



VIA ELECTRONIC CORRESPONDENCE

October 30, 2020 CCN: 63423

File No: 8.DC.20.32

Chief, Environmental Enforcement Section Environment and Natural Resources Division

U.S. Department of Justice

P.O. Box 7611 Tom Mariani

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

61 Forsyth Street, S.W. Atlanta, Georgia 30303 Ammons.Brad@epa.gov

Rachael Amy Kamons
Environmental Enforcement Section
U.S. Department of Justice
P.O. Box 7611
Ben Franklin Station

Washington, D.C. 20044-7611 Rachael.Kamons@usdoj.gov

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

Jason.Andreotta@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 IX – Reporting Requirements, Paragraph 32 – Quarterly Reports – 2020
Quarterly Report No. 3

Dear Sir/Madam:

In accordance with the provisions of Paragraph 32 of the above referenced Consent Decree, on behalf of Miami-Dade County, the Water and Sewer Department (WASD) submits to the Environmental Protection Agency (EPA) and the State of Florida Department of Environmental Protection (FDEP) the 2020 Quarterly Report No. 3. The 2020 Quarterly Report No. 3 covers the period from July 1, 2020 through September 30, 2020.

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) 552-8884.

Sincerely,

Josenrique Cueto P.E., ENV SP, LEED® Green Associate Assistant Director, Planning and Regulatory Compliance

Attachment: 2020 Quarterly Report No. 3

ec: Elizabeth Teegen
Chief Assistant Attorney General, Complex Litigation
Office of the Attorney General
PL-01, The Capitol
Tallahassee, FL 32399-1050
850-414-3808

Elizabeth.Teegen@myfloridalegal.com

Florida Department of Environmental Protection
Southeast District – West Palm Beach
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West Palm Beach, FL 33406
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Megan.Ticknor@FloridaDEP.gov.

Mayor Carlos A. Gimenez Miami-Dade County 111 NW First Street 29th Floor Miami, Florida 33128 Consent Decree Paragraph 32, 2020 Quarterly Report No. 3 October 30, 2020 Page 3

> Kevin T. Lynskey, Director Miami-Dade Water and Sewer Department 3071 SW 38th Avenue Miami, Florida 33146

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Henry N. Gillman Miami-Dade Assistant County Attorney Miami-Dade County Attorney's Office 111 NW First Street Suite 2810 Miami, Florida 33128

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Consent Decree Paragraph 32, 2020 Quarterly Report No. 3 October 30, 2020 Page 4

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2020 Quarterly Report No. 3

(Twenty-Sixth Quarterly Report)

July 1, 2020 through September 30, 2020

Prepared for

United States Environmental Protection Agency and Florida Department of Environmental Protection

Consent Decree
Case: No. 1:12-cv-24400-FAM

Prepared by

Miami-Dade County, Miami-Dade Water and Sewer Department

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2020 Quarterly Report No. 3

1.0 Purpose

On April 9, 2014, Miami-Dade County (County) entered into a Consent Decree (CD) with the United States of America (United States), the State of Florida Department of Environmental Protection, and the State of Florida. The Consent Decree was lodged on June 6, 2013 and became effective on December 6, 2013. This document satisfies the requirements of Section IX, Paragraph 32 for submittal of the 2020 Quarterly Report No. 3 on or before October 30, 2020.

2.0 Requirements

Section IX, Paragraph 32 of the CD states: "Beginning one (1) month after the first Calendar Quarter following the Effective Date of this Consent Decree, and one (1) month after each Calendar Quarter thereafter until termination of the Consent Decree, Miami-Dade shall submit to EPA and FDEP for review and comment a Quarterly Report. Such Quarterly Report shall include the date, time, location, source, estimated duration, estimated volume, receiving water (if any) and cause of all SSOs occurring in the previous Calendar Quarter." Section IV, Paragraph 8(ii) of the CD defines an SSO as any discharge of wastewater to waters of the United States or the State from Miami-Dade's Wastewater Collection and Transmission System (WCTS) through a point source not permitted in any NPDES permit, as well as any overflow, spill, or release of wastewater to public or private property from the WCTS that may not have reached waters of the United States or the State, including all Building Backups – wastewater backups or releases caused by blockages, flow conditions or other malfunctions of a Private Lateral are not considered as Building Backups."

3.0 Sanitary Sewer Overflow Events

This quarterly report contains additional information on how the Sanitary Sewer Overflow (SSO) was resolved, including the immediate fix and any proposed long-term solution. While not specifically required by the Consent Decree, the United States Environmental Protection Agency (EPA) has requested that the County provide this additional information to aid them in preparing the United States' Semi-Annual Status Report to the United States District Court, Southern District of Florida, Miami Division.

The County shall not be held liable for stipulated penalties under Section X, Paragraph 42(vi) of the CD if the County "demonstrates that the SSO was caused by an Act of God, vandalism, a non-County Contractor, or any act of a third party not working directly or indirectly on behalf of Miami-Dade and that Miami-Dade demonstrates that it has used all reasonable measure to prevent such SSO." During this reporting period, the County determined there were three (3) events that would qualify under Section X Paragraph 42 (vi) as described above. These SSO events are described in Table 1. Notice letters were sent to the liable contractors and invoices for the damages will be generated. The supporting documentation available to date can be found in Appendix A.

Table 1 – Description SSO Events Caused by Vandalism or Liable Third Party

	Date	Location	Overflow Volume (gallons)	Contractor or Vandalism
1	8/17/2020	9526 NW 7 AVE	58,787	Alvi Tech Inc. Ferreira Construction Ferreira Construction
2	8/19/2020	4601 NW 191 ST	320	
3	9/22/2020	NW 47 PL & NW 199 ST	1,991	

3.1 SSOs (Excluding Building Backups)

Table 2 (page 4) documents all SSO events, excluding Building Backups (BBUs), for the third calendar quarter of 2020. There was a total of twenty-three (23) SSO events:

- Eight (8) events involved gravity mains
- Nine (9) events involved force mains
- Six (6) events involved automatic or manual air release valves

There was one (1) SSO event that reached the waters of the United States during this reporting period.

3.2 Building Backups

The County follows standard procedures to resolve and minimize the occurrence of Building Backups. These procedures have been re-evaluated in the development of the new CMOM Program Sewer Overflow Response Plan (SORP) required by the current Consent Decree. The SORP was submitted by the County to EPA/FDEP on July 2, 2015. The County received EPA/FDEP comments on the SORP on January 27, 2017 and submitted a response on March 28, 2017. The EPA and FDEP approved the SORP on August 15, 2017. The County is implementing these procedures.

Presently, the Department's procedures for the response to, and the reporting and documenting of Building Backups are different from those of SSOs within the Department's WCTS. Additionally, the "Time" and "Duration" parameters are seldom characteristically the same between the two types of SSO events. For these reasons, Building Backups are normally included in a separate table and the "N/A" designation used for some "Time" and "Duration" entries. Building Backup information is shown in Table 3 (Page 7)

4.0 Abbreviations/Acronyms

The following acronyms and abbreviations are used in the tables.

AC Asbestos Cement
ARV Manual Air Release Valve
AARV Automatic Air Release Valve

ASSIS Active As-Built Supplemental Information System

DI Ductile Iron
CD Consent Decree

CI Cast Iron

CIP Capital Improvement Project

FM Force Main

FOG Fats, Oils and Grease

FSE Food Service Establishment
GIS Geographic Information System

GM Gravity Main

GSS Gravity Sewer System
HDPE High Density Polyethylene

LAT Lateral

PCCP Prestressed Concrete Cylinder Pipe

PIR Project Initiation Report

PS Pump Station PVC Polyvinyl Chloride

RER-DERM Regulatory and Economic Resources, Division of Environmental Resources

Management

VFD Variable Frequency Drive

5.0 Amendment to Previous Quarterly Report

There are no amendments to previous quarterly report required at this time.

Table 2 - Sanitary Sewer Overflows

CCID	Date	Time	Location	Source	Est. Duration	Est. Volume	Destination	Waters Of US	Cause	Immediate Fix	Long Term Fix		
					hr:min	gallons		0.05			Req'd	Solution	
471157	7/1/2020	8:20PM	SW 127 AVE & SW 112 ST UNINCORPORATED MIAMI-DADE 33186	FM	40 minutes	148	Land	No	16" AC force main leaking due to unknown causes.	Repaired broken force main .	Yes	Force main is under review for further recommendations Recommended for replacement	
471310	7/4/2020	12:26PM	941 NE 193 TER UNINCORPORATED MIAMI-DADE 33179	GM	4 hours 34 minutes	45	Storm Drain	No Gravity Main blockage due to grease.		Cleared gravity main blockage and notified local regulatory agency (RER- DERM)	No	No further action required	
471461	7/7/2020	12:00PM	18720 SW 352 ST UNINCORPORATED MIAMI-DADE 33034	FM	2 hours	1535	Land	No	12" DIP force main broken due to interior corrosion.	Repaired 12" DI force main broken.	No	No further action required.	
471497	7/7/2020	7:20PM	6450 NW 110 AVE DORAL 33178	AARV	2 hours 40 minutes	75	Land	No	AARV stuck due to debris blokage in rolling seal assembly.	Replaced ARV	Yes	Continuing the phasing out ARV from manufacturer with repetitive failure.	
471522	7/8/2020	12:00PM	10400 SW 127 AVE UNINCORPORATED MIAMI-DADE 33186	FM	30 minutes	38358	Storm Drain	No	6" plug blew off a section of abandoned 6" PVC force main.	The abandoned section of the 6" PVC was removed from the valve and a plug was installed in the 6" valve.	No	No further action required.	
471651	7/10/2020	9:00AM	SW 260 ST & SW 137 AVE UNINCORPORATED MIAMI-DADE 33032	ARV	1 hour 30 minutes	10358	Storm Drain	No	Manual ARV leaking due to broken PVC nipple.	Replaced nipple and angle valve.	No	No further action required.	
472000	7/15/2020	1:49PM	SW 288 ST & SW 147 AVE UNINCORPORATED MIAMI-DADE 33033	FM	2 hours 11 minutes	105773	Storm Drain	No	10" DIP force main broken.	Repaired 10" DI force main broken.	No	No further action required.	
472494	7/23/2020	8:00PM	18730 NW 47TH CT UNINCORPORATED MIAMI-DADE 33055	GM	2 hours	20	Land	No	Gravity Main blockage due to grease.	Cleared gravity main blockage and notified local regulatory agency (RER- DERM)	No	No further action required	
473455	8/10/2020	8:15AM	800 VENETIAN WAY MIAMI 33139	FM	1 hour 45 minutes	1177	Land	No	10" CI force main broken due to exterior corrosion.	Repaired 10" CI force main broken.	No	No further action required.	

Table 2 - Sanitary Sewer Overflows

CCID	Date	Time	Location	Source	Est. Duration	Est. Volume	Destination	Waters Of US	Cause	Immediate Fix		Long Term Fix
					hr:min	gallons					Req'd	Solution
473878	8/17/2020	4:30PM	9526 NW 7 AVE UNINCORPORATED MIAMI-DADE 33150	FM	2 hours 45 minutes	58787	Storm Drain	No	16" DI force main broken by non County contractor while directional drilling.	Repaired 16" DI force main broken.	No	No further action required.
473997	8/19/2020	1:30PM	4601 NW 191 ST MIAMI GARDENS 33055	AARV	1 hour	320	Land	No	AARV broken by non County contractor.	Replaced AARV	No	No further action required
474163	8/21/2020	8:54PM	12675 SW 189TH ST UNINCORPORATED MIAMI-DADE 33177	GM	2 hours 36 minutes	320	Storm Drain	No	Gravity Main blockage due to grease.	Cleared gravity main blockage and notified local regulatory agency (RER- DERM)	No	No further action required
474312	8/25/2020	2:30PM	16480 NE 20 AVE NORTH MIAMI BEACH 33162	GM	2 hours	80	Land	No	Gravity Main blockage due to grease.	Cleared gravity main blockage and notified local regulatory agency (RER- DERM)	No	No further action required
474470	8/28/2020	9:38AM	21500 Biscayne BLVD AVENTURA 33180	GM	3 hours 22 minutes	60	Land	No	Gravity Main blockage due to grease.	Cleared gravity main blockage and notified local regulatory agency (RER- DERM)	No	No further action required
474486	8/28/2020	12:00PM	2200 NW 54 ST UNINCORPORATED MIAMI-DADE 33142	GM	2 hours	50	Storm Drain	No	Gravity Main blockage due to grease.	Cleared gravity main blockage and notified local regulatory agency (RER- DERM)	No	No further action required
474733	9/2/2020	12:00PM	9775 SW 87 AVE UNINCORPORATED MIAMI-DADE 33176	FM	2 hours 45 minutes	46474	Land	No	10" AC force main broken by Non-WASD County contractor (Miami Dade Public Work)	Assisted Miami-Dade Public Work in repairing the broken force main and cleaning.	Yes	Force main is under review to request funding allocation in fiscal year 21-22 Recommended for replacement
474786	9/3/2020	7:07AM	19721 NW 47 AVE UNINCORPORATED MIAMI-DADE 33055	ARV	1 hour 23 minutes	5316	Land	No	ARV leaking due to mechanical joint failure.	Abandoned manual air release valve.	No	No further action required.
475083	9/8/2020	7:23PM	4810 NW 197 ST UNINCORPORATED MIAMI-DADE 33055	GM	1 hour 52 minutes	20	Land	No	Gravity Main blockage due to grease.	Cleared gravity main blockage and notified local regulatory agency (RER- DERM)	No	No further action required

Table 2 - Sanitary Sewer Overflows

CCID	Date	Time	Location	Source	Est. Duration	Est. Volume	Destination	Waters Of US	Cause	Immediate Fix		Long Term Fix
					hr:min	gallons		01 03			Req'd	Solution
475188	9/10/2020	1:40PM	NW 155 TER & NW 16 CT MIAMI GARDENS 33169	AARV	25 minutes	50	Biscayne Canal		Leaking AARV leaking due to grease and debris clogging.	Replaced AARV	No	No further action required.
475373	9/13/2020	9:48AM	SW 17 AVE & S DIXIE HWY MIAMI 33133		8 hours 12 minutes	67000	Storm Drain		60" PCCP Gravity Main manhole overflow due to surcharged condition. Heavy rain event. Severe Storm: Sally			No further action required.
475776	9/17/2020	12:37PM	NW 37 AVE & NW 157 ST MIAMI GARDENS 33054	AARV	1 hour 3 minutes	80	Land	_	AAR Valve due to broken Riser/ Nipple.	Replaced AARV.	No	No further action required.
475779	9/17/2020	2:00PM	15327 NW 60 AVE MIAMI LAKES 33014	FM	15 minutes	820	Land		6" AC force main leaking due to inferior material.	Repaired broken force main.		Force main is under review by waste water collection to request funding allocation in fiscal year 21-22 Recommended for replacement
476112	9/22/2020	1:37PM	NW 47 PL & NW 199 ST UNINCORPORATED MIAMI-DADE 33055	FM	53 minutes	1991	Storm Drain		6" AC force main broken by non County Contractor.	Repaired broken force main.		Force main is under review to request funding allocation in fiscal year 21-22. Recommended for replacement

Table 3 - Building Backups

CCID Date		Time	Location	Source	Est. Duration	Est. Volume	Destination	Waters of US	Cause	Immediate Fix	Long	Term Fix
					hr:min	gallons					Req'd	Solution
N/A	8/21/2020	N/A	24494 SW 115 CT, MIAMI	LAT	N/A	1	N/A	No	Resident experience BBU due TV and Grout WASD crew activity	System service restored to normal operation and vendor rendered assistance cleanning /sanitizing.	No	No further action required
N/A	8/26/2020	N/A	2937 SW 150 CT, MIAMI	LAT	N/A	1	N/A	No	Resident experience BBU due TV and Grout WASD crew activity	System service restored to normal operation and vendor vendor rendered assistance cleanning /sanitizing.	No	No further action required
N/A	8/27/2020	N/A	18803 ATLANTIC BLVD Sunny Isles Beach	LAT	N/A	1	N/A	No	Resident experience BBU caused by WASD PS down and crew jetting sewer line.	System service restored to normal operation and vendor rendered cleaning / sanitazing	No	No further action required
N/A	9/1/2020	N/A	16440 SW 43 ST	LAT	N/A	1	N/A	No	Resident experience BBU due TV and Grout WASD crew activity	System service restored to normal operation and vendor rendered assistance cleanning /sanitizing.	No	No further action required
N/A	9/9/2020	N/A	24852 SW 121 CT	LAT	N/A	2	N/A	No	Resident experience BBU due to WASD PM activiites	System service restored to normal operation and vendor rendered assistance cleanning /sanitizing.	No	No further action required
N/A	9/13/2020	N/A	1365 SW 23 ST	LAT	N/A	1	N/A	No	Resident experience BBU due to heavy rain and surcharged condition	System service restored to normal operation and vendor rendered assistance cleanning /sanitizing.	No	No further action required
N/A	9/13/2020	N/A	1853 SW 24 TER, MIAMI	LAT	N/A	5	N/A	No	Resident experience BBU due to heavy rain and surcharged condition	System service restored to normal operation and vendorvendor rendered assistance cleanning /sanitizing.	No	No further action required
N/A	9/14/2020	N/A	20633 BISCYNE BLVD, AVENTURA	LAT	N/A	3	N/A	No	Resident experience BBU caused by WASD crew jetting sewer line.	System service restored to normal operation and vendor rendered cleaning / sanitazing	No	No further action required

CCID	Date	Time	Location	Source	Est. Duration	Est. Volume	Est. Volume Destination Waters of Cause US		Immediate Fix	Long Term Fix		
N/A	9/16/2020	N/A	23670 SW 132 AVE, HOMESTEAD	LAT	hr:min N/A	gallons 2	N/A		Resident experience BBU due TV and Grout WASD crew activity	System service restored to normal operation and vendor rendered assistance cleanning /sanitizing.	Req'd No	Solution No further action required
N/A	9/17/2020	N/A	1110 QUAIL AVE, MIAMI SPRINGS FL 33166	LAT	N/A	1	N/A		Resident experience BBU due TV and Grout WASD crew activity.	System service restored to normal operation and vendor rendered assistance cleanning /sanitizing.	No	No further action required
N/A	9/29/2020	N/A	24910 SW 122 PL	LAT	N/A	1	N/A		Resident experience BBU due TV and Grout WASD crew activity	System service restored to normal operation and vendor rendered assistance cleanning /sanitizing.	No	No further action required
N/A	9/30/2020	N/A	8440 SW 21 ST, MIAMI	LAT	N/A	2	N/A		Resident experience BBU caused by grease/debris blockage in WASD main line collection system	System service restored to normal operation and vendor rendered assistance cleanning /sanitizing.	No	No further action required

<u>Supporting document for August 17, 2020 Event on 9526 NW 7 Ave Miami-Dade caused by non-County Contractor</u>

Figure 1 - Notice letter to contractor



PO Box 330316 * 3071 SW 38 Avenue Miami, Florida 33233-0316 T 305-665-7471

09/17/2020

Certified 7003 1680 0004 5604 1841

ALVITECH INC. 11836 SW 7th STREET PEMBROKE PINES, FL 33025

Attn: ROSA M. VASQUEZ

Re: File No: JS08080

Customer No. 00002320

Expenses incurred by Miami Dade Water & Sewer Department to repair and restore service to a damaged 16-inch DIP sewer force main on the North East side of the intersection at NW 95th Ter & NW 7th Ave. The sewer force main was damaged by Alvitech LLC during horizontal boring to install a conduit. The incident caused a sewer spill of 58,787 gallons of raw sewage under incident # 473878. The area was marked in the street and with offsets on the sidewalk. The Contractor was working under Sunshine Location Ticket # 226006059.

The contractor did not white line the area or soft dig as it is required under The Law Underground Facility Damage Prevention and Safety Act, Chapter 556, Florida Statutes Effective July 1, 2017.

Damage/Repair Date: 8/17/2020

This is to advise you that your company is being held liable for the above-referenced utility damage resulting from your work operation.

An invoice with the costs incurred by our Department to repair and restors service to this utility, including restoration of the area if required, will be sent to your attention. This amount is to be paid in full within 360 days of the invoice date.

Any questions concerning this matter should be referred to Eva Rodriguez at (786) 552-8223 or, (786) 552-8171. Thank you for your cooperation.

Sincerely,

Controller Division Special Collections Unit

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c: File

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<u>Supporting document for August 19, 2020 Event on 4601 NW 191 St Miami</u> Gardens 33055 caused by non-County Contractor

Figure 2 - Notice letter to contractor



Water and Sewer PO Box 330316 * 3071 SW 38 Avenue Miami, Florida 33233-0316 T 305-665-7471

10/14/2020

Certified 7019 1640 0002 0346 4476

FERREIRA CONSTRUCTION SOUTHERN DIVSION 9455 NW 104 ST MEDLEY, FL 33178

Attn: ACCOUNTS PAYABLE

Re: File No: JS08081

Customer No. 00020933

Expenses incurred by Miami Dade Water & Sewer Department to repair and restore service to a damaged 2-inch air release sewer force main valve at 4601 NW 191th St. The damage was caused by Ferreira Construction during road work on the area. The air release valve was inside the manhole clearly visible. The manhole cover was painted in green paint. The contractor was working under Sunshine Location Ticket # 212000619. The damage caused a raw sewage spill of 320 gallons under incident # 473997.

Damage/Repair Date: 8/19/2020

This is to advise you that your company is being held liable for the above-referenced utility damage resulting from your work operation.

An invoice with the costs incurred by our Department to repair and restore service to this utility, including restoration of the area if required, will be sent to your attention. This amount is to be paid in full within 360 days of the invoice date.

Any questions concerning this matter should be referred to Eva Rodriguez at (786) 552-8223 or, {786} 552-8171. Thank you for your cooperation.

Sincerely,

Controller Division Special Collections Unit.

Circ Podriqu

c: File



Supporting document for September 22, 2020 Event on NW 47 PL & NW 199 ST Miami-Dade caused by non-County Contractor

Figure 3 - Notice letter to contractor



Water and Sewer PO Box 330316 * 3071 SW 38 Avenue Miami, Florida 33233-0316 T 305-865-7471

10/14/2020

Certified 7019 2280 0001 7665 2473

FERREIRA CONSTRUCTION SOUTHERN DIVSION 9455 NW 104 ST MEDLEY, FL 33178

Attn: ACCOUNTS PAYABLE

Re: File No: JS08161

Customer No. 00020933

Expenses incurred by Miami Dade Water & Sewer Department to repair and restore service to a damaged 6-inch AC sewer force main at NW 47th Ct & 199th St. The damage occurred during work operation to install drainage for FDOT. The 6-inch (AC) sewer force main was not marked because contractor failed to request locate clearance, which is a violation of Florida Statute (s556-105). The incident was reported to Miami Dade Water & Sewer Department by a representative for Ferreira Construction.

Damage/repair date 9/22/2020

This is to advise you that your company is being held liable for the above-referenced utility damage resulting from your work operation.

An invoice with the costs incurred by our Department to repair and restore service to this utility, including restoration of the area if required, will be sent to your attention. This amount is to be paid in full within 360 days of the invoice date.

Any questions concerning this matter should be referred to Eva Rodriguez at (786) 552-8223 or, (786) 552-8171. Thank you for your cooperation.

Sincerely,

Controller Division
Special Collections Unit

c: File

