



miamidade.gov

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

VIA ELECTRONIC CORRESPONDENCE

July 20, 2022

Certified Mail: 7008 1830 0002 9478 6339
CCN: 64436
File No: 8.DC.20.42

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
U.S. Department of Justice
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 20044-7611
Rachael.Kamons@usdoj.gov

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 X, Paragraph 42(a) - Stipulated Penalties and Order Modifying Section X
(Document 156)
Payment of Amended Demand for Stipulated Penalties (SSO) 2019-2020**

Dear Sir or Madam:

Miami-Dade County (County) received the Amended Demand for Stipulated Penalties dated June 23, 2022, stating that the United States Environmental Protection Agency (EPA) and Florida Department of Environmental Protection (FDEP) were 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 \$77,000. There were twenty-two (22) Sanitary Sewer Overflows (SSO) that reached the waters of the United States between January 1, 2019, and December 31, 2020. EPA waived the stipulated penalty for one (1) SSO due to the event being caused by a third-party contractor. The stipulated penalties for the remaining twenty-one (21) Sanitary Sewer Overflow (SSO) events amounted to \$77,000.

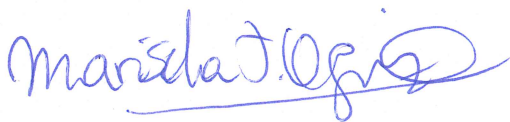
In accordance with the provisions of Paragraph 44 of the above referenced Consent Decree (CD), the County shall pay the stipulated penalties within 30 days of receipt of the aforementioned Amended Demand for Stipulated Penalties letter to EPA and FDEP. The County paid \$38,500 (50%) of the stipulated penalty to EPA and \$38,500 (50%) of the stipulated penalty to FDEP for a total amount of \$77,000. As required, the County has disbursed \$38,500 payment via electronic fund transfer (EFT) to EPA and a \$38,500 payment via check to the FDEP.

In accordance with Section X, Paragraph 44 and 46 of the above referenced CD, the County 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 transaction records and a copy of the check to FDEP attached herein.

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 Aranguiz, P.E., Deputy Director
Miami-Dade Water and Sewer Department

Attachments: Copy of the EFT Transaction Record and Copy of the Check to FDEP

ec: Anita Patel
Senior Assistant Attorney General, Complex Litigation,
Office of the Attorney General
PL 01 The Capitol
Tallahassee, FL 32399-1050
(850) 414-3694
anita.patel@myfloridalegal.com

Elizabeth Teegen
Chief Assistant Attorney General, Complex Litigation
Office of the Attorney General
PL-01, The Capitol
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850-414-3808
Elizabeth.Teegen@myfloridalegal.com

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
Lisa.M.Self@dep.state.fl.us
Sed.wastewater@dep.state.fl.us
Bridjette.Bucell@FloridaDEP.gov
Candistarr.Marti@FloridaDEP.gov
Samantha.Cote@FloridaDEP.gov

Madame Mayor Daniella Levine-Cava
Miami-Dade County
111 NW First Street 29th Floor
Miami, Florida 33128
Daniella.Cava@miamidade.gov

Jimmy Morales, Office of the Mayor
Miami-Dade County Chief Operations Officer
111 NW 1st Street 29th Floor
Miami, FL 33128
Jimmy.Morales2@miamidade.gov

Angela Benjamin
Miami-Dade Assistant County Attorney
Miami-Dade County Attorney's Office
111 NW First Street Suite 2810
Miami, Florida 33128
Angela.Benjamin@miamidade.gov

Roy Coley, Director
Miami-Dade Water and Sewer Department
3071 SW 38th Avenue
Miami, Florida 33146
RoyColey@miamidade.gov

Richard Elliott, P.E., PMP
Environmental Engineer
Water Protection Division
U.S. Environmental Protection Agency - Region 4
61 Forsyth Street. S.W.
Atlanta, GA 30303
Elliott.Richard@epa.gov

Paul Schwartz
Associate Regional Counsel
U.S. EPA, Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303
Schwartz.Paul@epa.gov



Wire Transfer Detail Report

Custom

As of 06/30/2022

Company: MD-WATER

User: FRANK BENITEZ

06/30/2022 02:21 PM ET

Commercial Electronic Office®

Treasury Information Reporting

Currency: USD

Bank: 121000248

Account: 2696206503470(FL)

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

Debit Wire Amount	Process Date Time	To:	Corresponding Bank:	Status
38,500.00	06/30/2022 12:12 PM CT	FEDWIRE N/A DEPARTMENT OF JUSTICE 15030001	N/A	COMPLETE

Wire Service Reference Number:

063011B7033R016252

Wells Message Number:

220630186217

Confirmation Number:

25887

Value Date:

06/30/2022

Wire Type:

495

Wire Amount:

38,500.00

Transaction Reference Number:

220630186217

USD Equivalent Amount:

38,500.00

Originator ID:

2696206503470

Originator Name and Address:

MIAMI DADE WATER & SEWER DEPT

ATTN: FRANK BENITEZ OR CARIDAD ESTE

3071 SW 38TH AVE 5TH FL

MIAMI FL 33146 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:

N/A

Originator to Beneficiary Info:

MDC #2014A40899 DOJ#90-5-1-1-4022/1

Text:

**021030004 TREAS NYC/FUNDS TRANSFER DIVISION NEW YORK NY . GW00000051688797 ORG=MIAMI DADE WATER & SEWER DEPT
ATTN: FRANK BENITEZ OR CARIDAD ESTE 3071 SW 38TH AVE 5TH FL MIAMI FL 33146 US RFB=25887 OBI=MDC #2014A40899 DOJ#90-5-1-1-4022/1 OPI=2696206503470 /FTR/ BNF=15030001 DEPARTMENT OF JUSTICE COMPLETED TIMESTAMP 06/30/2022 11:58 AM CT**

-38,500.00 Account Net Total

-38,500.00 Net Total For Bank 121000248 (USD)

-38,500.00 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: 06/30/2022		Vendor Name: STATE OF FLORIDA		Check Number: 00773837			
Invoice Number	Invoice Date	Voucher ID	Gross Amount	Payment Deductions			Paid Amount
				Insp Gen Fee	User Access Fee	Discount	
1:12-cv-24400-FAM- EVENT#444558	06/29/2022	DP60212	38,500.00	0.00	0.00	0.00	38,500.00

Payment to State of Florida Department of Environmental Protection (FDEP) of the \$38,500.00 as per the EPA and FDEP June 23, 2022; Consent Decree No.: 1:12-cv-24400-FAM; OGC File No.:10-1941 Amended Demand for Stipulated Penalties for SSO events of 1,000 gallons or more for the months of January 2019 through December 2020 that reached waters of the United States during this period.

NEW! Direct Deposit, visit 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
00773837	06/30/2022	\$38,500.00	\$0.00	\$0.00	\$0.00	\$38,500.00

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

00773837

11-24/1210

Date 06/30/2022

VOID AFTER SIX MONTHS

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

Pay Exactly

THIRTY-EIGHT THOUSAND FIVE HUNDRED AND XX/100 DOLLAR

Pay Amount **\$38,500.00****

To The Order Of

STATE OF FLORIDA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 2600 BLAIR STONE ROAD
 TALLAHASSEE, FL 32399-2400



Memo: Florida Department of Environmental Protection OGC File Number 10-1941 "Water Quality Assurance Trust Fund."

⑈00773837⑈ ⑆121000248⑆ 2696206503470⑈