



miamidade.gov

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

**VIA ELECTRONIC CORRESPONDENCE**

January 19, 2016

CCN: 59991  
File No: 8.DC.20.19

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](mailto:Walter.Benjamin.Fisherow@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](mailto: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](mailto:Rachael.Kamons@usdoj.gov)

Florida Department of Environmental Protection  
Southeast District – Suite 200  
400 N. Congress Ave.  
West Palm Beach, FL 33401  
Attn: Compliance/Enforcement Section  
[Diane.Pupa@dep.state.fl.us](mailto:Diane.Pupa@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)  
Response to EPA/FDEP Letter Regarding 2015 Request for Modifications of Non-  
Material Changes to Interim Milestones in CD Appendix D-2**

Dear Sir/Madam:

Miami-Dade County (County) has received the United States Environmental Protection Agency (EPA) and Florida Department of Environmental Protection (FDEP) response letter to the July 16, 2015 request for modification of non-material changes to interim milestones in Appendix D-2 of the above referenced Consent Decree (CD). Based on the County's conversation with EPA on November 10, 2015, we respectfully ask EPA to reconsider denial of the following interim milestones because the deadlines for these interim events had already past:

Project Interim Event	Current Date	Requested Date
1.9.1 Engineering Design Finish	30 Jun 15	16 Feb 16
1.9.2 Permitting Start	1 Jul 15	17 Feb 16
2.3.1 Engineering Design Finish	4 Jul 15	5 Jan 16
5.5.1 Engineering Design Finish	15 Jul 15	24 Apr 16
5.7.1 Engineering Design Finish	15 Jul 15	16 Apr 16
5.8.1 Engineering Design Finish	15 Jul 15	9 Sep 16
5.16.1 Engineering Design Finish	10 Jul 15	6 Sep 15
5.16.2 Permitting Start	11 Jul 15	7 Sep 15

On June 18, 2015, the County held the June 2015 CD Monthly Progress Meeting with EPA and FDEP. In the meeting, EPA agreed to the date the request letter is submitted as the trigger date for future modification requests. Please see Attachment 1 June 2015 EPA/FDEP Monthly Progress Meeting minutes.

The initial request for modification to interim milestones was submitted to EPA and FDEP on June 26, 2015 (see Attachment 2 Request for Modification of Non-Material Changes to Interim Milestones in Appendix D-2 of CD Letter). Subsequent to that submittal, the EPA requested on June 30, 2015 that the County resubmit the request with reasons for each of the requested interim event changes. On July 16, 2015 the County resubmitted the request for modification table with a Comments column describing the reason for the requested changes (see Attachment 3). Please note that the dates for the projects listed above are the same on the July 16<sup>th</sup> submittal as the initial June 26<sup>th</sup> request and the only difference is the addition of the Comments column to address EPA's concern (they have been highlighted in red for your referencing ease in Attachments 2 and 3).

For the above reasons the County respectfully requests that EPA and FDEP reconsider the denial of the modification of the above project event milestones that took place between the interim of the initial request on June 26, 2015 and July 16, 2015.

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,



Bertha Goldenberg, P.E., LEED® Green Associate  
Assistant Director, Regulatory Compliance and Planning

Attachments: June 2015 EPA/FDEP Monthly Progress Meeting Minutes, Request for  
Modification of Non-Material Changes to Interim Milestones in Appendix D-2 of  
CD Letter, July 16<sup>th</sup> Request for Modification of Non-Material Changes to Interim  
Milestones in Appendix D-2 of CD Letter

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](mailto:Jon.Glogau@myfloridalegal.com)

Florida Department of Environmental Protection  
Southeast District – Suite 200  
400 N. Congress Ave.  
West Palm Beach, FL 33401  
Attn: Compliance/Enforcement Section  
[Jason.Andreotta@dep.state.fl.us](mailto:Jason.Andreotta@dep.state.fl.us)  
[Lisa.M.Self@dep.state.fl.us](mailto:Lisa.M.Self@dep.state.fl.us)  
[Sed.wastewater@dep.state.fl.us](mailto:Sed.wastewater@dep.state.fl.us)

Mayor Carlos A. Gimenez  
Miami-Dade County  
111 NW First Street 29<sup>th</sup> Floor  
Miami, Florida 33128

Lester Sola, Director  
Miami-Dade Water and Sewer Department  
3071 SW 38<sup>th</sup> Avenue  
Miami, Florida 33146

Jack Osterholt, Deputy Mayor/Director  
Miami-Dade Regulatory and  
Economic Resources  
111 NW 1st Street. 29th Floor  
Miami, FL 33128  
[Josterholt@miamidade.gov](mailto:Josterholt@miamidade.gov)

Abigail Price-Williams  
Miami-Dade County Attorney  
111 NW First Street Suite 2810  
Miami, Florida 33128

William Bush  
Associate Regional Counsel  
U.S. EPA, Region 4  
61 Forsyth Street, SW  
Atlanta, Georgia 30303  
[Bush.William@epa.gov](mailto:Bush.William@epa.gov)

William A. Weinischke  
Senior Trial Attorney  
Environmental Enforcement Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
P.O. Box 7611  
Washington, D.C. 20044  
[Bill.Weinischke@usdoj.gov](mailto:Bill.Weinischke@usdoj.gov)

## Attachment 1

Subject	EPA/FDEP Monthly Progress Meeting
Date	June 18, 2015
Time	9:00 – 10:00 am
Location	WASD-DOUG-CR 544, Teleconference Meeting
Attendees	Brad Ammons, Linda Brien, Juan Carlos Arteaga, Bertha Goldenberg, Sherry Negahban, Juan Bedoya, Manny Moncholi, David Haywood, Gustavo Soto-Rosa, Abby Diaz
Prepared	June 30, 2015
Prepared by	Abby Diaz
Distribution	Attendees, Dan Edwards, Lisa Self, Mike Bechtold, Michael Hambor, John Canepari, Michael Caldwell, Henry Gillman, Sarah Davis

## Meeting Minutes

---

The following handouts were provided via email prior to meeting:

- June 2015 Program Update Meeting with EPA/FDEP Agenda
- EPA/FDEP/MDWASD CD Program May 2015 Update Meeting Minutes
- MDWASD Consent Decree Program Schedule and Narrative May 2015 Update

### June Agenda Items

#### May Update Schedule Status and Narrative

David Haywood summarized key points from the MDWASD CD Program Schedule and Narrative.

#### Interim Milestone Modifications/Schedule Revision 1

David mentioned that MDWASD completed an evaluation and validation for the entire Consent Decree program. Schedules have been modified to complete projects in accordance with their respective final CD construction completion compliance dates. The evaluation resulted in the need to request modifications of several interim milestones in order to meet the construction completion date specified in Appendix D-2. The table was attached to the meeting agenda. Brad Ammons asked that the requests with dates that have already past be separated and that only future interim activities be included in the table. He said that EPA could not approve a modification for an already missed interim milestone when the date has passed. David asked if June 1<sup>st</sup> could be used as the date trigger for future modification requests. Brad said that date should be the date the letter is submitted.

**Action Item: MDWASD to submit to EPA/FDEP a Request for Modification Table for future interim milestones.**

## Attachment 2



miamidade.gov

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

**VIA ELECTRONIC CORRESPONDENCE**

June 26, 2015

CCN: 59522  
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](mailto:Walter.Benjamin.Fisherow@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](mailto:Ammons.Brad@epa.gov)

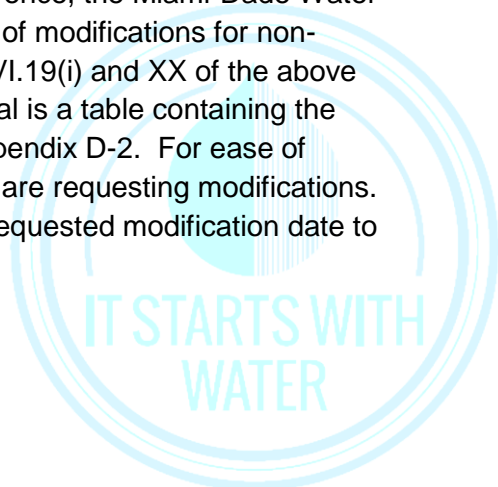
Rachael Amy Kamons  
Environmental Enforcement Section  
U.S. Department of Justice  
P.O. Box 7611  
Ben Franklin Station  
Washington, D.C. 20044-7611  
[Rachael.Kamons@usdoj.gov](mailto:Rachael.Kamons@usdoj.gov)

Florida Department of Environmental Protection  
Southeast District – Suite 200  
400 N. Congress Ave.  
West Palm Beach, FL 33401  
Attn: Compliance/Enforcement Section  
[Diane.Pupa@dep.state.fl.us](mailto:Diane.Pupa@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  
2015 Request for Modifications of Non-Material Changes to Interim Milestones to CD  
Appendix D-2**

Dear Sir/Madam:

Pursuant to our discussions during our June 18<sup>th</sup> telephone conference, the Miami-Dade Water and Sewer Department (MDWASD) respectfully request approval of modifications for non-material changes to Appendix D-2 in conformance with Sections VI.19(i) and XX of the above referenced Consent Decree. Attached for your review and approval is a table containing the non-material modifications to certain dates for phased work in Appendix D-2. For ease of identification, the dates highlighted in blue are those for which we are requesting modifications. In addition, the table also illustrates the variance (in days) of the requested modification date to the previously approved interim milestone date.

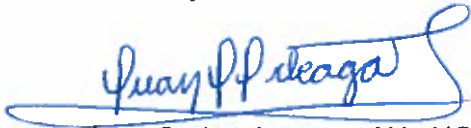




I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage 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) 552-8571.

Sincerely,



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

Attachments: Request for Modifications of Non-Material Changes to Interim Milestones to CD  
Appendix D-2 Table

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](mailto:Jon.Glogau@myfloridalegal.com)

Florida Department of Environmental Protection  
Southeast District – Suite 200  
400 N. Congress Ave.  
West Palm Beach, FL 33401  
Attn: Compliance/Enforcement Section  
[Linda.Brien@dep.state.fl.us](mailto:Linda.Brien@dep.state.fl.us)  
[Lisa.M.Self@dep.state.fl.us](mailto:Lisa.M.Self@dep.state.fl.us)  
[Sed.wastewater@dep.state.fl.us](mailto:Sed.wastewater@dep.state.fl.us)

Mayor Carlos A. Gimenez  
Miami-Dade County  
111 NW First Street 29<sup>th</sup> Floor  
Miami, Florida 33128

Lester Sola, Director  
Miami-Dade Water and Sewer Department  
3071 SW 38<sup>th</sup> Avenue  
Miami, Florida 33146

Jack Osterholt, Deputy Mayor/Director  
Miami-Dade Regulatory and  
Economic Resources  
111 NW 1st Street. 29th Floor  
Miami, FL 33128  
[Josterholt@miamidade.gov](mailto:Josterholt@miamidade.gov)

Robert A. Cuevas, Jr.  
Miami-Dade County Attorney  
111 NW First Street Suite 2810  
Miami, Florida 33128

William Bush  
Associate Regional Counsel  
U.S. EPA, Region 4  
61 Forsyth Street, SW  
Atlanta, Georgia 30303  
[Bush.William@epa.gov](mailto:Bush.William@epa.gov)

William A. Weinischke  
Senior Trial Attorney  
Environmental Enforcement Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
P.O. Box 7611  
Washington, D.C. 20044  
[Bill.Weinischke@usdoj.gov](mailto:Bill.Weinischke@usdoj.gov)

**MDWASD Consent Decree Program**  
**New Requested EPA Interim Milestone Dates**  
**(May 2015 Update)**

EPA Interim Milestone ID	Activity Name	Current Start	Requested Start	Start Variance	Current Finish	Requested Finish	Finish Variance
<b>1.7 Digesters and Control Building</b>							
1.7.1	Engineering Design - SD Digesters & Control Building	3-Jul-14	3-Jul-14	-	31-Jul-16	31-Jul-16	-
1.7.2	Permitting - SD Digesters & Control Building	27-Jul-14	16-Jun-16	-	26-Jul-15	12-Dec-16	(505.00)
1.7.3	Procurement - SD Digesters & Control Building	27-Jul-15	13-Dec-16	(505.00)	25-Jul-16	8-Sep-17	(410.00)
1.7.4	Construction - SD Digesters & Control Building	26-Jul-16	9-Sep-17	(410.00)	28-Oct-21	28-Oct-21	-
<b>1.8 Dewatering Facility</b>							
1.8.1	Engineering Design (DCP) - SD Dewatering Facilities	1-Jul-14	1-Mar-15	-	13-Apr-15	16-Mar-16	-
1.8.2	Permitting - SD Dewatering Facilities	14-Apr-15	12-Jun-17	-	12-Apr-16	26-Dec-17	(623.00)
1.8.3	Procurement - SD Dewatering Facilities	13-Apr-16	13-Apr-16	-	12-Apr-17	12-Apr-17	-
1.8.4	Construction - SD Dewatering Facilities	13-Apr-17	12-Jun-17	(60.00)	28-Nov-19	28-Nov-19	-
<b>1.9 FOG Removal Facility</b>							
1.9.1	Engineering Design - SD FOG Removal Facility	8-Jul-14	8-Jul-14	-	30-Jun-15	16-Feb-16	(231.00)
1.9.2	Permitting - SD FOG Removal Facility	1-Jul-15	17-Feb-16	(231.00)	27-Dec-15	15-Jun-16	(171.00)
1.9.3	Procurement - SD FOG Removal Facility	3-May-15	16-Jun-16	-	1-May-16	12-Dec-16	(225.00)
1.9.4	Construction - SD FOG Removal Facility	2-May-16	13-Dec-16	(225.00)	7-Dec-17	7-Dec-17	-
<b>1.10 Odor Control</b>							
1.10.1	Engineering Design - SD Odor Control	1-Dec-18	1-Dec-18	-	27-Jun-19	27-Jun-19	-
1.10.2	Permitting - SD Odor Control	28-Jun-19	28-Jun-19	-	26-Jun-20	26-Jun-20	-
1.10.3	Procurement - SD Odor Control	27-Jun-20	27-Jun-20	-	26-Jun-21	26-Jun-21	-
1.10.4	Construction - SD Odor Control	27-Jun-21	27-Jun-21	-	25-Apr-23	25-Apr-23	-
<b>1.11 General Electrical</b>							
1.11.1	Engineering Design - SD General Electrical	1-Nov-16	1-Nov-16	-	28-May-17	28-May-17	-
1.11.2	Permitting - SD General Electrical	29-May-17	29-May-17	-	28-May-18	28-May-18	-
1.11.3	Procurement - SD General Electrical	29-May-18	29-May-18	-	28-May-19	28-May-19	-
1.11.4	Construction - SD General Electrical	29-May-19	29-May-19	-	26-Mar-21	26-Mar-21	-
<b>1.12 Chlorine Contact Chamber Structural Rehab</b>							
1.12.1	Engineering Design - SD Chlorine Contact Chamber Struct. Rehab	1-Aug-16	1-Aug-16	-	8-Apr-17	8-Apr-17	-
1.12.2	Permitting - SD Chlorine Contact Chamber Struct. Rehab	9-Apr-17	9-Apr-17	-	8-Apr-18	8-Apr-18	-
1.12.3	Procurement - SD Chlorine Contact Chamber Struct. Rehab	9-Apr-18	9-Apr-18	-	8-Apr-19	8-Apr-19	-
1.12.4	Construction - SD Chlorine Contact Chamber Struct. Rehab	9-Apr-19	9-Apr-19	-	18-Jun-21	18-Jun-21	-
<b>2. Central District WWTP</b>							
<b>2.1 Miscellaneous Electrical Improvements</b>							
2.1.1	Engineering Design - CD Misc. Elect.Improvements	1-Jan-17	1-Jan-17	-	20-Jun-17	20-Jun-17	-
2.1.2	Permitting - CD Misc. Elect.Improvements	21-Jun-17	21-Jun-17	-	20-Jun-18	20-Jun-18	-
2.1.3	Procurement - CD Misc. Elect.Improvements	21-Jun-18	21-Jun-18	-	20-Jun-19	20-Jun-19	-
2.1.4	Construction - CD Misc. Elect.Improvements	21-Jun-19	21-Jun-19	-	6-Mar-20	6-Mar-20	-
<b>2.2 Building Improvements</b>							
2.2.1	Engineering Design - CD Repairs to Various Buildings	1-May-14	1-May-14	-	18-Oct-14	22-Dec-15	-
2.2.2	Permitting - CD Repairs to Various Buildings	19-Oct-14	19-Oct-14	-	18-Oct-15	20-Apr-16	(185.00)
2.2.3	Procurement - CD Repairs to Various Buildings	19-Oct-15	19-Oct-15	-	17-Oct-16	17-Oct-16	-
2.2.4	Construction - CD Repairs to Various Buildings	18-Oct-16	18-Oct-16	-	6-Sep-17	6-Sep-17	-

**MDWASD Consent Decree Program**  
**New Requested EPA Interim Milestone Dates**  
**(May 2015 Update)**

EPA Interim Milestone ID	Activity Name	Current Start	Requested Start	Start Variance	Current Finish	Requested Finish	Finish Variance
<b>2.3 Headworks/Grit Basin Plant 1</b>							
2.3.1	Engineering Design - CD Headworks/Grit Basin Plant 1	1-Sep-14	6-Oct-14	-	4-Jul-15	5-Jan-16	(185.00)
2.3.2	Permitting - CD Headworks/Grit Basin Plant 1	4-Aug-14	6-Jan-16	-	3-Aug-15	4-May-16	(275.00)
2.3.3	Procurement - CD Headworks/Grit Basin Plant 1	4-Aug-15	6-Jan-16	(155.00)	2-Aug-16	2-Aug-16	-
2.3.4	Construction - CD Headworks/Grit Basin Plant 1	3-Aug-16	3-Aug-16	-	22-Oct-17	22-Oct-17	-
<b>2.4 Headworks/Grit Basin Plant 2</b>							
2.4.1	Engineering Design - CD Headworks/Grit Basin Plant 2	1-Sep-14	6-Oct-14	-	2-Oct-15	19-Feb-16	(140.00)
2.4.2	Permitting - CD Headworks/Grit Basin Plant 2	4-Mar-15	20-Feb-16	-	2-Mar-16	18-Jun-16	(108.00)
2.4.3	Procurement - CD Headworks/Grit Basin Plant 2	3-Mar-16	3-Mar-16	-	2-Mar-17	2-Mar-17	-
2.4.4	Construction - CD Headworks/Grit Basin Plant 2	3-Mar-17	3-Mar-17	-	22-May-18	22-May-18	-
<b>2.5 Oxygenation Trains Plant 1</b>							
2.5.1	Engineering Design - CD Oxygenation Trains Plant 1	1-Jun-14	1-Jun-14	-	2-Sep-14	2-Sep-14	-
2.5.2	Permitting - CD Oxygenation Trains Plant 1	3-Sep-14	3-Sep-14	-	2-Sep-15	2-Sep-15	-
2.5.3	Procurement (Mixers) - CD Oxygenation Trains Plant 1	3-Sep-15	3-Sep-15	-	1-Sep-16	1-Sep-16	-
2.5.4	Structural Rehab Train #2 - CD Oxygenation Trains Plant 1	1-Oct-16	14-Dec-16	(74.00)	14-Apr-17	14-Apr-17	-
2.5.5	Structural Rehab Train #3 - CD Oxygenation Trains Plant 1	1-Oct-17	15-Dec-17	(75.00)	15-Apr-18	15-Apr-18	-
<b>2.6 Oxygenation Trains Plant 2</b>							
2.6.1	Engineering Design - CD Oxygenation Trains Plant 2	1-Jun-16	1-Jun-16	-	2-Sep-16	2-Sep-16	-
2.6.2	Permitting - CD Oxygenation Trains Plant 2	3-Sep-16	3-Sep-16	-	2-Sep-17	2-Sep-17	-
2.6.3	Procurement (Mixers) - CD Oxygenation Trains Plant 2	3-Sep-17	3-Sep-17	-	2-Sep-18	16-Nov-18	(75.00)
2.6.4	Structural Rehab Train #1 - CD Oxygenation Trains Plant 2	3-Sep-18	16-Dec-18	(104.00)	18-Mar-19	18-Mar-19	-
2.6.5	Structural Rehab Train #2 - CD Oxygenation Trains Plant 2	1-Oct-19	16-Dec-19	(76.00)	14-Apr-20	14-Apr-20	-
2.6.6	Structural Rehab Train #3 - CD Oxygenation Trains Plant 2	1-Oct-20	15-Dec-20	(75.00)	15-Apr-21	15-Apr-21	-
2.6.7	Structural Rehab Train #4 - CD Oxygenation Trains Plant 2	1-Oct-21	16-Dec-21	(76.00)	14-Apr-22	14-Apr-22	-
<b>2.7 Secondary Clarifiers Plant 1</b>							
2.7.1	Engineering Design - CD Secondary Clarifiers Plant 1	1-Apr-21	1-Apr-21	-	5-Oct-21	5-Oct-21	-
2.7.2	Permitting - CD Secondary Clarifiers Plant 1	6-Oct-21	6-Oct-21	-	5-Oct-22	5-Oct-22	-
2.7.3	Procurement - CD Secondary Clarifiers Plant 1	6-Oct-22	6-Oct-22	-	5-Oct-23	5-Oct-23	-
2.7.4	Construction Clarifiers 1&2 - CD Secondary Clarifiers Plant 1	6-Oct-23	6-Oct-23	-	17-Sep-24	17-Sep-24	-
2.7.5	Construction Clarifiers 3&4 - CD Secondary Clarifiers Plant 1	18-Sep-24	18-Sep-24	-	31-Aug-25	31-Aug-25	-
2.7.6	Construction Clarifiers 5&6 - CD Secondary Clarifiers Plant 1	1-Sep-25	1-Sep-25	-	15-Aug-26	15-Aug-26	-
<b>2.8 Secondary Clarifiers Plant 2</b>							
2.8.1	Engineering Design - CD Secondary Clarifiers Plant 2	1-Jun-16	1-Jun-16	-	5-Dec-16	5-Dec-16	-
2.8.2	Permitting - CD Secondary Clarifiers Plant 2	6-Dec-16	6-Dec-16	-	5-Dec-17	5-Dec-17	-
2.8.3	Procurement - CD Secondary Clarifiers Plant 2	6-Dec-17	6-Dec-17	-	5-Dec-18	5-Dec-18	-
2.8.4	Construction Clarifiers 1&2 - CD Secondary Clarifiers Plant 2	6-Dec-18	6-Dec-18	-	18-Nov-19	18-Nov-19	-
2.8.5	Construction Clarifiers 3&4 - CD Secondary Clarifiers Plant 2	19-Nov-19	19-Nov-19	-	1-Nov-20	1-Nov-20	-
2.8.6	Construction Clarifiers 5&6 - CD Secondary Clarifiers Plant 2	2-Nov-20	2-Nov-20	-	15-Oct-21	15-Oct-21	-
2.8.7	Construction Clarifiers 7&8 - CD Secondary Clarifiers Plant 2	16-Oct-21	16-Oct-21	-	28-Sep-22	28-Sep-22	-
2.8.8	Construction Clarifiers 9&10 - CD Secondary Clarifiers Plant 2	29-Sep-22	29-Sep-22	-	12-Sep-23	12-Sep-23	-

**MDWASD Consent Decree Program**  
**New Requested EPA Interim Milestone Dates**  
**(May 2015 Update)**

EPA Interim Milestone ID	Activity Name	Current Start	Requested Start	Start Variance	Current Finish	Requested Finish	Finish Variance
<b>5.5 Replacement of Switchgear and Rehabilitation of Wetwell PS#0415</b>							
5.5.1	Engineering Design - PS#0415	7-Oct-14	24-Jan-15	-	15-Jul-15	24-Apr-16	(284.00)
5.5.2	Permitting - PS#0415	10-Aug-14	25-Apr-16	-	9-Aug-15	21-Oct-16	(439.00)
5.5.3	Procurement - PS#0415	10-Aug-15	22-Oct-16	(439.00)	8-Aug-16	19-Apr-17	(254.00)
5.5.4	Construction - PS#0415	9-Aug-16	20-Apr-17	(254.00)	27-Jan-19	27-Jan-19	-
<b>5.6 Replacement of Switchgear PS#0416</b>							
5.6.1	Engineering Design - PS#0416	7-Oct-14	24-Jan-15	-	13-May-15	-	-
5.6.2	Permitting - PS#0416	14-May-15	31-Mar-16	-	12-May-16	28-Jul-16	(77.00)
5.6.3	Procurement - PS#0416	8-Jun-15	29-Jul-16	-	6-Jun-16	24-Jan-17	(232.00)
5.6.4	Construction - PS#0416	7-Jun-16	25-Jan-17	(232.00)	9-May-18	9-May-18	-
<b>5.7 Replacement of Switchgear and Rehabilitation of Wetwell PS#0417</b>							
5.7.1	Engineering Design - PS#0417	7-Oct-14	24-Jan-15	-	15-Jul-15	16-Apr-16	(276.00)
5.7.2	Permitting - PS#0417	10-Aug-14	21-Jun-16	-	9-Aug-15	18-Oct-16	(436.00)
5.7.3	Procurement - PS#0417	10-Aug-15	19-Oct-16	(436.00)	8-Aug-16	16-Apr-17	(251.00)
5.7.4	Construction - PS#0417	9-Aug-16	17-Apr-17	(251.00)	27-Jan-19	27-Jan-19	-
<b>5.8 Replacement of Electrical and Mechanical Equipment in PS#0107</b>							
5.8.1	Engineering Design - PS#0107	7-Oct-14	15-Apr-16	-	15-Jul-15	9-Sep-16	(422.00)
5.8.2	Permitting - PS#0107	10-Aug-14	10-Sep-16	-	9-Aug-15	8-Mar-17	(577.00)
5.8.3	Procurement - PS#0107	10-Aug-15	9-Mar-17	(577.00)	8-Aug-16	3-Dec-17	(482.00)
5.8.4	Construction - PS#0107	9-Aug-16	4-Dec-17	(482.00)	27-Jan-19	27-Jan-19	-
<b>5.9 Replacement of Pumping and Electrical Equipment at PS#0301</b>							
5.9.1	Engineering Design - PS#0301	7-Oct-14	20-Nov-14	-	13-May-15	8-Jan-16	-
5.9.2	Permitting - PS#0301	14-May-15	9-Jan-16	-	12-May-16	12-May-16	-
5.9.3	Procurement - PS#0301	8-Jun-15	8-May-16	-	6-Jun-16	3-Nov-16	(150.00)
5.9.4	Construction - PS#0301	7-Jun-16	4-Nov-16	(150.00)	9-May-18	9-May-18	-
<b>5.10 Upgrade of PS#0488</b>							
5.10.1	Engineering Design - Upgrade PS#0488	7-Oct-14	16-Feb-15	-	13-May-15	21-Dec-15	-
5.10.2	Permitting - Upgrade PS#0488	14-May-15	22-Dec-15	-	12-May-16	18-Jun-16	(37.00)
5.10.3	Procurement - Upgrade PS#0488	8-Jun-15	19-Jun-16	-	6-Jun-16	15-Mar-17	(282.00)
5.10.4	Construction - Upgrade PS#0488	7-Jun-16	16-Mar-17	(282.00)	9-May-18	9-May-18	-
<b>5.11 Installation of 60 inch FM from Kendall Dr to PS#0536</b>							
5.11.1	Engineering Design (DCP) - Install 60" FM from Kendal Dr. to PS#0536	7-Oct-14	17-Dec-14	-	13-May-15	23-Mar-16	-
5.11.2	Permitting - Install 60" FM from Kendal Dr. to PS#0536	14-May-15	24-Mar-16	-	12-May-16	21-Jul-16	(70.00)
5.11.3	Procurement - Install 60" FM from Kendal Dr. to PS#0536	8-Jun-15	22-Jul-16	-	6-Jun-16	17-Jan-17	(225.00)
5.11.4	Construction - Install 60" FM from Kendal Dr. to PS#0536	7-Jun-16	18-Jan-17	(225.00)	9-May-18	9-May-18	-
<b>5.12 Replacement of Switchgear at PS#0187</b>							
5.12.1	Engineering Design - Replace S/G at PS#0187	7-Oct-14	1-Feb-15	-	13-May-15	25-Nov-15	-
5.12.2	Permitting - Replace S/G at PS#0187	14-May-15	26-Nov-15	-	12-May-16	23-May-16	(11.00)
5.12.3	Procurement - Replace S/G at PS#0187	8-Jun-15	24-May-16	-	6-Jun-16	19-Nov-16	(166.00)
5.12.4	Construction - Replace S/G at PS#0187	7-Jun-16	20-Nov-16	(166.00)	9-May-18	9-May-18	-

**MDWASD Consent Decree Program**  
**New Requested EPA Interim Milestone Dates**  
**(May 2015 Update)**

EPA Interim Milestone ID	Activity Name	Current Start	Requested Start	Start Variance	Current Finish	Requested Finish	Finish Variance
<b>5.13 Refurbish Emergency Generators and Controls at Regional Pump Stations</b>							
5.13.1	Engineering Design (N/A) - Refurbish Emer Gen Controls at Pumpstations	2-Sep-14	12-Sep-14	-	10-Dec-14	26-Mar-15	-
5.13.2	Permitting (N/A) - Refurbish Emer Gen Controls at Pumpstations	11-Dec-14	11-Dec-14	-	9-Apr-15	9-Apr-15	-
5.13.3	Procurement - Refurbish Emer Gen Controls at Pumpstations	3-Jan-15	3-Jan-15	-	2-Jan-16	22-Jun-16	(172.00)
5.13.4	Construction - Refurbish Emer Gen Controls at Pumpstations	3-Jan-16	3-Jan-16	-	20-Jul-16	20-Jul-16	-
<b>5.14 Upgrade of PS#0086, 0492</b>							
5.14.1	Procurement - Upgrade PS#0086, 0492	8-Oct-12	8-Oct-12	-	5-Apr-13	5-Apr-13	-
5.14.2	Construction - Upgrade PS#0086, 0492	6-Apr-13	6-Apr-13	-	31-Dec-13	31-Dec-13	-
<b>5.15 Upgrade of PS#0065, 0201, 0334, 0374, 0607</b>							
5.15.1	Engineering Design - Upgrade PS#0065, 0201, 0334, 0374, 0607	1-Jan-14	1-Jan-14	-	10-Jul-14	10-Jul-14	-
5.15.2	Permitting - Upgrade PS#0065, 0201, 0334, 0374, 0607	10-Jul-14	10-Jul-14	-	8-Oct-14	8-Oct-14	-
5.15.3	Procurement - Upgrade PS#0065, 0201, 0334, 0374, 0607	8-Oct-14	8-Oct-14	-	6-Apr-15	6-Apr-15	-
5.15.4	Construction - Upgrade PS#0065, 0201, 0334, 0374, 0607	6-Apr-15	6-Apr-15	-	31-Dec-15	31-Dec-15	-
<b>5.16 Upgrade of PS#0198, 0437, 0466, 0680</b>							
5.16.1	Engineering Design - Upgrade PS#0198, 0437, 0466, 0680	2-Jan-15	2-Jan-15	-	10-Jul-15	6-Sep-15	(58.00)
5.16.2	Permitting - Upgrade PS#0198, 0437, 0466, 0680	11-Jul-15	7-Sep-15	(58.00)	8-Oct-15	5-Dec-15	(58.00)
5.16.3	Procurement - Upgrade PS#0198, 0437, 0466, 0680	9-Oct-15	6-Dec-15	(58.00)	5-Apr-16	2-Jun-16	(58.00)
5.16.4	Construction - Upgrade PS#0198, 0437, 0466, 0680	6-Apr-16	3-Jun-16	(58.00)	31-Dec-16	31-Dec-16	-
<b>5.17 Upgrade of PS#0037, 0351, 0370, 0403</b>							
5.17.1	Engineering Design - Upgrade PS#0037, 0351, 0370, 0403	2-Jan-16	2-Jan-16	-	9-Jul-16	9-Jul-16	-
5.17.2	Permitting - Upgrade PS#0037, 0351, 0370, 0403	10-Jul-16	10-Jul-16	-	7-Oct-16	7-Oct-16	-
5.17.3	Procurement - Upgrade PS#0037, 0351, 0370, 0403	8-Oct-16	8-Oct-16	-	5-Apr-17	5-Apr-17	-
5.17.4	Construction - Upgrade PS#0037, 0351, 0370, 0403	6-Apr-17	6-Apr-17	-	31-Dec-17	31-Dec-17	-
<b>5.18 Upgrade of PS#0441, 0491, 0710, 0827, 0852, 1236</b>							
5.18.1	Engineering Design - Upgarde PS#0441, 0491, 0710, 0827, 0852, 1236	1-Jan-17	1-Jan-17	-	9-Jul-17	9-Jul-17	-
5.18.2	Permitting - Upgarde PS#0441, 0491, 0710, 0827, 0852, 1236	10-Jul-17	10-Jul-17	-	7-Oct-17	7-Oct-17	-
5.18.3	Procurement - Upgarde PS#0441, 0491, 0710, 0827, 0852, 1236	8-Oct-17	8-Oct-17	-	5-Apr-18	5-Apr-18	-
5.18.4	Construction - Upgarde PS#0441, 0491, 0710, 0827, 0852, 1236	6-Apr-18	6-Apr-18	-	31-Dec-18	31-Dec-18	-
<b>5.19 SCADA RTU Upgrades</b>							
5.19.1	Construction - PS SCADA RTU Upgrades	1-Oct-13	1-Oct-13	-	18-Mar-16	18-Mar-16	-

## Attachment 3



miamidade.gov

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

**VIA ELECTRONIC CORRESPONDENCE**

July 16, 2015

CCN: 59531  
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](mailto:Walter.Benjamin.Fisherow@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](mailto: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](mailto:Rachael.Kamons@usdoj.gov)

Florida Department of Environmental Protection  
Southeast District – Suite 200  
400 N. Congress Ave.  
West Palm Beach, FL 33401  
Attn: Compliance/Enforcement Section  
[Diane.Pupa@dep.state.fl.us](mailto:Diane.Pupa@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**  
**2015 Request for Modifications of Non-Material Changes to Interim Milestones in CD Appendix D-2**

Dear Sir/Madam:

Pursuant to our discussions during our June 18<sup>th</sup> telephone conference, the Miami-Dade Water and Sewer Department (MDWASD) respectfully request approval of modifications for non-material changes to Appendix D-2 in conformance with Sections VI.19(i) and XX of the above referenced Consent Decree. Attached for your review and approval is a table containing the non-material modifications to certain dates for phased work in Appendix D-2. For ease of identification, the dates highlighted in blue are those for which we are requesting modifications. In addition, the table also illustrates the variance (in days) of the requested modification date to the previously approved interim milestone date.

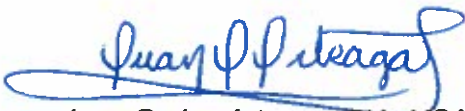


As discussed on our June 18th call, MDWASD has now completed an evaluation and validation of our entire Consent Decree program. This evaluation included development of detailed schedules at the project level. The validated schedules contain a breakdown of individual design stages (e.g. 30%/60%/90%) as well as preliminary construction schedules for each Consent Decree project. This evaluation resulted in the need to request modifications of the interim milestones in order to meet the construction completion date specified in Appendix D-2.

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) 552-8571.

Sincerely,



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

Attachments: Request for Modifications of Non-Material Changes to Interim Milestones in CD  
Appendix D-2 Table

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](mailto:Jon.Glogau@myfloridalegal.com)

Florida Department of Environmental Protection  
Southeast District – Suite 200  
400 N. Congress Ave.  
West Palm Beach, FL 33401  
Attn: Compliance/Enforcement Section  
[Jason.Andreotta@dep.state.fl.us](mailto:Jason.Andreotta@dep.state.fl.us)  
[Lisa.M.Self@dep.state.fl.us](mailto:Lisa.M.Self@dep.state.fl.us)  
[Sed.wastewater@dep.state.fl.us](mailto:Sed.wastewater@dep.state.fl.us)

Mayor Carlos A. Gimenez  
Miami-Dade County  
111 NW First Street 29<sup>th</sup> Floor  
Miami, Florida 33128

Lester Sola, Director  
Miami-Dade Water and Sewer Department  
3071 SW 38<sup>th</sup> Avenue  
Miami, Florida 33146

Jack Osterholt, Deputy Mayor/Director  
Miami-Dade Regulatory and  
Economic Resources  
111 NW 1st Street. 29th Floor  
Miami, FL 33128  
[Josterholt@miamidade.gov](mailto:Josterholt@miamidade.gov)

Robert A. Cuevas, Jr.  
Miami-Dade County Attorney  
111 NW First Street Suite 2810  
Miami, Florida 33128

William Bush  
Associate Regional Counsel  
U.S. EPA, Region 4  
61 Forsyth Street, SW  
Atlanta, Georgia 30303  
[Bush.William@epa.gov](mailto:Bush.William@epa.gov)

July 16, 2015

Page 4

William A. Weinischke  
Senior Trial Attorney  
Environmental Enforcement Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
P.O. Box 7611  
Washington, D.C. 20044  
Bill.Weinischke@usdoj.gov

**MDWASD Consent Decree Program**  
**New Requested EPA Interim Milestone Dates**  
**(May 2015 Update)**

EPA Interim Milestone ID	Activity Name	Current Start	Requested Start	Start Variance	Current Finish	Requested Finish	Finish Variance	Notes
<b>1.7 Digesters and Control Building</b>								
1.7.1	Engineering Design - SD Digesters & Control Building	3-Jul-14	3-Jul-14	-	31-Jul-16	31-Jul-16	-	Delays in engineering activities resulted in delays in permitting and procurement. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
1.7.2	Permitting - SD Digesters & Control Building	27-Jul-14	16-Jun-16	-	26-Jul-15	12-Dec-16	(505.00)	
1.7.3	Procurement - SD Digesters & Control Building	27-Jul-15	13-Dec-16	(505.00)	25-Jul-16	8-Sep-17	(410.00)	
1.7.4	Construction - SD Digesters & Control Building	26-Jul-16	9-Sep-17	(410.00)	28-Oct-21	28-Oct-21	-	
<b>1.8 Dewatering Facility</b>								
1.8.1	Engineering Design (DCP) - SD Dewatering Facilities	1-Jul-14	1-Mar-15	-	13-Apr-15	16-Mar-16	-	This is a design-build project. Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
1.8.2	Permitting - SD Dewatering Facilities	14-Apr-15	12-Jun-17	-	12-Apr-16	26-Dec-17	(623.00)	
1.8.3	Procurement - SD Dewatering Facilities	13-Apr-16	13-Apr-16	-	12-Apr-17	12-Apr-17	-	
1.8.4	Construction - SD Dewatering Facilities	13-Apr-17	12-Jun-17	(60.00)	28-Nov-19	28-Nov-19	-	
<b>1.9 FOG Removal Facility</b>								
1.9.1	Engineering Design - SD FOG Removal Facility	8-Jul-14	8-Jul-14	-	30-Jun-15	16-Feb-16	(231.00)	Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Delays in engineering activities resulted in delays in permitting and procurement. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
1.9.2	Permitting - SD FOG Removal Facility	1-Jul-15	17-Feb-16	(231.00)	27-Dec-15	15-Jun-16	(171.00)	
1.9.3	Procurement - SD FOG Removal Facility	3-May-15	16-Jun-16	-	1-May-16	12-Dec-16	(225.00)	
1.9.4	Construction - SD FOG Removal Facility	2-May-16	13-Dec-16	(225.00)	7-Dec-17	7-Dec-17	-	
<b>1.10 Odor Control</b>								
1.10.1	Engineering Design - SD Odor Control	1-Dec-18	1-Dec-18	-	27-Jun-19	27-Jun-19	-	
1.10.2	Permitting - SD Odor Control	28-Jun-19	28-Jun-19	-	26-Jun-20	26-Jun-20	-	
1.10.3	Procurement - SD Odor Control	27-Jun-20	27-Jun-20	-	26-Jun-21	26-Jun-21	-	
1.10.4	Construction - SD Odor Control	27-Jun-21	27-Jun-21	-	25-Apr-23	25-Apr-23	-	
<b>1.11 General Electrical</b>								
1.11.1	Engineering Design - SD General Electrical	1-Nov-16	1-Nov-16	-	28-May-17	28-May-17	-	
1.11.2	Permitting - SD General Electrical	29-May-17	29-May-17	-	28-May-18	28-May-18	-	
1.11.3	Procurement - SD General Electrical	29-May-18	29-May-18	-	28-May-19	28-May-19	-	
1.11.4	Construction - SD General Electrical	29-May-19	29-May-19	-	26-Mar-21	26-Mar-21	-	
<b>1.12 Chlorine Contact Chamber Structural Rehab</b>								
1.12.1	Engineering Design - SD Chlorine Contact Chamber Struct. Rehab	1-Aug-16	1-Aug-16	-	8-Apr-17	8-Apr-17	-	
1.12.2	Permitting - SD Chlorine Contact Chamber Struct. Rehab	9-Apr-17	9-Apr-17	-	8-Apr-18	8-Apr-18	-	
1.12.3	Procurement - SD Chlorine Contact Chamber Struct. Rehab	9-Apr-18	9-Apr-18	-	8-Apr-19	8-Apr-19	-	
1.12.4	Construction - SD Chlorine Contact Chamber Struct. Rehab	9-Apr-19	9-Apr-19	-	18-Jun-21	18-Jun-21	-	
<b>2. Central District WWTP</b>								
<b>2.1 Miscellaneous Electrical Improvements</b>								
2.1.1	Engineering Design - CD Misc. Elect.Improvements	1-Jan-17	1-Jan-17	-	20-Jun-17	20-Jun-17	-	
2.1.2	Permitting - CD Misc. Elect.Improvements	21-Jun-17	21-Jun-17	-	20-Jun-18	20-Jun-18	-	
2.1.3	Procurement - CD Misc. Elect.Improvements	21-Jun-18	21-Jun-18	-	20-Jun-19	20-Jun-19	-	
2.1.4	Construction - CD Misc. Elect.Improvements	21-Jun-19	21-Jun-19	-	6-Mar-20	6-Mar-20	-	
<b>2.2 Building Improvements</b>								
2.2.1	Engineering Design - CD Repairs to Various Buildings	1-May-14	1-May-14	-	18-Oct-14	22-Dec-15	-	This project has been split into two child projects. The required repairs to other buildings is starting at a later date. As a result, the project is requiring a later permitting end date.
2.2.2	Permitting - CD Repairs to Various Buildings	19-Oct-14	19-Oct-14	-	18-Oct-15	20-Apr-16	(185.00)	
2.2.3	Procurement - CD Repairs to Various Buildings	19-Oct-15	19-Oct-15	-	17-Oct-16	17-Oct-16	-	Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
2.2.4	Construction - CD Repairs to Various Buildings	18-Oct-16	18-Oct-16	-	6-Sep-17	6-Sep-17	-	

**MDWASD Consent Decree Program**  
**New Requested EPA Interim Milestone Dates**  
**(May 2015 Update)**

EPA Interim Milestone ID	Activity Name	Current Start	Requested Start	Start Variance	Current Finish	Requested Finish	Finish Variance	Notes
<b>2.3 Headworks/Grit Basin Plant 1</b>								
2.3.1	Engineering Design - CD Headworks/Grit Basin Plant 1	1-Sep-14	6-Oct-14	-	4-Jul-15	5-Jan-16	(185.00)	Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Delays in engineering activities is resulting in delays in permitting and procurement. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
2.3.2	Permitting - CD Headworks/Grit Basin Plant 1	4-Aug-14	6-Jan-16	-	3-Aug-15	4-May-16	(275.00)	
2.3.3	Procurement - CD Headworks/Grit Basin Plant 1	4-Aug-15	6-Jan-16	(155.00)	2-Aug-16	2-Aug-16	-	
2.3.4	Construction - CD Headworks/Grit Basin Plant 1	3-Aug-16	3-Aug-16	-	22-Oct-17	22-Oct-17	-	
<b>2.4 Headworks/Grit Basin Plant 2</b>								
2.4.1	Engineering Design - CD Headworks/Grit Basin Plant 2	1-Sep-14	6-Oct-14	-	2-Oct-15	19-Feb-16	(140.00)	Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Delays in engineering activities is resulting in delays in permitting. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
2.4.2	Permitting - CD Headworks/Grit Basin Plant 2	4-Mar-15	20-Feb-16	-	2-Mar-16	18-Jun-16	(108.00)	
2.4.3	Procurement - CD Headworks/Grit Basin Plant 2	3-Mar-16	3-Mar-16	-	2-Mar-17	2-Mar-17	-	
2.4.4	Construction - CD Headworks/Grit Basin Plant 2	3-Mar-17	3-Mar-17	-	22-May-18	22-May-18	-	
<b>2.5 Oxygenation Trains Plant 1</b>								
2.5.1	Engineering Design - CD Oxygenation Trains Plant 1	1-Jun-14	1-Jun-14	-	2-Sep-14	2-Sep-14	-	Validation of design and construction schedule resulted in delays in construction start dates. Completion of construction is currently anticipated to finish ahead of CD compliance date.
2.5.2	Permitting - CD Oxygenation Trains Plant 1	3-Sep-14	3-Sep-14	-	2-Sep-15	2-Sep-15	-	
2.5.3	Procurement (Mixers) - CD Oxygenation Trains Plant 1	3-Sep-15	3-Sep-15	-	1-Sep-16	1-Sep-16	-	
2.5.4	Structural Rehab Train #2 - CD Oxygenation Trains Plant 1	1-Oct-16	14-Dec-16	(74.00)	14-Apr-17	14-Apr-17	-	
2.5.5	Structural Rehab Train #3 - CD Oxygenation Trains Plant 1	1-Oct-17	15-Dec-17	(75.00)	15-Apr-18	15-Apr-18	-	
<b>2.6 Oxygenation Trains Plant 2</b>								
2.6.1	Engineering Design - CD Oxygenation Trains Plant 2	1-Jun-16	1-Jun-16	-	2-Sep-16	2-Sep-16	-	Validation of design and construction schedule resulted in delay of procurement end date. Therefore, the delay in procurement end date resulted in delays in construction start dates. Completion of construction is currently anticipated to finish ahead of CD compliance date.
2.6.2	Permitting - CD Oxygenation Trains Plant 2	3-Sep-16	3-Sep-16	-	2-Sep-17	2-Sep-17	-	
2.6.3	Procurement (Mixers) - CD Oxygenation Trains Plant 2	3-Sep-17	3-Sep-17	-	2-Sep-18	16-Nov-18	(75.00)	
2.6.4	Structural Rehab Train #1 - CD Oxygenation Trains Plant 2	3-Sep-18	16-Dec-18	(104.00)	18-Mar-19	18-Mar-19	-	
2.6.5	Structural Rehab Train #2 - CD Oxygenation Trains Plant 2	1-Oct-19	16-Dec-19	(76.00)	14-Apr-20	14-Apr-20	-	
2.6.6	Structural Rehab Train #3 - CD Oxygenation Trains Plant 2	1-Oct-20	15-Dec-20	(75.00)	15-Apr-21	15-Apr-21	-	
2.6.7	Structural Rehab Train #4 - CD Oxygenation Trains Plant 2	1-Oct-21	16-Dec-21	(76.00)	14-Apr-22	14-Apr-22	-	
<b>2.7 Secondary Clarifiers Plant 1</b>								
2.7.1	Engineering Design - CD Secondary Clarifiers Plant 1	1-Apr-21	1-Apr-21	-	5-Oct-21	5-Oct-21	-	
2.7.2	Permitting - CD Secondary Clarifiers Plant 1	6-Oct-21	6-Oct-21	-	5-Oct-22	5-Oct-22	-	
2.7.3	Procurement - CD Secondary Clarifiers Plant 1	6-Oct-22	6-Oct-22	-	5-Oct-23	5-Oct-23	-	
2.7.4	Construction Clarifiers 1&2 - CD Secondary Clarifiers Plant 1	6-Oct-23	6-Oct-23	-	17-Sep-24	17-Sep-24	-	
2.7.5	Construction Clarifiers 3&4 - CD Secondary Clarifiers Plant 1	18-Sep-24	18-Sep-24	-	31-Aug-25	31-Aug-25	-	
2.7.6	Construction Clarifiers 5&6 - CD Secondary Clarifiers Plant 1	1-Sep-25	1-Sep-25	-	15-Aug-26	15-Aug-26	-	
<b>2.8 Secondary Clarifiers Plant 2</b>								
2.8.1	Engineering Design - CD Secondary Clarifiers Plant 2	1-Jun-16	1-Jun-16	-	5-Dec-16	5-Dec-16	-	
2.8.2	Permitting - CD Secondary Clarifiers Plant 2	6-Dec-16	6-Dec-16	-	5-Dec-17	5-Dec-17	-	
2.8.3	Procurement - CD Secondary Clarifiers Plant 2	6-Dec-17	6-Dec-17	-	5-Dec-18	5-Dec-18	-	
2.8.4	Construction Clarifiers 1&2 - CD Secondary Clarifiers Plant 2	6-Dec-18	6-Dec-18	-	18-Nov-19	18-Nov-19	-	
2.8.5	Construction Clarifiers 3&4 - CD Secondary Clarifiers Plant 2	19-Nov-19	19-Nov-19	-	1-Nov-20	1-Nov-20	-	
2.8.6	Construction Clarifiers 5&6 - CD Secondary Clarifiers Plant 2	2-Nov-20	2-Nov-20	-	15-Oct-21	15-Oct-21	-	
2.8.7	Construction Clarifiers 7&8 - CD Secondary Clarifiers Plant 2	16-Oct-21	16-Oct-21	-	28-Sep-22	28-Sep-22	-	
2.8.8	Construction Clarifiers 9&10 - CD Secondary Clarifiers Plant 2	29-Sep-22	29-Sep-22	-	12-Sep-23	12-Sep-23	-	

**MDWASD Consent Decree Program**  
**New Requested EPA Interim Milestone Dates**  
**(May 2015 Update)**

EPA Interim Milestone ID	Activity Name	Current Start	Requested Start	Start Variance	Current Finish	Requested Finish	Finish Variance	Notes
<b>5.5 Replacement of Switchgear and Rehabilitation of Wetwell PS#0415</b>								
5.5.1	Engineering Design - PS#0415	7-Oct-14	24-Jan-15	-	15-Jul-15	24-Apr-16	(284.00)	Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Therefore, dates for downstream activities were affected. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
5.5.2	Permitting - PS#0415	10-Aug-14	25-Apr-16	-	9-Aug-15	21-Oct-16	(439.00)	
5.5.3	Procurement - PS#0415	10-Aug-15	22-Oct-16	(439.00)	8-Aug-16	19-Apr-17	(254.00)	
5.5.4	Construction - PS#0415	9-Aug-16	20-Apr-17	(254.00)	27-Jan-19	27-Jan-19	-	
<b>5.6 Replacement of Switchgear PS#0416</b>								
5.6.1	Engineering Design - PS#0416	7-Oct-14	24-Jan-15	-	13-May-15	-	-	Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Therefore, dates for downstream activities were affected. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
5.6.2	Permitting - PS#0416	14-May-15	31-Mar-16	-	12-May-16	28-Jul-16	(77.00)	
5.6.3	Procurement - PS#0416	8-Jun-15	29-Jul-16	-	6-Jun-16	24-Jan-17	(232.00)	
5.6.4	Construction - PS#0416	7-Jun-16	25-Jan-17	(232.00)	9-May-18	9-May-18	-	
<b>5.7 Replacement of Switchgear and Rehabilitation of Wetwell PS#0417</b>								
5.7.1	Engineering Design - PS#0417	7-Oct-14	24-Jan-15	-	15-Jul-15	16-Apr-16	(276.00)	Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Therefore, dates for downstream activities were affected. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
5.7.2	Permitting - PS#0417	10-Aug-14	21-Jun-16	-	9-Aug-15	18-Oct-16	(436.00)	
5.7.3	Procurement - PS#0417	10-Aug-15	19-Oct-16	(436.00)	8-Aug-16	16-Apr-17	(251.00)	
5.7.4	Construction - PS#0417	9-Aug-16	17-Apr-17	(251.00)	27-Jan-19	27-Jan-19	-	
<b>5.8 Replacement of Electrical and Mechanical Equipment in PS#0107</b>								
5.8.1	Engineering Design - PS#0107	7-Oct-14	15-Apr-16	-	15-Jul-15	9-Sep-16	(422.00)	Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Therefore, dates for downstream activities were affected. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
5.8.2	Permitting - PS#0107	10-Aug-14	10-Sep-16	-	9-Aug-15	8-Mar-17	(577.00)	
5.8.3	Procurement - PS#0107	10-Aug-15	9-Mar-17	(577.00)	8-Aug-16	3-Dec-17	(482.00)	
5.8.4	Construction - PS#0107	9-Aug-16	4-Dec-17	(482.00)	27-Jan-19	27-Jan-19	-	
<b>5.9 Replacement of Pumping and Electrical Equipment at PS#0301</b>								
5.9.1	Engineering Design - PS#0301	7-Oct-14	20-Nov-14	-	13-May-15	8-Jan-16	-	Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Therefore, dates for downstream activities were affected. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
5.9.2	Permitting - PS#0301	14-May-15	9-Jan-16	-	12-May-16	12-May-16	-	
5.9.3	Procurement - PS#0301	8-Jun-15	8-May-16	-	6-Jun-16	3-Nov-16	(150.00)	
5.9.4	Construction - PS#0301	7-Jun-16	4-Nov-16	(150.00)	9-May-18	9-May-18	-	
<b>5.10 Upgrade of PS#0488</b>								
5.10.1	Engineering Design - Upgrade PS#0488	7-Oct-14	16-Feb-15	-	13-May-15	21-Dec-15	-	Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Therefore, dates for downstream activities were affected. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
5.10.2	Permitting - Upgrade PS#0488	14-May-15	22-Dec-15	-	12-May-16	18-Jun-16	(37.00)	
5.10.3	Procurement - Upgrade PS#0488	8-Jun-15	19-Jun-16	-	6-Jun-16	15-Mar-17	(282.00)	
5.10.4	Construction - Upgrade PS#0488	7-Jun-16	16-Mar-17	(282.00)	9-May-18	9-May-18	-	
<b>5.11 Installation of 60 inch FM from Kendall Dr to PS#0536</b>								
5.11.1	Engineering Design (DCP) - Install 60" FM from Kendal Dr. to PS#0536	7-Oct-14	17-Dec-14	-	13-May-15	23-Mar-16	-	Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Therefore, dates for downstream activities were affected. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
5.11.2	Permitting - Install 60" FM from Kendal Dr. to PS#0536	14-May-15	24-Mar-16	-	12-May-16	21-Jul-16	(70.00)	
5.11.3	Procurement - Install 60" FM from Kendal Dr. to PS#0536	8-Jun-15	22-Jul-16	-	6-Jun-16	17-Jan-17	(225.00)	
5.11.4	Construction - Install 60" FM from Kendal Dr. to PS#0536	7-Jun-16	18-Jan-17	(225.00)	9-May-18	9-May-18	-	
<b>5.12 Replacement of Switchgear at PS#0187</b>								
5.12.1	Engineering Design - Replace S/G at PS#0187	7-Oct-14	1-Feb-15	-	13-May-15	25-Nov-15	-	Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Therefore, dates for downstream activities were affected. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
5.12.2	Permitting - Replace S/G at PS#0187	14-May-15	26-Nov-15	-	12-May-16	23-May-16	(11.00)	
5.12.3	Procurement - Replace S/G at PS#0187	8-Jun-15	24-May-16	-	6-Jun-16	19-Nov-16	(166.00)	
5.12.4	Construction - Replace S/G at PS#0187	7-Jun-16	20-Nov-16	(166.00)	9-May-18	9-May-18	-	

**MDWASD Consent Decree Program  
New Requested EPA Interim Milestone Dates  
(May 2015 Update)**

EPA Interim Milestone ID	Activity Name	Current Start	Requested Start	Start Variance	Current Finish	Requested Finish	Finish Variance	Notes
<b>5.13 Refurbish Emergency Generators and Controls at Regional Pump Stations</b>								
5.13.1	Engineering Design (N/A) - Refurbish Emer Gen Controls at Pumpstations	2-Sep-14	12-Sep-14	-	10-Dec-14	26-Mar-15	-	Emergency generator refurbishments are being performed by turnkey vendors. Engineering activities started later than originally scheduled, therefore end date for procurement needs modification. Completion of construction is currently anticipated to finish ahead of the CD compliance date.
5.13.2	Permitting (N/A) - Refurbish Emer Gen Controls at Pumpstations	11-Dec-14	11-Dec-14	-	9-Apr-15	9-Apr-15	-	
5.13.3	Procurement - Refurbish Emer Gen Controls at Pumpstations	3-Jan-15	3-Jan-15	-	2-Jan-16	22-Jun-16	(172.00)	
5.13.4	Construction - Refurbish Emer Gen Controls at Pumpstations	3-Jan-16	3-Jan-16	-	20-Jul-16	20-Jul-16	-	
<b>5.14 Upgrade of PS#0086, 0492</b>								
5.14.1	Procurement - Upgrade PS#0086, 0492	8-Oct-12	8-Oct-12	-	5-Apr-13	5-Apr-13	-	
5.14.2	Construction - Upgrade PS#0086, 0492	6-Apr-13	6-Apr-13	-	31-Dec-13	31-Dec-13	-	
<b>5.15 Upgrade of PS#0065, 0201, 0334, 0374, 0607</b>								
5.15.1	Engineering Design - Upgrade PS#0065, 0201, 0334, 0374, 0607	1-Jan-14	1-Jan-14	-	10-Jul-14	10-Jul-14	-	
5.15.2	Permitting - Upgrade PS#0065, 0201, 0334, 0374, 0607	10-Jul-14	10-Jul-14	-	8-Oct-14	8-Oct-14	-	
5.15.3	Procurement - Upgrade PS#0065, 0201, 0334, 0374, 0607	8-Oct-14	8-Oct-14	-	6-Apr-15	6-Apr-15	-	
5.15.4	Construction - Upgrade PS#0065, 0201, 0334, 0374, 0607	6-Apr-15	6-Apr-15	-	31-Dec-15	31-Dec-15	-	
<b>5.16 Upgrade of PS#0198, 0437, 0466, 0680</b>								
5.16.1	Engineering Design - Upgrade PS#0198, 0437, 0466, 0680	2-Jan-15	2-Jan-15	-	10-Jul-15	6-Sep-15	(58.00)	Preliminary engineering design activities were delayed due to the process of procuring a design consultant. Therefore, dates for downstream activities were affected. Overlapping/expediting of interim activities planned to complete project in accordance with the final CD milestone date.
5.16.2	Permitting - Upgrade PS#0198, 0437, 0466, 0680	11-Jul-15	7-Sep-15	(58.00)	8-Oct-15	5-Dec-15	(58.00)	
5.16.3	Procurement - Upgrade PS#0198, 0437, 0466, 0680	9-Oct-15	6-Dec-15	(58.00)	5-Apr-16	2-Jun-16	(58.00)	
5.16.4	Construction - Upgrade PS#0198, 0437, 0466, 0680	6-Apr-16	3-Jun-16	(58.00)	31-Dec-16	31-Dec-16	-	
<b>5.17 Upgrade of PS#0037, 0351, 0370, 0403</b>								
5.17.1	Engineering Design - Upgrade PS#0037, 0351, 0370, 0403	2-Jan-16	2-Jan-16	-	9-Jul-16	9-Jul-16	-	
5.17.2	Permitting - Upgrade PS#0037, 0351, 0370, 0403	10-Jul-16	10-Jul-16	-	7-Oct-16	7-Oct-16	-	
5.17.3	Procurement - Upgrade PS#0037, 0351, 0370, 0403	8-Oct-16	8-Oct-16	-	5-Apr-17	5-Apr-17	-	
5.17.4	Construction - Upgrade PS#0037, 0351, 0370, 0403	6-Apr-17	6-Apr-17	-	31-Dec-17	31-Dec-17	-	
<b>5.18 Upgrade of PS#0441, 0491, 0710, 0827, 0852, 1236</b>								
5.18.1	Engineering Design - Upgrade PS#0441, 0491, 0710, 0827, 0852, 1236	1-Jan-17	1-Jan-17	-	9-Jul-17	9-Jul-17	-	
5.18.2	Permitting - Upgrade PS#0441, 0491, 0710, 0827, 0852, 1236	10-Jul-17	10-Jul-17	-	7-Oct-17	7-Oct-17	-	
5.18.3	Procurement - Upgrade PS#0441, 0491, 0710, 0827, 0852, 1236	8-Oct-17	8-Oct-17	-	5-Apr-18	5-Apr-18	-	
5.18.4	Construction - Upgrade PS#0441, 0491, 0710, 0827, 0852, 1236	6-Apr-18	6-Apr-18	-	31-Dec-18	31-Dec-18	-	
<b>5.19 SCADA RTU Upgrades</b>								
5.19.1	Construction - PS SCADA RTU Upgrades	1-Oct-13	1-Oct-13	-	18-Mar-16	18-Mar-16	-	