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VIA ELECTRONIC CORRESPONDENCE

June 2, 2022

CCN: 64376
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
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ammons.Brad@epa.gov

Rachael Amy Kamons
Environmental Enforcement Section
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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 – Delay,
Section XVII, Paragraph 77 – Notices, Notification of Completion for Consent Decree
Appendix D-2, Capital Improvement Project 1.5 Effluent Pump Station**

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) 1.5 Effluent Pump Station at the South District Wastewater Treatment Plant (SDWWTP) was completed on April 21, 2022. A copy of the Substantial Completion Inspection Form is provided as an Attachment.

Consent Decree project description for CD 1.5 Effluent Pump Station, per CD Appendix D, was an upgrade of the existing obsolete pump control systems, upgrade of the pumps drives and

motors, and structural rehabilitation of pump station wet well, i.e., chambers 1 through 4. This project was split into three separate child/sub projects which are summarized in the table below.

Table 1 - CD 1.5 Child/Sub Projects

Project	Description	Completion Date
1.5(1)	Effluent Pump Station Wet Well Rehabilitation	5/26/2020
1.5(2)	Effluent Pump Station Building Improvements & Pumps 1 through 6 Equipment	4/21/2022
1.5(3)	Effluent Pump Station Electrical Equipment Pumps 7 through 9	1/23/2016

Miami-Dade County (County) electronically notified the United States Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection (FDEP) on October 15, 2021 and a written notification to the EPA and FDEP was submitted on October 29, 2021 notifying that the CD project 1.5 (2) experienced delays during the construction phase that may impact the CD Compliance Date of April 7, 2022.

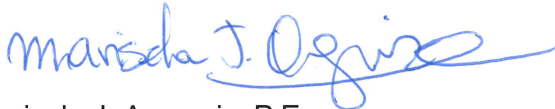
These delays were primarily due to Force Majeure circumstances due to a COVID-19 outbreak at the rebar manufacturer/supplier that forced a shut-down at the factory, and impacted the Contractors schedule by a 14-day delay. In addition, the overhead crane used for the installation of the 900 HP pump motors malfunctioned and the crane required replacement parts. The COVID -19 pandemic also caused delays in the County's ability to self-procure equipment parts, and supply chain disruptions further exacerbated delays in delivery of the crane's replacement parts with a 42-day delay. The Force Majeure Delays listed above impacted the completion of the project and resulted in a 14-day delay that exceeded the CD Compliance Date of April 7, 2022.

On April 7, 2022, the County submitted a Request for Time Extension and Project Status Update Notification letter to the EPA and FDEP requesting a time extension until May 16, 2022. The continued efforts and actions performed by the County to mitigate the duration of the delay resulted in the project being completed on April 21, 2022.

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

Attachment: Substantial Completion Inspection Form for CD CIP 1.5

ec: Anita Patel
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Miami Dade Water and Sewer
Department
3071 SW 38th Avenue
Miami, FL 33146

SUBSTANTIAL COMPLETION INSPECTION

Date of Inspection: 04/21/2022 Re-Inspection No: N/A

Project Information

Project No. : CD 1.05(2) Project Name: Effluent Pump Station 1 – for Pumps 1 Through 6 Electrical Improvements
ER#: S049505
Project Location: SDWWTP Contractor's Name Poole & Kent Company of Florida

Representation

Miami-Dade County Andres McEwen, Jorge Orozco (Inspector, Const. Manager)
User Agency: Miami-Dade Water and Sewer Department
Contractor: Poole & Kent Company of Florida

Inspection

Based on the request of the Contractor a substantial completion inspection was conducted, which resulted in the following:

- No punch list created. By signing below the County acknowledges that the work has been performed in accordance with the contract and specification requirements. This form shall serve as the Notice of Final Acceptance. Project Close Out and final payment is subject to the submittal of all required documentation.
- The preliminary punch list items as stated on the preliminary punch list form are of a nature that will allow beneficial occupancy on the premises and the final punch list will be issued after acceptance and performance testing are completed, subject to the re-inspection by the County. By signing below the County acknowledges that the work has been performed in accordance with the contract and specification requirements to the extent possible without Biogas availability. This form shall serve as a partial acceptance and notification of substantial completion. Final Acceptance shall be issued subsequent to completion and re-inspection of the punch list items and acceptance and performance testing. Project Close Out and final payment is subject to the final punch list re-inspection and the submittal of all required documentation.
- The punch list items listed are of a nature that precludes beneficial occupancy of the premises. Substantial completion is denied at this time. Items on the punch list must be completed and the Contractor must request another Substantial Completion Inspection.

All punch list items must be completed on or before the mutually agreed upon date of 07/20/2022

WWTP: 1.05(2) Was Placed in Service/Start-Up/Substantial Complete on: 04/21/2022

Contractor
Accepted By: Chris Reid
Poole and Kent EL 5/5/22
Contractor Signature Date

CD Construction Manager (CM)
Recommended By:
Jorge Orozco Jorge Orozco 5/16/2022
CD Construction Manager (CM) Signature Date

Engineer of Record
Approved By:
Antonio R. Inojal A.R. Inojal 5/13/2022
EoR Signature Date

CD CM Operations Manager
Approved By:
Aric Barto Aric Barto 5/9/22
CD CM Operations Manager Signature Date



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SUBSTANTIAL COMPLETION INSPECTION

Date of Inspection: 04/21/2022 Re-Inspection No: N/A

Project Information

Project No. : CD 1.05(2) Project Name: Effluent Pump Station 1 – for Pumps 1
Through 6 Electrical Improvements

ER#: S049505

Project Location: SDWWTP Contractor's Name Poole & Kent Company of Florida

WASD SDWWTP Chief Plant Operator

Approved By:
Leo Pou

[Signature] 5/25/2022
WASD Chief Plant Ops. Signature Date

WASD CD Senior Program Manager

Approved By:

[Signature] 5/26/2022
WASD CD Senior Program Manager Signature Date
For Daniel Lizarazu