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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

December 13, 2017

CCN: 61519  
File No: 8.DC.52 & 77

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](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 XI, Paragraph 52 – Potential Delay**  
**Section XVII, Paragraph 77 – Notices**  
**Potential Delay Notification Letter for Consent Decree Appendix D-2, Capital Improvement Projects 5.1 – Upgrade of Pump Station No. 0418**

Dear Sir/Madam:

In accordance with the provisions of Section XI, Paragraph 52 of the above referenced Consent Decree (CD), on November 29, 2017, Miami-Dade County (County) electronically notified United States Environmental Protection Agency (EPA) and Florida Department of Environmental Protection (FDEP) of a delay of CD Capital Improvement Project (CIP) 5.1 Upgrade of Pump Station #0418. Delays have occurred in the execution of this project during its construction phase. The November 29<sup>th</sup> email stated that due to this delay, the completion date on the contractor's project schedule exceeded the CD compliance date of November 24, 2018.

In accordance with Section XI, Paragraph 52, this notification letter shall further describe and explain the reasons for the delay; the anticipated duration of the delay; all actions taken or to be taken to prevent or minimize the delay; a schedule for implementation of any measures to be taken to prevent or mitigate the delay or the effect of the delay; a statement as to whether, in the opinion of the County, such event may cause or contribute to an endangerment to public health, welfare or the environment.

**Explanation and description of the reasons for the delay**

The scope of this project includes the conversion of the existing pump station to a booster station (PS) #0418, by replacing all the pumps, and shafts, associated piping, the addition of a new switchgear room, generator room, and their mechanical and electrical equipment and installation of a new emergency generator as well as new switchgear and VFDs (variable frequency drives).

The CD CIP 5.1 contractor has been delayed for the following reasons:

- The gravity sewer main as part of Hialeah PS 200 needed to be completed prior to PS #0418 shutdown, causing the project to be delayed (63 days)
- An existing valve needed to isolate the station was damaged and required prior repair (23 days)
- Heavy infiltration into the influent pipe had to be mitigated (21 days)
- Leakage through three existing valves in the 30-inch discharge main (21 days)
- Hurricane Irma impact (8 days)
- Unforeseen condition in pump room of a concrete fillet that had to be demolished (27 days)
- Unforeseen needs to change the flowmeter and related valves on the discharge side of the station (60 days)

All of these activities are on the schedule's critical path.

**Actions taken or to be taken to prevent or minimize the delay**

The Program Management and Construction Management (PMCM) Team has met with the contractor multiple times to resolve the issues listed above and to discuss ways to mitigate schedule impacts. In addition, PMCM will work with the Engineer of Record to resolve each of the unforeseen occurrences listed above and attempt to mitigate and minimize the schedule impacts.

**Anticipated duration of the delay**

Currently, there is a delay of two hundred and twenty-three (223) calendar days for contractor to reach substantial completion, extending past the original CD compliance date of November 24, 2018 to July 5, 2019. However, due to the risk of further unforeseen conditions the revised compliance date is requested to be set at September 5, 2019. This additional time is necessary for the contractor to reach substantial completion.

**Schedule for implementation of any measures to be taken to prevent or mitigate the delay or the effect of the delay**

The County will take the following steps (in sequence) to prevent or mitigate delay or the effect of the delay:

1. Continue to meet with contractor, EOR and WASD to assist in resolution of ongoing problems.
2. Meet with Contractor to discuss additional work resources on the project to expedite key elements of the work.

**Cause or contribute to an endangerment to public health, welfare or the environment**

The conversion of PS #0418 to a booster station is necessary to ensure the collection system's capacity to serve future developments as well as upgrade equipment to maintain the integrity of our system. It is the County's opinion that this delay will not present an immediate endangerment to the public health, welfare, or the environment.

Should you have any questions regarding this matter, please call me at (786) 552-8571.

I certify under penalty of law that this document was 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,



Hardeep Anand, P.E., ENV SP  
Deputy Director, Capital Improvement Programs & Regulatory Compliance

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 – 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

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)

Henry Gillman  
Assistant County Attorney  
Miami-Dade County Attorney's Office  
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)