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## VIA ELECTRONIC CORRESPONDENCE

January 10, 2018

CCN: 61592  
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](mailto: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](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 VI – Specific Capital Improvement Projects, Paragraph 19(i)**  
**Section XVII, Paragraph 77 – Notices**  
**Failure to Meet Compliance Date for CD CIP 5.17 Upgrade of Pump Stations Nos. 0037, 0351, 0370 and 0403 Notification**

Dear Sir/Madam:

Pursuant to Section XI, Paragraph 52, this correspondence serves as notification of the failure to meet the final CD compliance date of December 31, 2017 for Capital Improvement Project (CIP) 5.17 Upgrade of Pump Stations Nos. 0037, 0351, 0370 and 0403.

The County notified U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection (FDEP) on December 5, 2017 of delays that have occurred during the execution of CIP 5.17 (4) Upgrade of Pump Station 0403 during its construction phase. Reasons for the delay were related to unforeseen site conditions and the County awaiting the submittal of an acceptable shoring plan from the Contractor.

On December 8, 2017, the Contractor submitted an acceptable shoring plan. The latest Project schedule update reports the final completion date to be March 28, 2018.

In addition, on Wednesday, December 27, 2017, the CIP 5.17 (3) Upgrade of Pump Station 0370 project failed the Start-up Test. It is scheduled to be re-tested on January 11, 2018.

CIP 5.17 Upgrade of Pump Stations Nos. 0037, 0351, 0370 and 0403 is projected to be completed well before the new recommended CD Project compliance date of November 20, 2018 as indicated in the County's Request for Non-material Schedule Modifications letter sent to you on December 22, 2017.

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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