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VIA ELECTRONIC CORRESPONDENCE

December 5, 2019

CCN: 62908
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 – Force Majeure,
Section XVII, Paragraph 77 – Notices,
Section VI – Specific Capital Improvement Projects, Paragraph 19(i)
Notification of Completion for Consent Decree Project 5.2 – Decommissioning of
Pump Station 0691**

 Dear Sir/Madam:

The purpose of this letter is to notify the United States Environmental Protection Agency (EPA) and Florida Department of Environmental Protection (FDEP) that Miami-Dade County (County) has completed the Consent Decree (CD) Capital Improvement Project (CIP) 5.2 – Decommissioning of Upgrade of Pump Station (PS) 0691, located at 551 SE 8th Street, Homestead on November 8, 2019.


In accordance with the provisions of Section XI, Paragraph 52 of the above referenced CD, on November 29, 2018, County notified EPA and FDEP of a Force Majeure impacting the County's ability to complete CD Capital Improvement Project (CIP) 5.2 – Decommissioning of Pump Station (PS) 0691, located at 551 SE 8th Street, Homestead, by the CD compliance date of January 27, 2019.

Background information

On February 1, 2016, the County submitted a Request for Material Change for CD CIP 5.2 to EPA and FDEP. The original CD Description for this project was to upgrade PS 0691. The modification of the scope request was based on the City of Homestead (City) designing and building a new Pump Station (PS 1) which would eliminate the need for PS 0691 to provide pumping capacity to receive the City's excess flow. On April 19, 2016, EPA and FDEP approved the request to modify the scope for CD 5.2 to "Connect the City of Homestead's PS1, once completed to the South District Wastewater Treatment Plant (SDWWTP) Transmission System and Decommission PS 0691."

The City issued Notice to Proceed in January 2017 for the Influent Pump Station Project (PS1). On February 23, 2017, the County and the City entered into a Contract where the City agreed to comply with the CD interim deadlines and compliance completion dates. However, based on the Contractor schedule dated October 25, 2018 and a site visit by the County on November 7, 2018, a Force Majeure Notification Letter dated November 29, 2018, was submitted to EPA and FDEP anticipating the decommissioning of PS 0691 to be completed by December 31, 2019.

Duration of the delay

 On January 8, 2019, the County held a Coordination Meeting with the City and their consultants to discuss the construction status for PS1. In that meeting, the City stated that they anticipated to reach substantial completion for the new influent PS by the end of March 2019.

On March 5, 2019, FDEP issued an acceptance of request for approval to place a domestic Wastewater Collection/Transmission System into Operations for the City of Homestead WWTF Influent Pump Station and Interconnection with Miami-Dade Water and Sewer Department (WASD) Transmission System. On March 22, 2019, the City obtained the RER-DERM Certification of Completion for the Domestic Wastewater Collection/Transmission System associated with the new PS1.

In April 2019, the City PS1 project reached substantial completion. The excess flows from the City would continue to be directed through PS 0691 pending the installation and acceptance of the new flowmeter installation. Soon after, the County held an internal Decommissioning of PS 0691 meeting with Operational Divisions to identify the sequencing and action plan for the decommissioning.


On May 13, 2019, the County and City held a coordination meeting to discuss the flowmeter installation, pending the final inspections and start up schedule. Multiple County inspections were held in June and July of 2019. In September 2019, the City requested start-up and final inspection for the flowmeter installation which was performed on October 4, 2019. Associated documentation was submitted in the following weeks to allow the flowmeter to be placed in service officially.

On November 8, 2019, the County closed the isolation valves on the gravity main that connected the City's facilities to PS 0691. Resulting in the County's PS 0691 no longer serving the City and being decommissioned.

On November 15, 2019, the County formally notified the City that, in accordance with their Contract, PS 0691 located at 551 SE 8th Street, Homestead had been retired. On November 20, 2019, the County's Water and Sewer Department (WASD) notified RER-DERM of the decommissioning of PS 0691 and requested that this pump station be removed from the County's Water and Wastewater Certification database.

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

There is no indication that delays in Decommissioning of PS 0691 presented 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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