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VIA ELECTRONIC CORRESPONDENCE

August 8, 2016

CCN: 60496
File No: 8.DC.19.82

Chief, Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 20044-7611
RE: DOJ No. 90-5-1-1-4022/1
Tom.Mariani@usdoj.gov

Chief, Clean Water Enforcement Branch
Water Protection Division
Attn: Brad Ammons
U.S. Environmental Protection Agency, Region 4
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Rachael Amy Kamons
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Florida Department of Environmental Protection
Southeast District – West Palm Beach
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
Attn: Compliance/Enforcement Section
Diane.Pupa@dep.state.fl.us

RE: Consent Decree (Case: No. 1:12-cv-24400-FAM)
Reference DOJ Case No. 90-5-1-1-4022/1
Section VI – Specific Capital Improvement Projects, Paragraph 19(i)
Section XX – Modification
2016 Request for Modification of Non-Material Changes to Interim Milestones Report
No. 3

Dear Sir/Madam:

Pursuant to our past discussions, Miami-Dade County respectfully requests approval of modifications for non-material changes to Appendix D-2 in conformance with Sections VI.19(i) and XX of the referenced Consent Decree. Attached for your review and approval is the 2016 Request for Modification of Non-Material Changes to Interim Milestones Report No. 3 table containing the non-material modifications to certain dates for phased work in Appendix D-2.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Should you have any questions regarding this matter, please call me at (786) 552-8120.

Sincerely,



Bertha Goldenberg, P.E., LEED® Green Associate
Assistant Director, Regulatory Compliance and Planning

Attachments: 2016 Request for Modification of Non-Material Changes to Interim Milestones Report No. 3 Table

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2016 Request for Modification of Interim Milestones Table

Project ID	Project Name	Activity Name	START DATES			END DATES			NOTES
			Original CD Start Date	EPA Approved Start Date	Requested Modification to Start Date	Original CD End Date	EPA Approved End Date	Requested Modification to End Date	
1.7.2	Digesters and Control Building	Permitting	27-Jul-14	27-Jul-14	NC	26-Jul-15	12-Dec-16	31-Mar-17	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
1.9.2	FOG Removal Facility	Permitting	3-May-14	17-Feb-16	NC	2-May-15	14-Sep-16	28-Oct-16	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
1.9.3		Procurement	3-May-15	3-May-15	NC	1-May-16	12-Dec-16	13-Jan-17	Follow on activities have been pushed out due to late completion of permitting (see above). Currently there is no anticipated impact to the project compliance date.
2.3.3	Headworks/Grit Basin Plant 1	Procurement	4-Aug-15	6-Jan-16	NC	2-Aug-16	21-Aug-16	16-Oct-16	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
2.3.4		Construction	3-Aug-16	22-Aug-16	17-Oct-16	22-Oct-17	22-Oct-17	NC	Follow on activities have been pushed out due to late finish of procurement (see above). Currently there is no anticipated impact to the project compliance date.
2.5.3	CD Oxygenation Trains Plant 1	Procurement	3-Sep-15	3-Sep-15	NC	1-Sep-16	1-Sep-16	14-Dec-17	This work was originally being performed by WASD Internal forces, but will now be performed by contractors. Procurement activities have been added for each fiscal year, which now extends beyond the current interim milestone date. Currently there is no anticipated impact to the project compliance date.
2.8.1	Secondary Clarifiers Plant 2	Engineering Design	1-Jun-16	1-Jun-16	NC	5-Dec-16	5-Dec-16	31-Mar-17	Design activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
2.10.1	Secondary Clarifiers Plant 2	Engineering Design	1-Jun-16	1-Jun-16	NC	5-Dec-16	5-Dec-16	31-Mar-17	Design activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
2.15.1.3	Digesters Plant 2 - Cluster 1	Procurement	7-Apr-15	28-Mar-16	NC	5-Apr-16	23-Sep-16	4-Nov-16	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
2.19.1	CD Co-Gen Improvements	Engineering Design	1-May-14	1-May-14	NC	17-Aug-15	9-Aug-16	14-Nov-16	Design activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
2.19.2		Permitting	18-Aug-15	18-Aug-15	NC	16-Aug-16	5-Feb-17	29-May-17	Follow on activities have been pushed out due to late finish of design (see above). Currently there is no anticipated impact to the project compliance date.
2.21.1	Pump Station No. 1	Engineering Design	1-Oct-16	1-Oct-16	NC	5-Feb-17	5-Feb-17	28-Apr-17	Design activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
4.8.4	Rehabilitation of 54 inch PCCP FM in the City of Miami	Construction	5-Mar-16	9-Aug-16	20-Sep-16	9-Apr-17	9-Apr-17	NC	The procurement for this project comprised of a prequalification criteria for trenchless technology. Approval of procurement method took longer than originally anticipated. Therefore, dates for downstream activities were affected. The late start of contractor procurement has pushed out the start date for construction. Currently there is no anticipated impact to the project compliance date.

2016 Request for Modification of Interim Milestones Table

Project ID	Project Name	Activity Name	START DATES			END DATES			NOTES
			Original CD Start Date	EPA Approved Start Date	Requested Modification to Start Date	Original CD End Date	EPA Approved End Date	Requested Modification to End Date	
4.10.3	Replace 48" PCCP FM @ Opa-Locka Airport	Procurement	29-Jul-15	24-Jul-16	NC	27-Jul-16	22-Oct-16	29-Dec-16	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.4.2	Upgrades of PS#0414	Permitting	8-Jun-14	14-May-15	NC	7-Jun-15	6-Sep-16	6-Oct-16	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.5.2	Upgrades of PS#0415	Permitting	10-Aug-14	10-Aug-14	NC	9-Aug-15	21-Oct-16	2-Dec-16	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.5.3		Procurement	10-Aug-15	22-Oct-16	3-Dec-16	8-Aug-16	19-Apr-17	NC	Follow on activities have been pushed out due to late finish of permitting (see above). Currently there is no anticipated impact to the project compliance date.
5.6.2	Upgrades of PS#0416	Permitting	8-Jun-14	14-May-15	NC	7-Jun-15	20-Sep-16	20-Oct-16	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.17.3	Upgrade of PS# 0037, 0351, 0370, 0403	Procurement	8-Oct-16	20-Oct-16	29-Dec-16	6-Apr-17	6-Apr-17	NC	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.

NC: No change is requested.

Note: Highlighted dates reflect interim milestones pending approval