



miamidade.gov

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

**VIA ELECTRONIC CORRESPONDENCE**

January 29, 2019

CCN: 62370  
File No: 8.DC.20.32

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](mailto: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](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 – 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](mailto: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 IX – Reporting Requirements, Paragraph 32 – Quarterly Reports – 2018  
Quarterly Report No. 4**

Dear Sir/Madam:

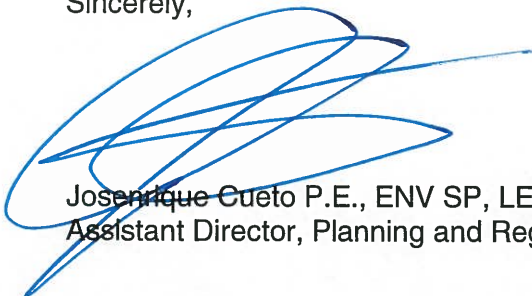
In accordance with the provisions of Paragraph 32 of the above referenced Consent Decree, on behalf of Miami-Dade County, the Water and Sewer Department (WASD) submits to the Environmental Protection Agency (EPA) and the State of Florida Department of Environmental Protection (FDEP) the 2018 Quarterly Report No. 4. The 2018 Quarterly Report No. 4 covers the period from October 1, 2018 through December 31, 2018.

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,



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

Attachment: 2018 Quarterly Report No. 4

ec: Elizabeth Teegen  
Senior 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](mailto: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  
[Lisa.M.Self@dep.state.fl.us](mailto:Lisa.M.Self@dep.state.fl.us)  
[Mike.Bechtold@dep.state.fl.us](mailto:Mike.Bechtold@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

Kevin T. Lynskey, 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)

Henry Gillman  
Miami-Dade Assistant County Attorney  
Miami-Dade County Attorney's Office  
111 NW First Street Suite 2810  
Miami, Florida 33128

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



## **2018 Quarterly Report No. 4** (Twentieth Quarterly Report)

**October 1, 2018 through December 31, 2018**

---

Prepared for

**United States Environmental Protection Agency and  
Florida Department of Environmental Protection**

**Consent Decree**  
**Case: No. 1:12-cv-24400-FAM**

---

Prepared by

**Miami-Dade County, Miami-Dade Water and Sewer Department and  
the  
Consent Decree Program Management Construction Management  
Team**

This Page Has Been Intentionally Left  
Blank

## 2018 Quarterly Report No. 4

### 1.0 Purpose

On April 9, 2014, Miami-Dade County (County) entered into a Consent Decree (CD) with the United States of America (United States), the State of Florida Department of Environmental Protection, and the State of Florida. The Consent Decree was lodged on June 6, 2013, and became effective on December 6, 2013. This document satisfies the requirements of Section IX, Paragraph 32 for submittal of the 2018 Quarterly Report No. 4 on or before January 31, 2019.

### 2.0 Requirements

Section IX, Paragraph 32 of the CD states: "Beginning one (1) month after the first Calendar Quarter following the Effective Date of this Consent Decree, and one (1) month after each Calendar Quarter thereafter until termination of the Consent Decree, Miami-Dade shall submit to EPA and FDEP for review and comment a Quarterly Report. Such Quarterly Report shall include the date, time, location, source, estimated duration, estimated volume, receiving water (if any) and cause of all SSOs occurring in the previous Calendar Quarter." Section IV, Paragraph 8(ii) of the CD defines an SSO as any discharge of wastewater to waters of the United States or the State from Miami-Dade's Wastewater Collection and Transmission System (WCTS) through a point source not permitted in any NPDES permit, as well as any overflow, spill, or release of wastewater to public or private property from the WCTS that may not have reached waters of the United States or the State, including all Building Backups – wastewater backups or releases caused by blockages, flow conditions or other malfunctions of a Private Lateral are not considered as Building Backups."

### 3.0 Sanitary Sewer Overflow Events

This quarterly report contains additional information on how the Sanitary Sewer Overflow (SSO) was resolved, including the immediate fix and any proposed long-term solution. While not specifically required by the Consent Decree, the United States Environmental Protection Agency (EPA) has requested that the County provide this additional information to aid them in preparing the United States' Semi-Annual Status Report to the United States District Court, Southern District of Florida, Miami Division.

The County shall not be held liable for stipulated penalties under Section X, Paragraph 42(vi) of the CD if the County "demonstrates that the SSO was caused by an Act of God, vandalism, a non-County Contractor, or any act of a third party not working directly or indirectly on behalf of Miami-Dade and that Miami-Dade demonstrates that it has used all reasonable measure to prevent such SSO." During this reporting period, the County determined there was one (1) event that would qualify under Section X Paragraph 42 (vi) as described above. This SSO event is described in Table 1. The notice letter was sent to the liable non-County contractor and an invoice for the damages will be generated. The supporting documentation available to date can be found in Appendix A. There were four (4) SSOs out of the nineteen (19) SSOs reported in Table 2 which involved third parties.

**Table 1 – Description SSO Event Caused by Liable Third Party**

	Date	Location	Overflow Volume (gallons)	Contractor
1	4-Dec-18	3005 NE 2 Avenue	9,264	Bore King, Inc.

### 3.1 Sanitary Sewer Overflows

Table 2 documents all SSO events for the fourth calendar quarter of 2018. There was a total of nineteen (19) SSO events:

- Eight (8) events involved gravity mains
- Seven (7) events involved force mains
- Two (2) events involved automatic or manual air release valves
- Two (2) events involved pump stations

There was no SSO event that reached the waters of the United States during this reporting period.

### 3.2 Building Backups

The County follows standard procedures to resolve and minimize the occurrence of Building Backups (BBUs). These procedures have been re-evaluated in the development of the new CMOM Program Sewer Overflow Response Plan (SORP) required by the current Consent Decree. The SORP was submitted by the County to EPA/FDEP on July 2, 2015. The County received EPA/FDEP comments on the SORP on January 27, 2017 and submitted a response on March 28, 2017. The EPA and FDEP approved the SORP on August 15, 2017. The County is implementing these procedures.

Presently, the Department's procedures for the response to, and the reporting and documenting of Building Backups are different from those of SSOs within the Department's WCTS. Additionally, the "Time" and "Duration" parameters are seldom characteristically the same between the two types of SSO events. For these reasons, Building Backups are normally included in a separate table and the "N/A" designation used for some "Time" and "Duration" entries. However, there was no building backup event to record during this reporting period. Therefore, no building backup table is included in this report.

## 4.0 Abbreviations/Acronyms

The following acronyms and abbreviations are used in the tables.

AC	Asbestos Cement
ARV	Manual Air Release Valve
AARV	Automatic Air Release Valve
ASSIS	Active As-Built Supplemental Information System
DI	Ductile Iron
CD	Consent Decree
CI	Cast Iron
CIP	Capital Improvement Project
FM	Force Main
FOG	Fats, Oils and Grease
FSE	Food Service Establishment
GIS	Geographic Information System
GM	Gravity Main
GSS	Gravity Sewer System

HDPE	High Density Polyethylene
LAT	Lateral
PIR	Project Initiation Report
PS	Pump Station
PVC	Polyvinyl Chloride
RER-DERM	Regulatory and Economic Resources, Division of Environmental Resources Management
VFD	Variable Frequency Drive

## **5.0 Amendment to Previous Quarterly Report**

There are no amendments to previous quarterly report required at this time.



Table 2 - Sanitary Sewer Overflows

Date	Time	Location	Source	Est. Duration	Est. Volume gallons	Destination	Waters Of US	Cause	Immediate Fix	Long Term Fix	
										Req'd	Solution
10/2/2018	12:45PM	1113 CRANDON BLVD KEY BISCAYNE 33149	PS	5 minutes	10	Land	No	Pumps turned off for routine maintenance activities at PS 0138	Turned pumps back on	No	No further action required
10/10/2018	7:25AM	14200 NW 42 AVE OPA-LOCKA 33054	AARV	6 hours	200	Land	No	AARV broken by rotation of manhole cover during maintenance activities	Replaced broken AARV with Manual ARV	Yes	Convert to Manual ARV to allow lower clearance
10/20/2018	10:00PM	18800 NW 79TH AVE UNINCORPORATE D MIAMI-DADE 33015	PS	1 hour 51 minutes	100	Storm Drain	No	Discharge pipe came apart due to clogged pumps (heavy vibration)	Diverted flows, clean and cleared blockages. Station was placed back in service	No	No further action required
10/23/2018	10:30AM	19015 SW 119 CT UNINCORPORATE D MIAMI-DADE 33177	FM	45 minutes	7,026	Land	No	6" DI force main broken by County- contractor	Repaired 6" DI force main broken by County- contractor	Yes	Reconcile GIS Data
10/28/2018	10:00AM	10260 NW 63 TER DORAL 33178	GM	1 hour 50 minutes	5	Land	No	Gravity main blockage due to heavy debris and concrete rock	Cleared gravity main of debris and concrete rock	Yes	CCTV the line and found no defect
11/1/2018	10:30AM	17500 N BAY RD SUNNY ISLES BEACH 33160	GM	1 hour 30 minutes	10	Land	No	Gravity main blockage due to grease and debris	Cleared grease blockage and notified local regulatory agency (RER- DERM)	No	No further action required
11/1/2018	5:30PM	NW 82 AVE & NW 58 ST UNINCORPORATE D MIAMI-DADE 33166	GM	1 hour 5 minutes	100	Land	No	Gravity main blockage due to grease	Cleared grease blockage and notified local regulatory agency (RER- DERM)	Yes	Designated as a hotspot and installed a Smart Cover. RER-DERM to investigate

Table 2 - Sanitary Sewer Overflows

Date	Time	Location	Source	Est. Duration	Est. Volume gallons	Destination	Waters Of US	Cause	Immediate Fix	Long Term Fix	
										Req'd	Solution
11/2/2018	12:28PM	MIAMI LAKES DR & NW 60 AVE MIAMI LAKES 33014	GM	2 hours 32 minutes	100	Land	No	Gravity main broken by County contractor	Repaired gravity main broken by County contractor	Yes	ASSIS ticket filed to reconcile GIS information
11/10/2018	2:15PM	541 NW 62 AVE MIAMI 33126	GM	1 hour 1 minute	10	Land	No	Gravity main blockage due to grease	Cleared grease blockage and notified local regulatory agency (RER- DERM)	No	No further action required
11/15/2018	4:56PM	9002 TIFFANY DR CUTLER BAY 33157	FM	2 hours 34 minutes	5,785	Storm Drain	No	Leaking 6" AC force main at the non-standard material clamp site of past repair	Repaired 6" AC force main by removing previous repair and replaced with standard material	Yes	AC FM replacement is in progress
11/17/2018	12:09PM	SW 122 AVE & SW 112 ST UNINCORPORATE D MIAMI-DADE 33186	ARV	2 hours 51 minutes	2,100	Storm Drain	No	Manual ARV leaking due to broken PVC nipple	Replaced nipple and angle valve above corporation	No	No further action required
11/21/2018	2:30PM	12450 SW 152 ST UNINCORPORATE D MIAMI-DADE 33177	FM	3 hours 30 minutes	31,547	Land	No	8" DI force main broken due to point load	Repaired 8" DI force main	No	No further action required
11/24/2018	1:45PM	9400 SW 88 ST UNINCORPORATE D MIAMI-DADE 33176	GM	1 hour 5 minutes	50	Land	No	Gravity main blockage due to grease and debris	Cleared grease blockage and notified local regulatory agency (RER- DERM)	No	No further action required
11/28/2018	2:30PM	182 ST & N BAY ROAD	GM	3 hours 30 minutes	70	Storm Drain	No	Gravity main blockage due to grease	Cleared grease blockage and notified local regulatory agency (RER- DERM)	Yes	RER-DERM investigated and identified potential unpermitted Food Service Establishment (FSE)

Table 2 - Sanitary Sewer Overflows

Date	Time	Location	Source	Est. Duration	Est. Volume gallons	Destination	Waters Of US	Cause	Immediate Fix	Long Term Fix	
										Req'd	Solution
11/29/2018	11:00AM	7600 NW 12 AVE UNINCORPORATE D MIAMI-DADE 33150	FM	45 minutes	887	Storm Drain	No	12" DI force main broken due to improper bedding	Repaired 12" DI force main	Yes	Recommended for replacement
12/2/2018	4:12PM	25840 SW 128 CT UNINCORPORATE D MIAMI-DADE 33032	GM	1 hour 48 minutes	10	Land	No	Gravity main blockage due to grease	Cleared grease blockage and notified local regulatory agency (RER- DERM)	No	No further action required
12/4/2018	10:54AM	3005 NE 2 AVE MIAMI 33137	FM	1 hour 6 minutes	9,264	Storm Drain	No	16" DI FM broken by non-County contractor (sludge line)	Repaired broken 16" DI force main	No	No further action required
12/6/2018	10:45AM	2120 NW 207 ST MIAMI GARDENS 33056	FM	1 hour 35 minutes	3,176	Land	No	4" AC force main broken by County contractor	Repaired 4" AC broken force main	Yes	AC FM replacement is in progress per CD CIP 4.9
12/20/2018	9:31PM	7750 NW 12 AVE UNINCORPORATE D MIAMI-DADE 33150	FM	1 hour 44 minutes	6,261	Storm Drain	No	12" DI force main broken due to improper bedding	Repaired broken 12" DI force main	No	No further action required



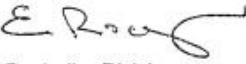
# Appendix A

## Supporting Documentation for SSO Events

---

Supporting document for December 4, 2018 Event on 3005 NE 2 Avenue caused by non-County Contractor

Figure 1 - Notice letter to contractor

 miamidade.gov	<b>Water and Sewer</b> PO Box 330316 * 3071 SW 38 Avenue Miami, Florida 33233-0316 T 305-665-7471																												
01/09/2019	Certified 7017 2680 0000 7025 5464																												
BORE KING INC. 2321 SW 56 TERRACE WEST PARK, FL 33027																													
Attn: ADRIAN KING																													
Re: File No: JS06849	Customer No. 00026444																												
<p>Expenses incurred by Miami Dade Water &amp; Sewer Department to repair and restore service to a damaged 16-inch sewer force main at NE 2nd Ave &amp; 30th St. The damage occurred during work operation to install a conduit for Comcast Cable. The 16-inch sewer force main was marked correctly. The incident was reported to Miami Dade Water &amp; Sewer Department by Adrian King, a representative for Bore King. The contractor was working under Sunshine State One-Call Location Ticket number 309813153. The damage resulted in a sewer spill of 9,264 gallons of raw sewage.</p>																													
Damage / Repair Date: 12/4/2018																													
<hr/> <p>This is to advise you that your company is being held liable for the above-referenced utility damage resulting from your work operation.</p>																													
<p>An invoice with the costs incurred by our Department to repair and restore service to this utility, including restoration of the area if required, will be sent to your attention. This amount is to be paid in full within 30 days of the invoice date.</p>																													
<p>Any questions concerning this matter should be referred to Eva Rodriguez at (786) 552-8223 or, (786) 552-8171. Thank you for your cooperation.</p>																													
Sincerely,	 <p>U.S. Postal Service™ <b>CERTIFIED MAIL® RECEIPT</b> Domestic Mail Only For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a>® <b>OFFICIAL USE</b></p> <table border="1"><tr><td>Certified Mail Fee</td><td>\$</td><td rowspan="5">Postmark Here</td></tr><tr><td>Extra Services &amp; Fees (check box, add fee as appropriate)</td><td></td></tr><tr><td><input type="checkbox"/> Return Receipt (hardcopy)</td><td>\$</td></tr><tr><td><input type="checkbox"/> Return Receipt (electronic)</td><td>\$</td></tr><tr><td><input type="checkbox"/> Certified Mail Restricted Delivery</td><td>\$</td></tr><tr><td><input type="checkbox"/> Adult Signature Required</td><td>\$</td></tr><tr><td><input type="checkbox"/> Adult Signature Restricted Delivery</td><td>\$</td></tr><tr><td>Postage</td><td>\$</td></tr><tr><td>Total Postage and Fees</td><td>\$</td></tr><tr><td>Sent To</td><td colspan="2">Bore King</td></tr><tr><td>Street and Apt. No., or PO Box No.</td><td colspan="2">JS06849</td></tr><tr><td>City, State, ZIP+4®</td><td colspan="2"></td></tr></table> <p>PS Form 3800, April 2015 PSN 7531-02-000-9047 See Reverse for Instructions</p>	Certified Mail Fee	\$	Postmark Here	Extra Services & Fees (check box, add fee as appropriate)		<input type="checkbox"/> Return Receipt (hardcopy)	\$	<input type="checkbox"/> Return Receipt (electronic)	\$	<input type="checkbox"/> Certified Mail Restricted Delivery	\$	<input type="checkbox"/> Adult Signature Required	\$	<input type="checkbox"/> Adult Signature Restricted Delivery	\$	Postage	\$	Total Postage and Fees	\$	Sent To	Bore King		Street and Apt. No., or PO Box No.	JS06849		City, State, ZIP+4®		
Certified Mail Fee		\$	Postmark Here																										
Extra Services & Fees (check box, add fee as appropriate)																													
<input type="checkbox"/> Return Receipt (hardcopy)	\$																												
<input type="checkbox"/> Return Receipt (electronic)	\$																												
<input type="checkbox"/> Certified Mail Restricted Delivery	\$																												
<input type="checkbox"/> Adult Signature Required	\$																												
<input type="checkbox"/> Adult Signature Restricted Delivery	\$																												
Postage	\$																												
Total Postage and Fees	\$																												
Sent To	Bore King																												
Street and Apt. No., or PO Box No.	JS06849																												
City, State, ZIP+4®																													
 Controller Division Special Collections Unit																													
c: File																													