sewer lines. Please provide the depth(s) of the underground utilities noted in said location. Additionally, provide a scaled map depicting the cross section of the impacted area and indicating the corresponding elevation/gradient information to assist in determining where the discharge would have flowed. Please include all surface and subsurface features (including the utility lines) on said map. Note that based on the information provided, further assessment may be required.
4. Indicate the method used to dispose of the process wastewater that overflowed the southern AST's secondary containment and indicate the capacity and the composition of the three ASTs located in said area.
5. Indicate if any private wells exist at the subject site, and if so, what the use(s) of said well(s) is/are. Please depict the location on said well(s) on the scaled site map referenced in comment 3 above. Please note that based on the information provided, the sampling of onsite private well(s) for applicable contaminants of concern may be required.
6. The submitted Groundwater Sampling Logs indicate that turbidity readings were "Out of Range" and the purge water had a brown color. Furthermore, depth-to-water measurements were not continuously collected during the

purging of the wells. Please note that when sampling for metals, every attempt shall be made (i.e., reduce flow rate, etc.) to bring the turbidity readings at or below 20 NTUs before samples are collected, and the depth-to-water measurements shall be collected during each reading to determine if drawdown has been stabilized. Said requirements shall be adhered to during upcoming sampling events.

7. The submitted Calibration Logs do not contain the calibration readings for the Initial Calibration (IC) or the Initial Calibration Verification (ICV). Please provide updated logs in the next deliverable.
8. The sampling date noted on Table 1 for soil samples DP8(0-2'), DP8(2-4') and DP8(4-5') (i.e., July 30, 2015) does not match the sampling date referenced in the corresponding laboratory reports (i.e., July 27, 2015). Please update said table in the next deliverable.
9. The "Dissolved" concentrations reported in Table 2 for monitoring wells MW-1, MW-2 and MW-3 shall be removed because dissolved or filtered concentrations cannot be compared to the applicable CTLs.
10. A total review fee of \$2,300 (\$950 for the review of the Source Removal Report and \$1,350 for the review of the SAR) shall be provided with the next deliverable.

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

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.

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 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

cc: Mr. Vince Yarina, P.G., CEM, Vice President, Langan Engineering, vyarina@langan.com
Mr. Zachary Shair, Republic Metals Warehouse, LLC, z.shair@republicmetalscorp.com
Ms. Isabel Puente-Guibert, DERM, puenti@miamidade.gov
Mr. Richard Eugino, DERM, eguintr@miamidade.gov