



miamidade.gov

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

**VIA ELECTRONIC CORRESPONDENCE
CERTIFIED MAIL: 7010 0290 0000 0784 8510**

June 7, 2021

CCN: 63876
File No: 8.DC.42

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

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, Paragraphs 42(a), 44 and 46 – Stipulated Penalties and Order Modifying
Section X (Document 156)**

Dear Sir/Madam:

On April 20, 2021, Miami-Dade County (County) received a Demand for Stipulated Penalties letter from the Florida Department of Environmental Protection (FDEP). County Quarterly Reports submitted to EPA and FDEP pursuant Section IX, Paragraph 32 of the Consent Decree (CD) between January 1, 2020 and December 31, 2020 included (21) twenty-one Sanitary Sewer Overflows (SSOs) of 1,000 gallons or more that did not reach waters of the United States. FDEP assessed stipulated penalties pursuant to Section X, Subparagraphs 42.(a)(i) through (v) and the Order Modifying Section X (Document 156) of the CD in the amount of \$83,500 for these (21) twenty-one (21) SSO events that did not reach waters of the United States and were subject to stipulated penalties.

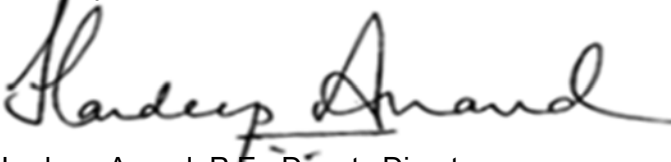
On June 2, 2021, FDEP granted the County a time-extension for the payment of the stipulated penalties to June 12, 2021 due revisions made to the original letter. As required, the County disbursed an \$83,500 check to the FDEP and will be sent via certified mail. Please find a copy of the check to FDEP attached herein.

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 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) 552-8884.

Sincerely,

A handwritten signature in black ink that reads "Hardeep Anand". The signature is written in a cursive style with a horizontal line under the name.

Hardeep Anand, P.E., Deputy Director
Capital Improvement Program, Water and Sewer Department

Attachment: Copy of FDEP Transmittal letter with Stipulated Penalty Payment Check

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

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Chief Assistant Attorney General, Complex Litigation
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PL-01, The Capitol

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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
Lisa.M.Self@dep.state.fl.us
Mike.Bechtold@dep.state.fl.us
Sed.wastewater@dep.state.fl.us
Megan.Ticknor@FloridaDEP.gov

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

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

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William A. Weinischke
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Environment and Natural Resources Division
U.S. Department of Justice
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Water and Sewer
PO Box 330316 • 3071 SW 38 Avenue
Miami, Florida 33233-0316
T 305-665-7471

VIA ELECTRONIC CORRESPONDENCE

June 7, 2020

CERTIFIED: 7010 0290 0000 0784 8510
RETURN RECEIPT
CCN: 63876
File No: 8.DC.10.42

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

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 April 20, 2021, Miami-Dade County (County) received a Demand for Stipulated Penalties letter from the Florida Department of Environmental Protection (FDEP). County Quarterly Reports submitted to EPA and FDEP pursuant Section IX, Paragraph 32 of the Consent Decree (CD) between January 1, 2020 and December 31, 2020 included (21) twenty-one Sanitary Sewer Overflows (SSOs) of 1,000 gallons or more that did not reach waters of the United States. FDEP assessed stipulated penalties pursuant to Section X, Subparagraphs 42.(a)(i) through (v) and the Order Modifying Section X (Document 156) of the CD in the amount of \$83,500 for these (21) twenty-one (21) SSO events that did not reach waters of the United States and were subject to stipulated penalties.

In accordance with the provisions of the above referenced Consent Decree, on behalf of Miami-Dade County, the WASD submits Check No. 00749534, payable to "State of Florida Department of Environmental Protection" as payment for \$83,500 of the stipulated penalty as indicated.

L20081FDEP-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,



Hardeep Anand, P.E., Deputy Director
Capital Improvement Program, Water and Sewer Department

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

Chief, Environmental Enforcement Section
Environment and Natural Resources Division
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RE: DOJ No. 90-5-1-1-4022/1
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

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

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

Director, Miami-Dade Regulatory and
Economic Resources
HeftyL@miamidade.gov
IstamR@miamidade.gov

ebc: Roy Coley
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Raghavender Joshi
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Lashika Nelson
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Annalise Mannix
Robert Fergen
Carlos A. Castro
Rolando Roque
Dan Edwards
Amanda Kinnick
Alejandro Martinez-Esteve
Oscar Vasquez
Mario J. Campa

Lee N. Hefty (RER-DERM)
Carlos Hernandez (RER-DERM)
Rashid Istambouli (RER-DERM)

Martin Dorward (CD PMCM)
Andrea Suarez Abastida (CD PMCM)
Natalia Duque (CD PMCM)

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

Check Date: 05/28/2021		Vendor Name: STATE OF FLORIDA		Check Number: 00749534			
Invoice Number	Invoice Date	Voucher ID	Gross Amount	Payment Deductions			Paid Amount
				Insp Gen Fee	User Access Fee	Discount	
CD-NO1:12-CV-24400FAN	04/20/2021	DP60085	83,500.00	0.00	0.00	0.00	83,500.00

Payment to State of Florida Department of Environmental Protection (FDEP) of \$83,500.00 as per FDEP April 20, 2021; Consent Decree No. 1: 12-cv-24400-FAM; Demand for Stipulated Penalties letter as revised on May 12, 2021 for SSO events of 1,000 gallons or more for the months of January 2020 through December 2020 that did not reach 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
00749534	05/28/2021	\$83,500.00	\$0.00	\$0.00	\$0.00	\$83,500.00

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

00749534

11-24/1210

Date 05/28/2021

VOID AFTER SIX MONTHS

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

Pay Exactly

EIGHTY-THREE THOUSAND FIVE HUNDRED AND XX/100 DOLLAR

Pay Amount

\$83,500.00**

To The Order Of

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



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

⑈00749534⑈ ⑆121000248⑆ 2696206503470⑈

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Florida Department of Environmental
 Protection
 Compliance Assurance Program
 3301 Gun Club Road
 MSC 7210-1
 West Palm Beach, FL 33406

2. Article Number
 (Transfer from service label)

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
X

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

Domestic Return Receipt

102595-02-M-1540

7010 0290 0000 0784 8510

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL™



7010 0290 0000 0784 8510
 7010 0290 0000 0784 8510

**U.S. Postal Service™
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 (Domestic Mail Only; No Insurance Coverage Provided)**

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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
 Here

Sent To **FDEP - Compliance Assurance Program**
 Street, Apt. No.,
 or PO Box No. **3301 Gun Club Road, MSC 7210-1**
 City, State, ZIP+4
West Palm Beach, FL 33406

PS Form 3800, August 2006

See Reverse for Instructions