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VIA ELECTRONIC CORRESPONDENCE

February 1, 2018

CCN: 61610
File No: 8.DC.52 & 77

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

Chief, Clean Water Enforcement Branch
Water Protection Division
Attn: Brad Ammons
U.S. Environmental Protection Agency, Region 4
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Ammons.Brad@epa.gov

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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 Letter for Consent Decree Appendix D-2, Capital Improvement Project 4.10
Opa-Locka Airport 48" PCCP Force Main Replacement

Dear Sir/Madam:

In accordance with the provisions of Section XI, Paragraph 52 of the above referenced Consent Decree (CD), on January 18, 2018 Miami-Dade County (County) electronically notified United States Environmental Protection Agency (EPA) and Florida Department of Environmental Protection (FDEP) of a delay of CD Capital Improvement Project (CIP) 4.10(2) Opa-Locka Airport 48" PCCP Force Main Replacement. Delays have occurred in the execution of this project during its construction phase. The January 18th email stated that due to this delay, the completion date on the contractor's project schedule exceeded the CD compliance date of January 28, 2018.

In accordance with Section XI, Paragraph 52, this notification 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; a statement as to whether, in the opinion of the County, such event may cause or contribute to an endangerment to public health, welfare or the environment.

Explanation and description of the reasons for the delay

The scope of this project includes the installation of approximately 10,900 linear feet of new 54-inch force main within the Opa-Locka Airport facility running parallel to an active runway and the connection of this force main at two locations, East and West, to existing force mains.

The CD 4.10(2) contractor, while preparing to make the final connection has encountered a situation where the East connection point is located different to that shown on existing as-built drawings and as shown on the design drawings. The connection point was found to be deeper than shown. This now conflicts with other utilities and is a more technically challenged connection than shown on the design drawings. The Contractor has been proactive, reacted quickly to the situation and is taking the steps required to adjust for this change. However, the lead time on material and engineering logistics will cause construction of the connection to take more time than allotted for in the baseline schedule.

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

The Program Management and Construction Management (PMCM) Team has met with the contractor multiple times to resolve the issues including meetings with the EOR and WASD to assist the contractor to generate an acceptable, safe and feasible connection detail.

Anticipated duration of the delay

On December 22, 2017, the County submitted to EPA and FDEP a Request for Schedule Modifications related to projects in Appendix D and E of the Consent Decree with justifications. Included in this request, is the referenced project. The requested new compliance date is October 25, 2018.

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

The County will take the following steps (in sequence) to prevent or mitigate delay or the effect of the delay:

1. Continue to meet with contractor, EOR and WASD to assist in ensuring this connection detail is not further compromised by other events.
2. Meet with the Airport authority to request extended working hours (note the current hours are limited to a short night shift window when the adjacent runway(s) are closed).

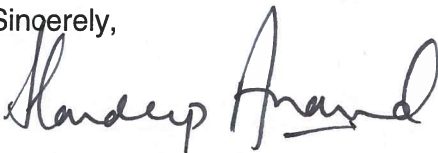
Cause or contribute to an endangerment to public health, welfare or the environment

The rehabilitation of this 48-inch force main is necessary to ensure the continued integrity of our collection system. It is the County's opinion that this delay will not present an immediate endangerment to the public health, welfare, or the environment.

Should you have any questions regarding this matter, please call me at (786) 552-8571.

I certify under penalty of law that this document was 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.

Sincerely,



Hardeep Anand, P.E., ENV SP
Deputy Director, Capital Improvement Programs & Regulatory Compliance

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