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VIA ELECTRONIC CORRESPONDENCE

February 28, 2017

CCN: 60905
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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Ammons.Brad@epa.gov

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
2017 Request for Modification of Non-Material Changes to Interim Milestones Report
No. 2

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 2017 Request for Modification of Non-Material Changes to Interim Milestones Report No. 2 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 M. Goldenberg, P.E., ENV SP, LEED® Green Associate
Assistant Director, Planning and Regulatory Compliance

Attachments: 2017 Request for Modification of Non-Material Changes to Interim Milestones
Report No. 2 Table

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Scott Eckler (CD PMCM)
Andrea Suarez (CD PMCM)
Abby Diaz (CD PMCM)
Cynthia Doyon (CD PMCM)

Attachment
2017 Request for Modification of Non-Material Changes to Interim
Milestones

2017 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	
1.08.2	SD Dewatering Facility	Procurement	13-Apr-16	13-Apr-16	NC	12-Apr-17	12-Apr-17	9-Jan-18	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
1.08.3		Design-Build	13-Apr-16	12-Jun-17	10-Jan-18	28-Nov-19	28-Nov-19	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.
1.11.1	SD General Electrical	Design	1-Nov-16	31-Dec-16	NC	28-May-17	28-May-17	31-Dec-17	Engineering Design activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
1.12.1	SD Chlorine Contact Chamber	Design	1-Aug-16	1-Aug-16	NC	8-Apr-17	8-Apr-17	30-Sep-19	Engineering Design activities will extend beyond the interim milestone date. 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	28-Apr-17	30-Jun-17	Engineering Design activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
2.21.2		Permitting	6-Feb-17	28-Feb-17	1-Jul-17	5-Feb-18	5-Feb-18	NC	Follow on activities have been pushed out due to late finish of engineering design (see above). Currently there is no anticipated impact to the project compliance date.
2.24.3	Gas Monitoring	Procurement	4-Mar-16	20-Apr-16	NC	3-Mar-17	3-Mar-17	15-May-17	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
2.27.1	Oxygen Production	Engineering Design	1-Jan-15	1-Jan-15	NC	31-Dec-15	17-Apr-17	15-Jul-17	The site selection process for the new Oxygen Production facility required a much greater level of effort and duration than originally anticipated which impacted the design schedule. Delays in engineering activities is resulting in impacts to the successor permitting and procurement. Overlapping/expediting of interim activities is planned in order to complete the project in accordance with the final CD milestone date.
2.27.2		Procurement	31-Dec-16	6-Mar-17	16-Jul-17	30-Dec-17	30-Dec-17	15-Jul-18	
2.27.3		Design-Build	31-Dec-17	31-Dec-17	16-Jul-18	30-Dec-19	30-Dec-19	NC	
3.2.1	Primary Clarifiers and Odor Control	Engineering Design	1-Nov-15	1-Nov-15	NC	2-Jun-16	9-Mar-17	15-Apr-17	Engineering Design activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.3.2	Upgrade PS#0692	Permitting	10-Aug-14	10-Aug-14	NC	9-Aug-15	31-Mar-17	15-May-17	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.3.3		Procurement	10-Aug-15	1-Apr-17	16-May-17	8-Aug-16	5-Aug-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.
5.4.3	Upgrade Pump Station No. 0414	Procurement	8-Jun-15	8-Jun-15	NC	6-Jun-16	30-Apr-17	31-May-17	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.4.4		Construction	7-Jun-16	1-May-17	1-Jun-17	9-May-18	9-May-18	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.

2017 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	
5.9.3	Upgrades of PS#0301	Procurement	8-Jun-15	8-Jun-15	NC	6-Jun-16	31-Mar-17	30-Apr-17	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.9.4		Construction	7-Jun-16	1-Apr-17	1-May-17	9-May-18	9-May-18	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.
5.11.3	Install 60" FM from Kendal Dr. to Pump Station No. 0536	Procurement	8-Jun-15	8-Jun-15	NC	6-Jun-16	31-Mar-17	31-Jul-17	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.17.3	Upgrade Pump Station No. 0037, 0351, 0370, 0403	Procurement	8-Oct-16	29-Dec-16	NC	6-Apr-17	6-Apr-17	15-May-17	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.17.4		Construction	6-Apr-17	6-Apr-17	16-May-17	31-Dec-17	31-Dec-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.

NC: No change is requested.

Red Font: Dates previously requested still pending approval