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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

June 24, 2022

CCN: 64401  
File No: 8.DC.20.52

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](mailto: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](mailto: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](mailto: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](mailto: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 XI, Paragraph 52 – Delay,  
Section XVII, Paragraph 77 – Notices, Notification of Completion for Consent Decree  
Appendix D-2, Capital Improvement Project 3.6 Disinfection**

Dear Sir/Madam:

The purpose of this notification letter is to inform the United States Environmental Protection Agency (EPA) and Florida Department of Environmental Protection (FDEP) that Consent Decree (CD) Capital Improvement Project (CIP) 3.6 Disinfection at the North District Wastewater Treatment Plant (NDWWTP) was completed on March 5, 2022.

Consent Decree project description for CD 3.6 Disinfection, per CD Appendix D, includes replacement of existing chlorine gas storage, liquid chlorination and dosing system with new bulk sodium hypochlorite storage and dosing system in the existing chlorine building.

Miami-Dade County (County) electronically notified the EPA and the FDEP on April 21, 2020, and a written notification to the EPA and FDEP was submitted on May 5, 2020 notifying that the CD project 3.6 experienced delays during the execution of the construction phase including Force Majeure COVID-19 Pandemic Impacts that may impact the CD Compliance Date of September 9, 2020.

On April 9, 2020, the Contractor notified the County of potential impacts due to COVID-19. The notification covered the availability of labor (including subcontractors), professional services and materials. The timeframe between May 5, 2020 and September 9, 2020, the Contractor on this project reported four confirmed positive cases of COVID-19.

In addition, the Contractor encountered multiple unforeseen field conditions with the existing underground utilities which conflicted with the scope of work and resulted in delays. The unforeseen complexity of the Electrical and Mechanical switchover, after the new Electrical Building was built, warranted a careful more phased approach of a longer duration than anticipated during the planning and design phases of this project. The Contractor experienced delays in the switchover which was compounded by the challenges of the isolation of the underground distribution piping system.

On September 9, 2020, the County submitted a letter to provide an update on the project status and to notify the EPA and FDEP of the failure to meet the September 9, 2020 CD Compliance Date on the project.

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

ec: Anita Patel  
Senior Assistant Attorney General, Complex Litigation,  
Office of the Attorney General  
PL 01 The Capitol  
Tallahassee, FL 32399-1050  
(850) 414-3694  
[anita.patel@myfloridalegal.com](mailto:anita.patel@myfloridalegal.com)

Elizabeth Teegen  
Senior Assistant Attorney General, Complex Litigation  
Office of the Attorney General  
PL-01, The Capitol  
Tallahassee, FL 32399-1050  
850-414-3699  
[Elizabeth.Teegen@myfloridalegal.com](mailto:Elizabeth.Teegen@myfloridalegal.com)

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  
[Lisa.M.Self@dep.state.fl.us](mailto:Lisa.M.Self@dep.state.fl.us)  
[Sed.wastewater@dep.state.fl.us](mailto:Sed.wastewater@dep.state.fl.us)  
[Samantha.Cote@FloridaDEP.gov](mailto:Samantha.Cote@FloridaDEP.gov)  
[Bridjette.Bucell@FloridaDEP.gov](mailto:Bridjette.Bucell@FloridaDEP.gov)  
[Candistarr.Marti@FloridaDEP.gov](mailto:Candistarr.Marti@FloridaDEP.gov)

Madame Mayor Daniella Levine-Cava  
Miami-Dade County  
111 NW First Street 29<sup>th</sup> Floor  
Miami, Florida 33128  
[Daniella.Cava@miamidade.gov](mailto:Daniella.Cava@miamidade.gov)

Jimmy Morales, Office of the Mayor  
Miami-Dade County Chief Operations Officer  
111 NW 1st Street 29th Floor  
Miami, FL 33128  
[Jimmy.Morales2@miamidade.gov](mailto:Jimmy.Morales2@miamidade.gov)

Angela Benjamin  
Miami-Dade Assistant County Attorney  
Miami-Dade County Attorney's Office  
111 NW First Street Suite 2810  
Miami, Florida 33128  
[Angela.Benjamin@miamidade.gov](mailto:Angela.Benjamin@miamidade.gov)

Roy Coley, Director  
Miami-Dade Water and Sewer Department  
3071 SW 38<sup>th</sup> Avenue  
Miami, Florida 33146  
[Roy.Coley@miamidade.gov](mailto:Roy.Coley@miamidade.gov)

Richard Elliott, P.E., PMP  
Environmental Engineer  
Water Protection Division  
U.S. Environmental Protection Agency - Region 4  
61 Forsyth Street. S.W.  
Atlanta, GA 30303  
[Elliott.Richard@epa.gov](mailto:Elliott.Richard@epa.gov)

Paul Schwartz  
Associate Regional Counsel  
U.S. EPA, Region 4  
61 Forsyth Street, SW  
Atlanta, Georgia 30303  
[Schwartz.Paul@epa.gov](mailto:Schwartz.Paul@epa.gov)