



miamidade.gov

**Water and Sewer**  
PO Box 330316 • 3071 SW 38 Avenue  
Miami, Florida 33233-0316  
T 305-665-7471

**VIA ELECTRONIC CORRESPONDENCE**

May 22, 2015

CCN: 59389  
File No: 8.DC.20.19 & 10

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  
[Walter.Benjamin.Fisherow@usdoj.gov](mailto:Walter.Benjamin.Fisherow@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](mailto:Ammons.Brad@epa.gov)

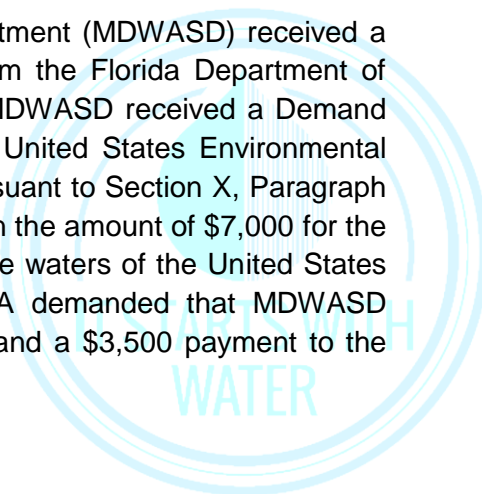
Rachael Amy Kamons  
Environmental Enforcement Section  
U.S. Department of Justice  
P.O. Box 7611  
Ben Franklin Station  
Washington, D.C. 20044-7611  
[Rachael.Kamons@usdoj.gov](mailto:Rachael.Kamons@usdoj.gov)

Florida Department of Environmental Protection  
Southeast District – Suite 200  
400 N. Congress Ave.  
West Palm Beach, FL 33401  
Attn: Compliance/Enforcement Section  
[Diane.Pupa@dep.state.fl.us](mailto:Diane.Pupa@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 X, Paragraphs 42(a), 44 and 46 – Stipulated Penalties and Order Modifying  
Section X (Document 156)**

Dear Sir/Madam:

On April 29, 2015, Miami-Dade County Water and Sewer Department (MDWASD) received a Demand for Stipulated Penalties letter dated April 29, 2015 from the Florida Department of Environmental Protection (FDEP). In addition, on May 6, 2015 MDWASD received a Demand for Stipulated Penalties letter dated April 30, 2015 sent by the United States Environmental Protection Agency (EPA). EPA assessed stipulated penalties pursuant to Section X, Paragraph 42.(a) and the Order Modifying Section X of the Consent Decree in the amount of \$7,000 for the seven (7) Sanitary Sewer Overflow (SSO) events that reached the waters of the United States between April 9, and December 31, 2014. As requested, EPA demanded that MDWASD disburse a \$3,500 payment to EPA via electronic fund transfer and a \$3,500 payment to the



FDEP. In accordance with Section X, Paragraph 44 and 46 of the above-referenced Consent Decree, MDWASD is required to submit proof of payment within thirty (30) days of the written demand for the stipulated penalties. Please find copies of the EFT authorization form, EFT transaction record and check to FDEP attached below.

Should you have any questions regarding this matter, please call me at (786) 552-8200.

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.

Sincerely,



Juan Carlos Arteaga, AIA, NCARB, CBO, APA  
Deputy Director, Water and Sewer Department

Attachments: Copy of EFT authorization form and EFT transaction record and copy of check to FDEP

ec: Jonathan A. Glogau  
Special Counsel  
Chief, Complex Litigation  
Office of the Attorney General  
PL-01, The Capitol  
Tallahassee, FL 32399-1050  
850-414-3817  
[Jon.Glogau@myfloridalegal.com](mailto:Jon.Glogau@myfloridalegal.com)

Florida Department of Environmental Protection  
Southeast District – Suite 200  
400 N. Congress Ave.  
West Palm Beach, FL 33401  
Attn: Compliance/Enforcement Section

[Linda.Brien@dep.state.fl.us](mailto:Linda.Brien@dep.state.fl.us)  
[Lisa.M.Self@dep.state.fl.us](mailto:Lisa.M.Self@dep.state.fl.us)  
[Sed.wastewater@dep.state.fl.us](mailto:Sed.wastewater@dep.state.fl.us)

Mayor Carlos A. Gimenez  
Miami-Dade County  
111 NW First Street 29<sup>th</sup> Floor  
Miami, Florida 33128

Lester Sola, Director  
Miami-Dade Water and Sewer Department  
3071 SW 38<sup>th</sup> Avenue  
Miami, Florida 33146

Jack Osterholt  
Director, Miami-Dade Regulatory and  
Economic Resources  
111 NW 1st St 29th Floor  
Miami, FL 33128  
[Josterholt@miamidade.gov](mailto:Josterholt@miamidade.gov)

Robert A. Cuevas, Jr.  
Miami-Dade County Attorney  
111 NW First Street Suite 2810  
Miami, Florida 33128

William Bush  
Associate Regional Counsel  
U.S. EPA, Region 4  
61 Forsyth Street, SW  
Atlanta, Georgia 30303  
[Bush.William@epa.gov](mailto:Bush.William@epa.gov)

William A. Weinischke  
Senior Trial Attorney  
Environmental Enforcement Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
P.O. Box 7611  
Washington, D.C. 20044  
[Bill.Weinischke@usdoj.gov](mailto:Bill.Weinischke@usdoj.gov)



Custom  
 05/12/2015 09:54 AM ET  
**CUSTOMER ID:** MDWAT419  
**OPERATOR ID:** MDADMIN2  
**Commercial Electronic Office®**

**MD-WATER**

Wire Transfer Detail Report  
 As of 05/11/2015

Treasury Information Reporting

**Currency:** USD  
**Bank:** 121000248  
**Account:** 2696206503470(FL)

**WELLS FARGO BANK, N.A.**  
**POOLED CASH FUND**

Debit Wire Amount	Process Date Time	To:	Corresponding Bank:	Status
3,500.00	05/11/2015 02:36 PM CT	FEDWIRE TREAS NYC FUNDS TRANSFER DIVISION DEPARTMENT OF JUSTICE 15030001	N/A	COMPLETE

Wire Service Reference Number:  
**051111B7031R036330**

Wells Message Number:  
**150511120224**

PC Reference/Confirmation Number:  
**000007735**

Value Date:  
**05/11/2015**

Wire Type:  
**495**

Wire Amount:  
**3,500.00**

Transaction Reference Number:  
**150511120224**

USD Equivalent Amount:  
**3,500.00**

Originator ID:  
**N/A**

Originator Name and Address:  
**MIAMI DADE COUNTY  
 111 NW FIRST ST.  
 SUITE 2610  
 MIAMI, FL 33128 US**

Instructing Bank Code/ID:  
**N/A**

Instructing Bank Name and Address:  
**N/A**

Sending Party ID:  
**002696206503470**

Sending Party Name and Address:  
**MIAMI DADE WATER & SEWER DEPT  
 ATTN ILEANA LILLO  
 3071 SW 38TH AVE 5TH FL  
 MIAMI FL 33146-1520**

Bank to Bank Info:  
**N/A**

Beneficiary Bank Code/ID:  
**N/A**

Beneficiary Bank Name and Address:  
**TREAS NYC FUNDS TRANSFER DIVISION  
 NEW YORK  
 NY**

Originator to Beneficiary Info:  
**N/A**

Text:

**021030004 TREAS NYC/FUNDS TRANSFER DIVISION NEW YORK NY . IN15051112351232 ORG=MIAMI DADE COUNTY 111 NW FIRST ST. SUITE 2610 MIAMI, FL 33128 US RFB=000007735 /FTR/ BBK=TREAS NYC FUNDS TRANSFER DIVISION NEW YORK NY BNF=15030001 DEPARTMENT OF JUSTICE COMPLETED TIMESTAMP 05/11/2015 02:36 PM CT**

Instructed Currency/Amount:  
**USD/3,500.00**

Exchange Rate:  
**1.000000**

Fed/CHIPS/SWIFT Reference Number:  
**051111B7031R036330**

Completed Timestamp:  
**05/11/2015 02:36 PM CT**

Sender Reference Number:  
**IN15051112351232**

Originating Bank Code/ID:  
**N/A**

Originating Bank Name and Address:  
**N/A**

Receiving Party ID:  
**021030004**

Receiving Party Name and Address:  
**TREAS NYC/FUNDS TRANSFER DIVISION  
 NEW YORK NY**

Intermediary Bank Code/ID:  
**N/A**

Intermediary Bank Name and Address:  
**N/A**

Beneficiary Code/ID:  
**N/A**

Beneficiary Reference ID:  
**15030001**

Beneficiary Name and Address:  
**DEPARTMENT OF JUSTICE**



Custom  
05/12/2015 09:54 AM ET  
CUSTOMER ID: MDWAT419  
OPERATOR ID: MDADMIN2  
Commercial Electronic Office®

MD-WATER

Wire Transfer Detail Report  
As of 05/11/2015

Treasury Information Reporting

Currency: USD  
Bank: 121000248  
Account: 2696206503470(FL)

WELLS FARGO BANK, N.A.  
POOLED CASH FUND

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-3,500.00 Account Net Total  
-3,500.00 Net Total For Bank 121000248 (USD)  
-3,500.00 Net Grand Total For Currency (USD)

---- END OF REPORT ----

MIAMI-DADE WATER AND SEWER DEPARTMENT  
 POOLED CASH ACCOUNT  
 P.O. BOX 330316 MIAMI, FL 33233-0316

Check Date: 05/19/2015		Vendor Name: STATE OF FLORIDA			Check Number: 00582712		
Invoice Number	Invoice Date	Voucher ID	Gross Amount	Insp Gen Fee	Payment Deductions		Paid Amount
					User Access Fee	Discount	
1:12-CV-24400-FAM4/29	4/29/2015	DP47676	3,500.00	0.00	0.00	0.00	3,500.00

Payment to Florida Department of Environmental Protection of \$3,500.00 as per USEPA, May 6, 2015, Demand for Stipulated Penalties letter.

**NEW! Direct Deposit, visit [www.miamidade.gov/water/vendor-deposit.asp](http://www.miamidade.gov/water/vendor-deposit.asp)**  
 The attached check represents the amount due you as shown on our records.  
 For additional information, contact (305) 665-7471

Check Number	Date	Total Gross Amount	Total Insp Gen Fee	Total User Access Fee	Total Discount	Total Paid Amount
00582712	5/19/2015	\$3,500.00	\$0.00	\$0.00	\$0.00	\$3,500.00

THIS CHECK HAS A VOID PANTOGRAPH ON THE FACE AND A SECURITY WATERMARK ON THE BACK - HOLD AT AN ANGLE TO VIEW.



# Miami-Dade County, Florida

MIAMI-DADE WATER AND SEWER DEPARTMENT  
 POOLED CASH ACCOUNT

00582712

11-0024/1210

Date 05/19/2015

VOID AFTER SIX MONTHS

WELLS FARGO BANK, N.A.  
 MIAMI, FL 33131

Pay Exactly

\*\*\*\*THREE THOUSAND FIVE HUNDRED AND XX / 100 DOLLAR\*\*\*\*

Pay Amount

\$3,500.00\*\*\*

To The Order Of

STATE OF FLORIDA  
 DEPT OF ENVIRONMENTAL PROTECTION  
 400 NORTH CONGRESS AVE  
 SUITE 200  
 WEST PALM BEACH, FL 33401



Memo: United States et al. v. Miami-Dade County - Case No. 1:12-cv-24400-FAM "Ecosystems Management and Restoration Trust Fund."

⑈00582712⑈ ⑆121000248⑆ 2696206503470⑈