

Daniella Levine Cava, Mayor

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

miamidade.gov

November 26, 2024

VIA ELECTRONIC CORRESPONDENCE

Certified Mail: 7017 1000 0000 0814 8373

CCN: 65626

File No: 8.DC.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

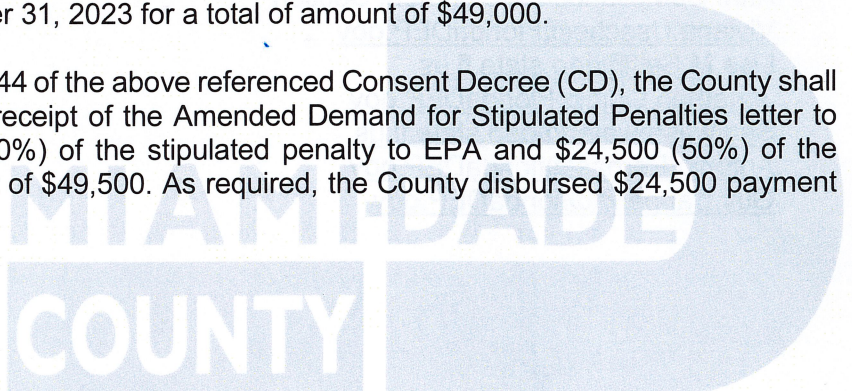
Florida Department of Environmental Protection
Southeast District – West Palm Beach
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
Attn: Compliance/Enforcement Section
Sirena.Davila@dep.state.fl.us

**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)
Payment of Amended Demand for Stipulated Penalties (SSO) 2021-2023**

Dear Sir or Madam:

Miami-Dade County (County) received the Amended Demand for Stipulated Penalties letter dated October 28, 2024, stating that the United States Environmental Protection Agency (EPA) and the 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 \$49,000. EPA and FDEP assessed penalties for twenty-eight (28) Sanitary Sewer Overflows (SSO) that reached the waters of the United States between January 1, 2021, and December 31, 2023 for a total of amount of \$49,000.

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 Amended Demand for Stipulated Penalties letter to EPA and FDEP. The County paid \$24,500 (50%) of the stipulated penalty to EPA and \$24,500 (50%) of the stipulated penalty to FDEP for the total amount of \$49,500. As required, the County disbursed \$24,500 payment



November 25, 2024

Page 2

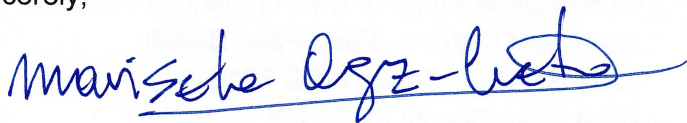
via electronic fund transfer (EFT) to EPA and a \$24,500 payment via check to the FDEP. The Check was sent via certified mail.

In accordance with Section X, Paragraphs 44 and 46 of the CD, the County is required to submit proof of payment within thirty (30) days of the written demand for 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 J. Aranguiz-Cueto, P.E.
Deputy Director
Miami-Dade Water and Sewer Department

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
Tallahassee, FL 32399-1050
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
Viviana.Useche@FloridaDEP.gov
Lisa.M.Self@dep.state.fl.us
Jonathan.Odjo@FloridaDEP.gov
Sed.wastewater@dep.state.fl.us
Antonio.Pernas@floridaDEP.gov
Guy.Cappello@floridaDEP.gov

Jairo Castillo-Valenzuela
Andrew Gunderson
Wastewater Enforcement Section
Water Enforcement Branch
Enforcement & Compliance Assurance
Division
USEPA Region 461 Forsyth Street S.W.
Atlanta, GA 30303
Castillo.Jairo@epa.gov
gunderson.andrew@epa.gov

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

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

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

Amanda Kinnick (WASD)
Billie Jo McCarley (WASD)
Catalina Lopez-Velandia (WASD)
Frances G. Morris (WASD)
James B. Ferguson (WASD)
Juan Curiel (WASD)
Francois Saint-Phard (WASD)
Miguel Jimenez (WASD)
Carlos A. Castro (WASD)
Rolando Roque (WASD)
Ana Caveda (WASD)
Rebecca Dahdah Diaz (WASD)
Cynthia Doyon (WASD)
Jose Ortega (CAO)
Katherine Sanchez (CAO)
Rashid Istambouli (RER-DERM)
Galo Pacheco (RER-DERM)
Oscar Aguirre (RER-DERM)
Roger Williams (CD PMCM)



Wire Transfer Detail Report

Custom

As of 11/22/2024

Company: MD-WATER
User: FRANK BENITEZ

11/22/2024 01:36 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
24,500.00	11/22/2024 07:49 AM CT	FEDWIRE N/A DEPARTMENT OF JUSTICE 15030001	N/A	COMPLETE

Wire Service Reference Number:
112211B7031R015347

Wells Message Number:
241122044726

Confirmation Number:
31028

Value Date:
11/22/2024

Wire Type:
495

Wire Amount:
24,500.00

Transaction Reference Number:
241122044726

USD Equivalent Amount:
24,500.00

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:
ABA TREAS NYC CTR

Text:
021030004 TREAS NYC/FUNDS TRANSFER DIVISION WASHINGTON, DC US GW00000072198882 ORG=MIAMI DADEWATER & SEWER DEPT ATTN: FRANK BENITEZ OR CARIDAD ESTE 3071 SW 38TH AVE 5TH FL MIAMI FL 33146US RFB=31028 OBI=ABA TREAS NYC CTR OPI=2696206503470 /FTR/ BNF=15030001 DEPARTMENT OF JUSTICE COMPLETED TIMESTAMP 11/22/2024 07:49 AM CT

-24,500.00 Account Net Total
-24,500.00 Net Total For Bank 121000248 (USD)
-24,500.00 Net Grand Total For Currency (USD)



Wire Transfer Detail Report

Custom

As of 11/22/2024

Company: MD-WATER

User: FRANK BENITEZ

11/22/2024 01:36 PM ET

Commercial Electronic Office®

Treasury Information Reporting

--- END OF REPORT ---

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

Check Date: 11/19/2024		Vendor Name: STATE OF FLORIDA			Check Number: 00824709		
Invoice Number	Invoice Date	Voucher ID	Gross Amount	Payment Deductions			Paid Amount
				Insp Gen Fee	User Access Fee	Discount	
50% Stipulated Penalty FDEP	10/28/2024	DP61954	24,500.00	0.00	0.00	0.00	24,500.00

Payment to State of Florida Department of Environmental Protection (FDEP) of the \$24,500.00 as per the EPA and FDEP October 28, 2024, Consent Decree No.:1:12-cv-24400-FAM; Reference DOJ Case No. 90-5-1-1-4022/1. Amended Demand for Stipulated Penalties for SSO events of 1,000 gallons or more for the months of January 1, 2021, through December 31, 2023 that may have 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
00824709	11/19/2024	\$24,500.00	\$0.00	\$0.00	\$0.00	\$24,500.00

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

00824709

11-24/1210

Date 11/19/2024

VOID AFTER SIX MONTHS

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

Pay Exactly

****TWENTY-FOUR THOUSAND FIVE HUNDRED AND XX/100 DOLLAR****

Pay Amount

\$24,500.00**

To The Order Of

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



[Signature]
 CHAIRMAN

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

⑈008 24 709⑈ ⑆1 2 1000 248⑆ 2696 206 5034 70⑈