



miamidade.gov

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

VIA ELECTRONIC CORRESPONDENCE

June 10, 2019

CERTIFIED: 7010 0290 0000 0784 8350  
RETURN RECEIPT  
CCN: 62624  
File No: 8.DC.20.42

Florida Department of Environmental Protection  
Southeast District  
3301 Gun Club Road  
MSC 7210-1  
West Palm Beach, Florida 33406  
Attn: Compliance Assurance Program  
[SED.Wastewater@dep.state.fl.us](mailto:SED.Wastewater@dep.state.fl.us)

RE: Consent Decree (Case: No. 1 :12-cv-24400-FAM)  
Reference DOJ Case No. 90-5-1-1-402211  
Section X, Paragraph 42(a)-Stipulated Penalties and Order Modifying Section X  
(Document 156)

Dear Sir/Madam:

On May 28, 2019, Miami-Dade Water and Sewer Department (WASD) received a Demand for Stipulated Penalties letter dated May 22, 2019 from the U.S. Environmental Protection Agency (EPA) Region 4 assessing stipulated penalties pursuant to Section X, Paragraph 42(a) and the *Order Modifying Section X of the Consent Decree (Document 156)* in the amount of \$22,000 for thirteen (13) Sanitary Sewer Overflow (SSO) events that reached the waters of the United States during the months of January 2017 through December 2018.

The letter indicated that the EPA received confirmation from the Florida Department of Environmental Protection (FDEP) that it has elected to join in on this demand pursuant to Paragraph 44 of the Consent Decree. As a result, and in accordance with Paragraph 44 of the Consent Decree, Miami-Dade shall pay, within 30 days of receipt of this letter, \$11,000 (50%) of the stipulated penalty to the United States and \$11,000 (50%) of the stipulated penalty to the FDEP for a total stipulated penalty amount of \$22,000.

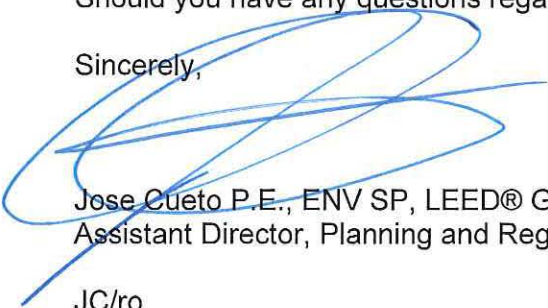
In accordance with the provisions of the above referenced Consent Decree, on behalf of Miami-Dade County, the WASD submits Check No. 00702438, payable to "State of Florida Department of Environmental Protection" as payment for \$11,000 of the stipulated penalty as indicated.

L19079FDEP-PaymentStipulatedPenalties

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) 552-8884.

Sincerely,



Jose Cueto P.E., ENV SP, LEED® Green Associate  
Assistant Director, Planning and Regulatory Compliance

JC/ro

Attachment: Stipulated Penalty Payment Check

ec: 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)

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)

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:Kamons@usdoj.gov)

Payment of Stipulated Penalties Transmittal Letter  
June 10, 2019  
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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  
3301 Gun Club Road  
West Palm Beach, FL 33406  
Attn: Compliance Assurance Section  
[Lisa.M.Self@dep.state.fl.us](mailto:Lisa.M.Self@dep.state.fl.us)

Director, Miami-Dade Regulatory and  
Economic Resources  
[JOsterholt@miamidade.gov](mailto:JOsterholt@miamidade.gov)  
[HeftyL@miamidade.gov](mailto:HeftyL@miamidade.gov)  
[IstamR@miamidade.gov](mailto:IstamR@miamidade.gov)

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

Check Date: 06/04/2019		Vendor Name: STATE OF FLORIDA			Check Number: 00702438		
Invoice Number	Invoice Date	Voucher ID	Gross Amount	Payment Deductions			Paid Amount
				Insp Gen Fee	User Access Fee	Discount	
1:12-CV-24400-FAM	05/30/2019	DP53464	11,000.00	0.00	0.00	0.00	11,000.00

Payment to State of Florida Department of Environmental Protection (FDEP) of \$11,000.00 as per USEPA, May 22, 2019; Consent Decree No. 1: 12-cv-24400-FAM; Demand for Stipulated Penalties letter for SSO events for the months January 2017 through December 2018 reaching the surface waters of the United States.

**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
00702438	06/04/2019	\$11,000.00	\$0.00	\$0.00	\$0.00	\$11,000.00

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

00702438

11-24/1210

Date 06/04/2019

VOID AFTER SIX MONTHS

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

Pay Exactly \*\*ELEVEN THOUSAND AND XX/100 DOLLAR\*\*

Pay Amount **\$11,000.00\*\***

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."

⑈00 70 24 38⑈ ⑆1 2 1000 248⑆ 26 96 20 65 03 4 70⑈