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VIA ELECTRONIC CORRESPONDENCE

October 21, 2019

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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

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
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 – Potential Delay,
Section XVII, Paragraph 77 – Notices,
Delay Notification and Failure to Meet Compliance Date Notification for Consent
Decree Appendix D-2, Capital Improvement Project 5.1 Upgrade of Pump Station No.
0418**

In accordance with the provisions of Section XI, Paragraph 52 of the above referenced Consent Decree (CD), on October 11, 2019, Miami-Dade County (County) electronically notified the United States Environmental Protection Agency (EPA) and Florida Department of Environmental Protection (FDEP) of a Potential Delay of CD Capital Improvement Project (CIP) 5.1 Upgrade of Pump Station (PS) 0418 – at 3330 W 76th Street, Hialeah. This project experienced delays during the construction phase. This potential delay will impact the project's CD compliance date of October 22, 2019.

In accordance with Section XI, Paragraph 52, this update letter shall further describe and explain the reasons for the delay; the anticipated duration of the delay; all actions taken or to be taken to prevent or minimize the delay; a schedule for implementation of any measures to be taken to prevent or mitigate the delay or the effect of the delay; County's rationale for attributing such delay to a force majeure event if it intends to assert such a claim; a statement as to whether, in the opinion of the County, such event may cause or contribute to an endangerment to public health or the environment, and documentation to support the force majeure claim.

Explanation and description of the reasons for the delay

The CD project description is to convert the existing wet well design Pump Station 0418 into a booster pump station. The scope of this project includes the demolition and replacement of existing three pumps with new pumps and motors and associated piping together with a new room to house the new switchgear, generators and variable frequency drives (VFDs) with control panels, and installation of an accumulator system. The project scope also includes the replacement of existing built up roofing and other architectural features, fencing and landscaping.

During the construction phase, the County encountered the following delays: 1) Pump supports required modification; 2) Missing electrical connection blocks at motors; 3) Motors and pumps refurbishment needed due to damaged seals and recertification for warranties; 4) Missing temperature and vibration sensors at pump casings and bearings; 5) Installation of speed potentiometers for manual operation at the local control panel and 6) Significant issues with a water damaged generator engine.

Action taken or to be taken to prevent or minimize the delay

The County will continue to:

- Closely monitor and implement all remaining start up and testing procedures.
- Ensure that all pending integration of instrumentation and controls is completed as expediently as possible.
- Close coordination and start up meetings with Contractor and Operations to ensure all necessary measures are taken to complete the project.

Anticipated duration of the delay

Based on the information available at this time, the time impact of all these issues is estimated to be up to three (3) months and the County anticipates reaching substantial completion before January 2020. The County will be closely monitor construction progress and report any further delay to EPA and FDEP when it becomes known to the County and as required by Section XI, Paragraph 52.

Schedule for implementation of any measures to be taken to prevent or mitigate the delay or the effect of the delay

The County has already implemented all actions to minimize the delay and will continue to implement all necessary measures to bring the pump station into full service.

Cause or contribution to an endangerment to public health, welfare or the environment

Improvements performed under CD CIP 5.1 are needed to relieve pressures in the North District WWTP catchment area. There is no indication that delays in Upgrades of PS 0418 present an immediate endangerment to the public health, welfare or the environment.

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) 552-8571.

Sincerely,



Lynnette M. Ramirez P.E.

Senior Advisor, Capital Improvement Programs & Regulatory Compliance

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