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VIA ELECTRONIC CORRESPONDENCE

October 4, 2019

CCN: 62802
File No: 8.DC.20.52

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
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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
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 V, Paragraph 9 – Public Document Repository Section XI, Paragraph 52 – Force Majeure, Section XVII, Paragraph 77 – Notices, Public Document Repository Breach in Compliance Notification Letter

Dear Sir/Madam:

In accordance with the provisions of Section XI, Paragraph 52 of the above referenced Consent Decree (CD), on August 1, 2019, Miami-Dade County (County) electronically notified the United States Environmental Protection Agency (EPA) and Florida Department of Environmental Protection (FDEP) that the CD mandated Public Document Repository (PDR) was unavailable to the public for an estimated 4 days. The server hosting the PDR experienced a catastrophic failure. As soon as the situation became known on July 30, 2019, the County acted promptly to provide a replacement PDR to re-establish the public access.

The County advised EPA, FDEP and the Department of Justice (DOJ) in February 2018 that the PDR needed to be migrated to a Microsoft cloud-based system. The County initiated the

development of the cloud-based PDR system soon after the EPA, FDEP and DOJ did not object to the proposed migration. The County continued developing the cloud-based system to meet all the CD requirement as reported in the 2019 Semi-Annual Report No. 1 submitted on July 30, 2019.

The new cloud-based PDR was put into production on July 31, 2019 and by August 1, 2019 most of the CD deliverables were recovered from an alternate database and posted to the new PDR. The County initiated a methodological cross-checking exercise to ensure that, as required by the CD, all CD deliverables since the inception of the program were posted to the new PDR. This exercise was completed on August 14, 2019. As of August 1, 2019, the public's ability to register for alerts which are generated every time a new or revised document is posted to the PDR was restored.

The breach in compliance timeline for the CD PDR requirements is as follows:

	CD PDR Requirements	Breach in Compliance	Restored Date
1	Make a copy of each deliverable in the PDR within one business day from submission	No	N/A
2	People can register to receive alerts when a deliverable (new or revised) is available in the PDR	7/30/19	8/1/19
3	All Deliverables must remain in the PDR until the Termination of the CD	7/30/19	Most deliverables posted by 8/1/19 All deliverables posted by 8/14/19
4	Miami-Dade shall maintain a list in the PDR of all the Deliverables	7/30/19	Most deliverables posted by 8/1/19 All deliverables posted by 8/14/19

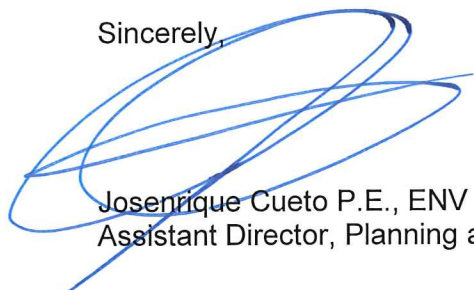
As stated in the table above, most deliverables were available to the public two (2) days after the situation became known to the County and all deliverables were available by August 14, 2019. Also, two (2) deliverables that were submitted to EPA and FDEP on July 30, 2019 were posted to the PDR within 24 hours of submission, complying with the first requirement of the CD.

The County is confident that the new cloud-based PDR which is being hosted in the Microsoft Cloud environment has state-of-the-art security and protection to prevent any reoccurrence of PDR failure.

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) 552-8120.

Sincerely,



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

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