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VIA ELECTRONIC CORRESPONDENCE

March 5, 2015

CCN: 59183
File No: 8.DC.20.19 & 82

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
Walter.Benjamin.Fisherow@usdoj.gov

Chief, Clean Water Enforcement Branch
Water Protection Division
ATTN: Brad Ammons
U.S. Environmental Protection Agency, Region 4
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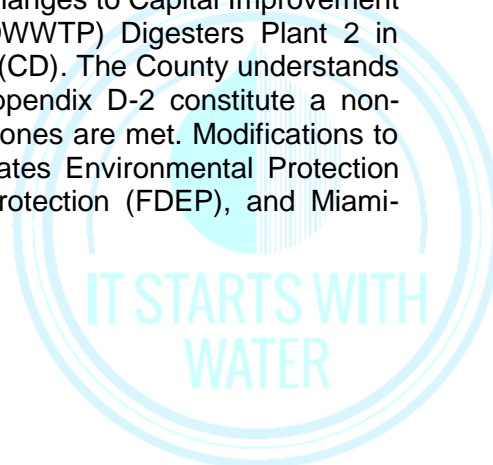
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Florida Department of Environmental Protection
Southeast District – Suite 200
400 N. Congress Ave.
West Palm Beach, FL 33401
Attn: Compliance/Enforcement Section
Michael.Hambor@dep.state.fl.us

**RE: Consent Decree (Case: No. 1:12-cv-24400-FAM)
Reference DOJ Case No. 90-5-1-1-4022/1
Section VI – Specific Capital Improvement Projects, Paragraph 19(i)
Section XX – Modification, Paragraph 82
MDWASD Requested Modifications for Non-Material Changes to the Sequencing of
Central District Wastewater Treatment Plant, Digester Clusters Plant 2, CIP 2.15 in
CD Appendix D-2**

Dear Sir/Madam:

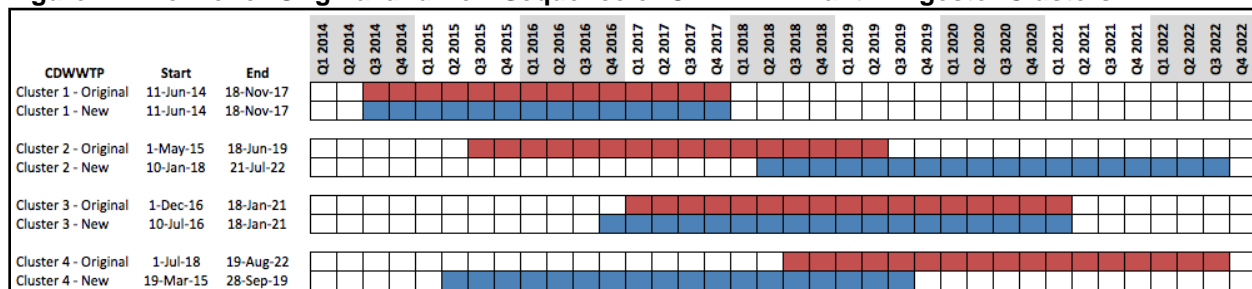
Pursuant to our recent discussions, the Miami-Dade Water and Sewer Department (MDWASD) respectfully requests approval of modifications for non-material changes to Capital Improvement Project 2.15 Central District Wastewater Treatment Plant (CDWWTP) Digesters Plant 2 in conformance with Section XX of the referenced Consent Decree (CD). The County understands and recognizes that any modifications to project phases in Appendix D-2 constitute a non-material change to the CD so long as the final completion milestones are met. Modifications to the project phases require written agreement of the United States Environmental Protection Agency (USEPA), the Florida Department of Environmental Protection (FDEP), and Miami-Dade.



As you are aware, Appendix D-2 of the referenced CD contains a Gantt chart that illustrates the project phases and associated phase durations for each capital project. This chart was prepared as a guide to illustrate how MDWASD intended to design, procure, permit, and construct each project required by the CD. The dates and durations presented for each project phase were estimated based on best available information at the time the chart was prepared. However, the sequencing of the Central District WWTP Digester Clusters Plant 2 needs to be adjusted based upon concerns relating to the structural integrity of the control building of Cluster 4. The original sequence scheduled the rehabilitation of the clusters in numerical order (Cluster 1 followed by 2, etc.) was established without consideration for any differences in the condition of the individual clusters. During the assessment of the Plant 2 Clusters, it was determined that the structural deficiencies in Cluster 4 were more severe than other clusters. The concrete floor/ceiling of the control building is spalling and dropping onto equipment during daily operations. The degradation of the ceiling and concrete floor inside the digester control building and the excessive vibration of the floor when equipment is running present potential safety hazards as well as risks to the operability of the equipment. The severity of these conditions justifies the need to adjust the sequencing of Cluster 2 and 3 to address Cluster 4 ahead of the CD compliance schedule. This sequencing change will allow MDWASD to return this cluster into full operation improving operator safety, improving the reliability of Plant 2 treatment capacity, and reducing the potential for structural failure that could result in a long term shutdown of Cluster 4.

The suggested improved sequencing would be Cluster 1, Cluster 4, Cluster 3, and Cluster 2. As opposed to Cluster 1, 2, 3 and 4, where originally Cluster 4 was addressed last. The completion of the Capital Improvement Project (CIP) 2.15 would not be delayed for all work is expected be completed by the CD compliance deadline of August 19, 2022.

Figure 1 Timeline for Original and New Sequence of CDWWTP Plant 2 Digester Clusters



MDWASD is requesting to modify the interim milestones dates of CIP 2.15 CDWWTP Digesters Plant 2 illustrated in the attached schedule. Also attached is a Request for Modification of Interim Milestones for CIP 2.15 Digester Clusters Table.

MDWASD is committed to successfully meeting the requirements of the Consent Decree. We look forward to working with you and the many other stakeholders during the Consent Decree process. Should you have any questions regarding this matter, please call me at (786) 552-8571.

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.

Sincerely,



Juan Carlos Arteaga, AIA, NCARB, CBO, APA, LEED® AP
Deputy Director
Capital Improvements and Regulatory Compliance

Attachment: MDWASD Request for Modification of Interim Milestones CD Appendix D-2 CIP
2.15 CDWWTP Digester Plant 2 Table
Schedule of Revised Sequence of Digester Clusters at CDWWTP Plant 2

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Rashid Istambouli (RER-DERM)
David Haywood (CD PMCM)
Rosanne Cardozo (CD PMCM)

Activity ID	Activity Name	Original	Start	Finish	Standard Layout w/o Baseline																																						
					2015		2016				2017				2018				2019				2020				2021				2022				2023				2024				2025
					Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
2.15 Digesters Plant 2 Revised Sequence					21-Jul-22, 2.15 Digesters Plant 2 Revised Sequence																																						
2.15.1 Cluster 1					18-Nov-17, 2.15.1 Cluster 1																																						
CD10030	Engineering Design - Cluster 1	188	11-Jun-14 A	29-Oct-15	Engineering Design - Cluster 1																																						
CD10110	Permitting - Cluster 1	180	01-Aug-15	27-Jan-16	Permitting - Cluster 1																																						
CD10120	Procurement - Cluster 1	240	28-Jan-16	23-Sep-16	Procurement - Cluster 1																																						
CD10380	Construction - Cluster 1	421	24-Sep-16	18-Nov-17	Construction - Cluster 1																																						
CD10770	Substantial Completion (CD Compliance Date 11/18/17) - Cluster 1	0		18-Nov-17*	Substantial Completion (CD Compliance Date:11/18/17) - Cluster 1																																						
2.15.2 Cluster 2					21-Jul-22, 2.15.2 Cluster 2																																						
CD10390	Engineering Design - Cluster 2	332	10-Jan-18*	07-Dec-18	Engineering Design - Cluster 2																																						
CD10540	Permitting - Cluster 2	365	08-Dec-18	07-Dec-19	Permitting - Cluster 2																																						
CD10760	Procurement - Cluster 2	365	08-Dec-19	06-Dec-20	Procurement - Cluster 2																																						
CD10980	Construction - Cluster 2	592	07-Dec-20	21-Jul-22	Construction - Cluster 2																																						
CD11170	Substantial Completion (CD Compliance Date 6/18/19) - Cluster 2	0		21-Jul-22*	Substantial Completion (CD Compliance Date 6/18/19) - Cluster 2																																						
2.15.3 Cluster 3					18-Jan-21, 2.15.3 Cluster 3																																						
CD10300	Engineering Design - Cluster 3	332	10-Jul-16*	06-Jun-17	Engineering Design - Cluster 3																																						
CD10400	Permitting - Cluster 3	365	07-Jun-17	06-Jun-18	Permitting - Cluster 3																																						
CD10640	Procurement - Cluster 3	365	07-Jun-18	06-Jun-19	Procurement - Cluster 3																																						
CD10880	Construction - Cluster 3	592	07-Jun-19	18-Jan-21	Construction - Cluster 3																																						
CD11140	Substantial Completion (CD Compliance Date 1/18/21) - Cluster 3	0		18-Jan-21*	Substantial Completion (CD Compliance Date 1/18/21) - Cluster 3																																						
2.15.4 Cluster 4					28-Sep-19, 2.15.4 Cluster 4																																						
CD11060	Engineering Design - Cluster 4	332	19-Mar-15*	13-Feb-16	Engineering Design - Cluster 4																																						
CD11130	Permitting - Cluster 4	365	14-Feb-16	12-Feb-17	Permitting - Cluster 4																																						
CD11250	Procurement - Cluster 4	365	13-Feb-17	12-Feb-18	Procurement - Cluster 4																																						
CD11330	Construction - Cluster 4	593	13-Feb-18	28-Sep-19	Construction - Cluster 4																																						
CD11490	Substantial Completion (CD Compliance Date 8/19/22) - CD Digesters PI	0		28-Sep-19*	Substantial Completion (CD Compliance Date 8/19/22) - CD Digesters Plant 2 Cluster 4																																						

- Remaining Project Phase Summary
- Actual Project Phase Summary
- Actual Work
- Remaining Work
- Critical Remaining Work
- Milestone
- WBS Summary

MIAMI-DADE WATER & SEWER DEPARTMENT
CONSENT DECREE PROGRAM SCHEDULE
PROJECT 2.15 REVISED SEQUENCING

Date	Revision	Chec...	Approved
14-Jul-14	Revision 0	GSR	DH
26-Nov-14	October 2014 Update		
12-Dec-14	November 2014 Update		
15-Jan-15	December 2014 Update		
13-Feb-15	January 2015 Update		

Miami-Dade County, FL Consent Decree

CD Appendix D-2 Capital Improvement Project 2.15 CDWWTP Digester Clusters Plant 2

MDWASD Request for Modification of Interim Milestones for CIP 2.15 CDWWTP Digester Clusters Plant 2 Table

Project ID	Project Name	Activity Name	START DATES			END DATES		
			Original CD Start Date	EPA Approved Start Date	Requested Modification to Start Date	Original CD End Date	EPA Approved End Date	Requested Modification to End Date
2.15.1.1	Digesters Plant 2 Cluster 1 (CDWWTP)	Engineering Design	10/1/2013	6/11/2014		4/6/2014	9/28/2015	10/29/2015
2.15.1.2	Digesters Plant 2 Cluster 1 (CDWWTP)	Permitting	4/7/2014	2/21/2015	8/1/2015	4/6/2015	2/20/2016	1/27/2016
2.15.1.3	Digesters Plant 2 Cluster 1 (CDWWTP)	Procurement	4/7/2015	4/7/2015	1/28/2016	4/5/2016	4/5/2016	9/23/2016
2.15.1.4	Digesters Plant 2 Cluster 1 (CDWWTP)	Construction	4/6/2016	4/6/2016	9/24/2016	11/18/2017	11/18/2017	
2.15.2.1	Digesters Plant 2 Cluster 2(CDWWTP)	Engineering Design	5/1/2015	5/1/2015	1/10/2018	11/4/2015	11/4/2015	12/7/2018
2.15.2.2	Digesters Plant 2 Cluster 2(CDWWTP)	Permitting	11/5/2015	11/5/2015	12/8/2018	11/3/2016	11/3/2016	12/7/2019
2.15.2.3	Digesters Plant 2 Cluster 2(CDWWTP)	Procurement	11/4/2016	11/4/2016	12/8/2019	11/3/2017	11/3/2017	12/6/2020
2.15.2.4	Digesters Plant 2 Cluster 2(CDWWTP)	Construction	11/4/2017	11/4/2017	12/7/2020	6/18/2019	6/18/2019	7/21/2022
2.15.3.1	Digesters Plant 2 Cluster 3(CDWWTP)	Engineering Design	12/1/2016	12/1/2016	7/10/2016	6/6/2017	6/6/2017	
2.15.3.2	Digesters Plant 2 Cluster 3(CDWWTP)	Permitting	6/7/2017	6/7/2017		6/6/2018	6/6/2018	
2.15.3.3	Digesters Plant 2 Cluster 3(CDWWTP)	Procurement	6/7/2018	6/7/2018		6/6/2019	6/6/2019	
2.15.3.4	Digesters Plant 2 Cluster 3(CDWWTP)	Construction	6/7/2019	6/7/2019		1/18/2021	1/18/2021	
2.15.4.1	Digesters Plant 2 Cluster 4(CDWWTP)	Engineering Design	7/1/2018	7/1/2018	3/19/2015	1/4/2019	1/4/2019	2/13/2016
2.15.4.2	Digesters Plant 2 Cluster 4(CDWWTP)	Permitting	1/5/2019	1/5/2019	2/14/2016	1/4/2020	1/4/2020	2/12/2017
2.15.4.3	Digesters Plant 2 Cluster 4(CDWWTP)	Procurement	1/5/2020	1/5/2020	2/13/2017	1/3/2021	1/3/2021	2/12/2018
2.15.4.4	Digesters Plant 2 Cluster 4(CDWWTP)	Construction	1/4/2021	1/4/2021	2/13/2018	8/19/2022	8/19/2022	9/28/2019