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**VIA ELECTRONIC CORRESPONDENCE**

January 31, 2017

CCN: 60826  
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](mailto:Tom.Mariani@usdoj.gov)

Chief, Clean Water Enforcement Branch  
Water Protection Division  
Attn: Brad Ammons  
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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](mailto: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. 1**

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. 1 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. 1

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David Wood (CD PMCM)  
Abby Diaz (CD PMCM)

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	
2.21.2	Pump Station No. 1	Permitting	6-Feb-17	6-Feb-17	28-Feb-17	5-Feb-18	5-Feb-18	NC	Permitting start date is projected to be very close to approved EPA interim milestone date. We are requesting a few weeks extension to the date preemptively in the event there are any delays. Currently there is no anticipated impact to the project compliance date.
3.1.4	ND Headworks & Sludge Degritting - Phase 1	Construction	1-Oct-15	23-Dec-15	NC	23-Dec-16	28-Feb-17	30-Apr-17	Construction activities for phase I will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.4.2	Upgrade Pump Station No. 0414	Permitting	8-Jun-14	14-May-15	NC	7-Jun-15	31-Jan-17	31-Mar-17	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.4.3		Procurement	8-Jun-15	8-Jun-15	NC	6-Jun-16	5-Mar-17	30-Apr-17	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.
5.4.4		Construction	7-Jun-16	6-Mar-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.
5.5.2	Upgrade Pump Station No. 0415	Permitting	10-Aug-14	10-Aug-14	NC	9-Aug-15	31-Jan-17	31-Mar-17	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.6.2	Upgrade Pump Station No. 0416	Permitting	8-Jun-14	14-May-15	NC	7-Jun-15	31-Jan-17	31-Mar-17	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.7.2	Upgrades of PS#0417	Permitting	10-Aug-14	10-Aug-14	NC	9-Aug-15	31-Jan-17	31-Mar-17	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.11.2	Install 60" FM from Kendal Dr. to Pump Station No. 0536	Permitting	8-Jun-14	14-May-15	NC	7-Jun-15	31-Jan-17	31-Mar-17	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.17.2	Upgrade Pump Station No. 0037, 0351, 0370, 0403	Permitting	10-Jul-16	6-Sep-16	NC	7-Oct-16	15-Feb-17	15-Apr-17	Permitting end date is projected to be very close to approved EPA interim milestone date. We are requesting a few weeks extension to the date preemptively in the event there are any delays. Currently there is no anticipated impact to the project compliance date.

NC: No change is requested.

Red Font: Dates previously requested still pending approval