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

VIA ELECTRONIC CORRESPONDENCE

January 31, 2023

CCN: 64700
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 – 2022
Quarterly Report No. 4**

Dear Sir or 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 2022 Quarterly Report No. 4. The 2022 Quarterly Report No. 4 covers the period from October 1, 2022, to December 31, 2022.

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) 552-8894.

Sincerely,



Marisela Aranguiz-Cueto, P.E.
Deputy Director
Miami-Dade Water and Sewer Department

Attachment: 2022 Quarterly Report No. 4

ec: Anita Patel
Senior Assistant Attorney General, Complex Litigation,
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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
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Bridjette.Bucell@FloridaDEP.gov
Samantha.Cote@FloridaDEP.gov
Guy.Cappello@FloridaDEP.gov

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2022 Quarterly Report No. 4

(Thirty-Third Quarterly Report)

October 1, 2022 through December 31, 2022

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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2022 Quarterly Report No. 4

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 2022 Quarterly Report No. 4 on or before January 31, 2023.

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 measures to prevent such SSO.” During this reporting period, the County determined there were two (2) events that would qualify under Section X Paragraph 42 (vi) as described above. The SSO events are described in Table 1 and the associated supporting documentation can be found in Appendix A.

Table 1 – Description SSO Events Caused by Liable Third Party

	Date	Location	Volume	Third Party
1	11/4/2022	14250 SW 107 CT	9,302	Gonzalez & Aguirra Corp.
2	12/8/2022	8851 NW 150 ST, Miami Lakes	75	RG Underground Engineering

3.1 SSOs (Excluding Building Backups)

Table 2 (page 4) documents all SSO events, excluding Building Backups (BBUs), for the fourth calendar quarter of 2022. There was a total of twenty-four (24) SSO events:

- Seven (7) events involved force mains.
- Eleven (11) events involved gravity mains.
- One (1) event involved a pump station.
- Five (5) events involved automatic air release valves.

There were two (2) SSO events 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 Backups information is shown in Table 3.

4.0 Abbreviations/Acronyms

The following acronyms and abbreviations are used in the tables. Please note that not all acronyms 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 Progress Update for Ongoing CD Capital Improvement Projects Beyond Compliance Date

On August 13, 2021, the County submitted a CD Outstanding Force Majeure and Potential Delay Notification letter to EPA and FDEP. Therein, the County committed to provide progress updates in the quarterly reports for the CD Capital Improvement Projects which are ongoing and have experienced delays beyond the Compliance Date. The progress updates for these projects are tabulated in Appendix B.

6.0 Amendment to Previous Quarterly Report

No amendment was made to the 2022 Quarterly Report No. 3.

Table 2 - Sanitary Sewer Overflows

CCID	Date	Time	Location	Source	Est. Duration hr:min	Est. Volume gallons	Destination	Waters Of US	Cause	Immediate Fix	Long Term Fix	
											Req'd	Solution
515494	10/5/2022	1:30PM	19800 NE 23 AVE	Gravity Main	1 hour 30 minutes	35	Land	No	Gravity main blockage due to grease and rags.	Cleared gravity main blockage. Cleaned upstream and downstream branches of collection system.	No	Isolated incident with no further action required.
515772	10/10/2022	8:00PM	19227 E Lake DR	WASD Pump Station	3 hours	375	Land	No	1-1/4" galvanized pipe, a remaining accessory to the retired priming system, broken due to internal corrosion.	Abandoned pipe and plugged at pump.	No	No further action required.
515901	10/12/2022	6:40PM	3700 NW 213 ST MIAMI GARDENS 33055	Automatic Air Release Valve	50 minutes	85	Storm Drain	No	AARV leaking due to a failure of the rolling seal assembly.	Replaced broken AARV.	Yes	Continue to phase out AARV from manufacturer with repetitive failure.
515911	10/13/2022	7:36AM	21 CORYDON DR MIAMI SPRINGS 33166	Force Main	44 minutes	1,462	Storm Drain	No	8" Ductile iron (DI) force main broken due to improper bedding.	Repaired force main.	No	Isolated incident with no further action required.
516059	10/15/2022	11:15AM	16722 SW 101 AVE	Gravity Main	1 hour 15 minutes	8	Land	No	Gravity main blockage due to grease.	Cleared gravity main blockage. Cleaned upstream and downstream branch of collection system.	No	Isolated incident with no further action required.
516431	10/21/2022	5:00PM	NE 79 ST & NE 78 STREET RD MIAMI 33138	Gravity Main	30 minutes	30	Storm Drain	No	Gravity main blockage due to rain catcher obstructing the line.	Removed the rain catcher and installed new rain catcher.	No	No further action required.
516510	10/23/2022	6:59PM	11493 SW 148 PL	Gravity Main	1 hour 31 minutes	25	Storm Drain	No	8" gravity main broken by unknown contractor.	Cleared gravity main of debris. Repaired broken section of GM.	No	No further action required.
516621	10/25/2022	3:00PM	317 NE 71 ST MIAMI 33138	Gravity Main	30 minutes	50	Storm Drain	No	Gravity main blockage due to debris and suspected illegal dumping	Cleared gravity main blockage. Cleaned upstream and downstream branch of collection system.	Yes	DERM investigated suspected illegal discharge and could not identify source.

Table 2 - Sanitary Sewer Overflows

CCID	Date	Time	Location	Source	Est. Duration hr:min	Est. Volume gallons	Destination	Waters Of US	Cause	Immediate Fix	Long Term Fix	
											Req'd	Solution
517015	11/2/2022	8:40AM	1400 NW 12 AVE MIAMI 33125	Gravity Main	1 hour 50 minutes	100	Storm Drain	No	Gravity main blockage due to grease and rags.	Cleared gravity main blockage. Cleaned upstream and downstream branch of collection system.	Yes	Designated as a hotspot. Installed multiple Smart Covers to closely monitor. RER- DERM working with businesses in the area to prevent SSOs.
517066	11/3/2022	9:00AM	3595 NW 125 ST	Automatic Air Release Valve	2 hours	225	Land	No	AARV leaning due to failure of the rolling seal assembly.	Removed and replaced with new ARV	Yes	Continue to phase out all ARV from manufacturer with repetitive failure.
517133	11/4/2022	1:20PM	14250 SW 107 CT	Force Main	1 hour 10 minutes	9,302	C 100	No	10 " DI Force main broken by non-County Contractor	Repaired force main broken by non-County contractor.	No	Non-County Contractor held liable for damages. No further action required.
517311	11/8/2022	9:45AM	NW 14 ST & NW 110 AVE Sweetwater 33172	Force Main	20 minutes	3,408	Storm Drain	No	12" DI Force main broken due to differential loading.	Repaired broken section of force main.	No	No further action required.
517530	11/12/2022	2:00PM	NW 155 TER & NW 16 CT MIAMI GARDENS 33169	Automatic Air Release Valve	2 hours	4,508	BISCAYNE DRAINAGE CANAL	Yes	AARV leaking due to split 2" nipple	Replaced broken component and AARV.	No	No further action required.
517619	11/14/2022	5:30PM	777 NE 26 TER MIAMI 33137	Gravity Main	2 hours 45 minutes	100	Storm Drain	No	Gravity main blockage due to grease.	Cleared GM blockage. Cleaned upstream and downstream of collection system.	Yes	Designated as hotspot. Smart Cover will be installed
517972	11/20/2022	7:45PM	SW 17 AVE & S Dixie HWY MIAMI 33133	Gravity Main	1 day 21 hours 15 minutes	90,000	Storm Drain	No	Gravity main manhole overflow due to surcharged condition (heavy rain).	Systems equalize to normal level after the rain had receded.	Yes	Evaluation of alternative flow routing was initiated.
518154	11/23/2022	9:55AM	485 NW 71 ST MIAMI 33150	Gravity Main	3 hours 10 minutes	80	Land	No	Gravity main blockage due to grease.	Cleared blockage. Cleaned upstream and downstream branch of the collection system.	Yes	Designated as hotspot. Smart Cover will be installed.
518245	11/25/2022	12:50PM	2501 SW 129 AVE	Force Main	2 hours 10 minutes	7,154	Storm Drain	No	8" CI force main leaking due to a split on the pipe.	Repaired affected section of 8" CI force main.	No	No further action required.

Table 2 - Sanitary Sewer Overflows

CCID	Date	Time	Location	Source	Est. Duration hr:min	Est. Volume gallons	Destination	Waters Of US	Cause	Immediate Fix	Long Term Fix	
											Req'd	Solution
518369	11/28/2022	5:00PM	364 GOLDEN BEACH DR GOLDEN BEACH 33160	Automatic Air Release Valve	5 hours	150	Storm Drain	No	AARV leaking due to debris restricting float movement.	Replaced leaking AARV.	No	No further action required
518583	12/2/2022	12:19PM	9407 Sterling DR CUTLER BAY 33157	Force Main	51 minutes	835	CUTLER DRAIN CANALC100 B	Yes	6"AC force main broken by County contractor.	Repaired section of broken force main.	Yes	AC FM recommended for replacement
518866	12/8/2022	9:20AM	8851 NW 150 ST MIAMI LAKES 33018	Force Main	1 hour 25 minutes	75	Land	No	8" DI FM broken by non-County contractor	Repaired broken force main.	Yes	Bill contractor for damages. No further action required.
519179	12/13/2022	8:30PM	19145 NW 47 AVE MIAMI GARDENS 33055	Force Main	1 hour 30 minutes	923	Storm Drain	No	4" CI force main leaking due to interior corrosion	Repaired affected section of 4" CI FM.	Yes	Recommended for replacement FY 24-25
519242	12/14/2022	5:34PM	3775 NW 211 ST MIAMI GARDENS 33055	Gravity Main	56 minutes	15	Land	No	Gravity main blockage due to grease.	Cleared blockage. Cleaned upstream and downstream of collection system.	No	No further action required.
519802	12/27/2022	12:50AM	NW 20 ST & NW 117 PL Sweetwater	Automatic Air Release Valve	50 minutes	10	Land	No	AARV leaking due to failure of the rolling seal assembly.	Replaced broken AARV.	No	No further action required.
519961	12/29/2022	12:09PM	3690 SW 9 TER MIAMI 33135	Gravity Main	51 minutes	5	Land	No	Gravity main blockage due to grease.	Cleared blockage. Cleaned upstream and downstream of collection system.	No	No further action required.


Table 3 - Building Backups

CCID	Date	Time	Location	Source	Est. Duration hr:min	Est. Volume gallons	Destination	Waters Of US	Cause	Immediate Fix	Long Term Fix	
											Req'd	Solution
518070	11/18/2022	17:05	105 W SHORE DR, Miami	LAT	N/A	25	BBU	No	Multiple bathroom experience BBU due to WASD clearing a gravity main blockage due to heavy grease and rags.	Cleared gravity main blockage. Cleaned upstream and downstream branches of collection system.	No	No further action required
518070	11/18/2022	17:05	111 W SHORE DR, Miami	LAT	N/A	120	BBU	No	1-1/4" galvanized pipe, a remaining accessory to the retired priming system, broken due to internal corrosion.	Vendor rendered assistance to clean and sanitized impacted areas	No	No further action required

Appendix A

Supporting Documentation for SSO Events

Supporting document for November 4, 2022, event on 14250 SW 107 Court caused by non-County Contractor



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

01/12/2023 Certified 7010 0290 0000 0788 2026

GONZALEZ & AGUIAR CORP
 11348 SW 246TH TER
 HOMESTEAD, FL 33032

Attn: YUSBEL AGUIAR RODRIGUEZ

Re: File No: JS09634 Customer No. 00038860

Expenses incurred by Miami-Dade Water & Sewer Department to repair and restore service to a damaged 10-inch ductile iron force main at 14250 SW 107th Ct. The damage occurred by Gonzalez & Aguiar Corp during excavation for Bluestreak/AT&T. The contractor was working under Sunshine State One-Call Location Ticket number #284208630. The contractor was given a response code 3W and proceeded to excavate before completing the location request. The damage created a sewer spill of 9,302 gallons of raw sewage.

Damage/Repair Date: 11/4/2022

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 30 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

7010 0290 0000 0788 2026

PLEASE RETURN TO TOP OF ENVELOPE FOR THE BEST COPY OF THE RETURN ADDRESS. SOLD SEPARATELY.

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Return Receipt Fee (Endorsement Required)							
Restricted Delivery Fee (Endorsement Required)							
Total Postage & Fees	\$						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; padding: 2px;">Sent To</td> <td style="padding: 2px;">Gonzalez & Agu. Corp</td> </tr> <tr> <td style="padding: 2px;">Street, Apt. No., or PO Box No.</td> <td style="padding: 2px;">JS09634</td> </tr> <tr> <td style="padding: 2px;">City, State, ZIP+4</td> <td style="padding: 2px;"></td> </tr> </table>		Sent To	Gonzalez & Agu. Corp	Street, Apt. No., or PO Box No.	JS09634	City, State, ZIP+4	
Sent To	Gonzalez & Agu. Corp						
Street, Apt. No., or PO Box No.	JS09634						
City, State, ZIP+4							
PS Form 3800, August 2006	See Reverse for Instructions						

Figure 1 - Notice letter to non-County Contractor

Supporting document for December 8, 2022 event on 8851 NW 150 ST.,Miami Lakes caused by non-County Contractor



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

01/17/2023 Certified 7010 0290 0000 0788 2019

RG UNDERGROUND ENGINEERING, INC.
 6271 SW 139th AVENUE
 MIAMI, FL 33183

Attn: RICARDO GONZALEZ

Re: File No: JS09600 Customer No. 00002156

Expenses incurred by Miami-Dade Water & Sewer Department to repair and restore service to a damaged 12-inch sewer force main at 8821 NW 150th St. The damage occurred while RG Underground was installing drainage for The City of Miami Lakes. It appears the contractor failed to request location clearance for this job. The damage created a sewer spill of 75 gallons of raw sewage.

Damage/Repair Date: 12/8/2022

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 30 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

7010 0290 0000 0788 2019
 PLEASE STICKER AT TOP OF ENVELOPE TO THE RIGHT
 OF THIS BARCODE. THIS IS A U.S. MAIL PRODUCT.
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 Street, Apt. No., or PO Box No.: JS09600
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

Figure 2 - Notice letter to non-County Contractor

Appendix B

Quarterly Update of Select Consent Decree Capital Improvement Projects

Appendix B

Progress Updates for Ongoing CD Capital Improvement Projects Beyond Compliance Date - 2022 Quarterly Report No. 4

No.	Date of Request/ Notification	Project No.	Project Status Update	Estimated Delay	Projected Completion Date	Compliance Date
1	6/30/2021 7/14/2021 2/25/2022	CD 1.2 SDWWTP Oxygen Production	<p>The project experienced delays during the construction phase related to the relocation of the existing duct bank due to unforeseen field conditions; and ongoing delays due to the protracted procurement and fabrication schedule of electrical gear and compressor replacement parts caused by disruptions to the manufacturing processes precipitated by the Pandemic. Specifically, in January 2022, the manufacturer/supplier for the replacement parts for Compressor No. 3 informed the County that the lead time for the fabrication and delivery of mechanical components which include bull gear, vessels, cooling system (bundles and shell) and forced lubrication system was thirty-two (32) weeks, with no opportunity to expedite. In October 2022, the new equipment and replacement parts for Compressor No. 3 were delivered to the site and installed by December 2022. The installation for the electrical wiring to Compressor No. 3 controls/power and feeder terminations of Substation No. 20 are in construction.</p> <p>The current construction percent complete is 88%</p>	475 Days	6/15/2023	2/25/2022
2	6/28/2019 1/15/2021 3/17/2021	CD 1.11 SDWWTP General Electrical	<p>The Notice to Proceed (NTP) for Child Project CD 1.11(1.2) – Generator Repairs were issued on September 22, 2021 and repair work started and in progress.</p> <p>The current construction percent complete is 48%</p>	909 Days	9/21/2023	3/26/2021
3	10/13/2020 6/14/2021	CD 2.1 CDWWTP Electrical Improvements	<p>CD 2.1(3) - Substation 9 & 10 - is currently in construction. The unforeseen field condition that required design modifications to existing low-voltage switchgear 9A and 10A continued to impact the project.</p> <p>The current construction percent complete is 99%</p>	581 Days	1/16/2023	6/14/2021
4	1/10/2020	CD 2.19 CDWWTP Co-generation Facility	<p>Construction of the Co-generation Facility was completed on October 4, 2019. However, the project's completion is contingent on sufficient biogas production from the digesters being completed as part of CD 2.15 Clusters 1 and 2 in order to perform acceptance and performance testing. Digesters Cluster 1 is undergoing acceptance testing. Construction activities for Cluster 2 are near completion.</p> <p>The current construction percent complete is 99%</p>	1166 Days	7/31/2023	5/21/2020
5	6/1/2017 3/6/2019 4/24/2020	CD 2.22 CDWWTP Master Pump Station No. 2	<p>The portion of the work performed by the Contractor achieved substantial completion on August 23, 2021. The Flowmeter work was removed from the Contractor's scope of work and will be performed by WASD Wastewater Collection and Transmission Line Division (WWCTLD). The flowmeter portion of this project has been permitted and construction is anticipated to be completed by 4/14/2023.</p> <p>The current construction percent complete is 99%</p>	1420 Days	4/14/2023	5/25/2019