



Carlos Alvarez, Mayor

Environmental Resources Management  
Pollution Control Division  
701 NW 1st Court • 4th Floor  
Miami, Florida 33136-3912  
T 305-372-6700 F 305-372-6729

miamidade.gov

October 16, 2009

CERTIFIED MAIL NO: 7007 1490 0003 8074 0426  
RETURN RECEIPT REQUESTED

Pete Hernandez, Manager  
City of Miami  
3500 Pan American Drive  
Miami, FL 33133

Re: Wagner Creek/Seybold Canal Corrective Action Plan-Version 2 dated August 2009 prepared by CH2M Hill for the City of Miami (the City) Wagner Creek/Seybold Canal Renovation Project (HWR-549/File-19958).

Dear Mr. Hernandez:

The Department of Environmental Resources Management (DERM) has reviewed the referenced document received August 12, 2009 and hereby approves the CAP subject to the following conditions:

1. The historical data does not support the assertion of a concentration gradient of decreasing dioxin concentration with sediment depth. Therefore, within areas designated as hot spots, the entire vertical column shall be assumed to contain dioxin concentrations above the 1 ppb threshold (hot) and shall be processed and managed for disposal at an approved landfill outside the state of Florida (e.g. Emelle, Alabama). Alternately, subsequent to removal, the dredge spoils obtained from below a depth of two feet in hot spot areas shall be segregated, stockpiled and sampled to determine appropriate disposal.
2. The horizontal limits of an area defined as "hot" shall extend in both directions from the location with dioxins TEQ concentrations greater than 1 ppb to the next sampled location indicating dioxin TEQ concentrations at or below 1 ppb. The concentrations within contiguous sections shall not be averaged to determine delineation to the 1 ppb threshold. Therefore, in addition to the areas proposed to be disposed as "hot", the areas WC-2, WC-5 and CH-12 shall be managed as "hot" sediments for disposal. The sediments extending from these locations to the nearest location with concentrations below 1 ppb shall be designated for removal and disposal as "hot" sediments.
3. In areas where access limitations preclude the removal of contaminated sediments, an engineering control shall be implemented subsequent to dredging to prevent or minimize the potential residual risk and contaminant leaching. The engineering control plan shall be submitted for DERM review and approval prior to implementation.
4. Surface water samples shall be collected on a quarterly basis for a minimum of one year subsequent to the completion of dredging activities. The first sampling event shall be completed within thirty days after completion of dredging. A Post Dredge Surface Water

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sampling plan which shall include a representative number of sampling locations shall be submitted to DERM for review and approval prior to implementation.

5. Results of the bench scale evaluation for the absorbent material shall be submitted to DERM for review and comment. The evaluation shall include details regarding optimal mixing/retention time and provide an equivalency evaluation for each material tested.
6. Prior to the issuance of a DERM permit for the proposed dredging, the City shall provide documentation from Waste Management, Medley Landfill and the Emelle Landfill indicating their acceptance criteria for dioxins. In addition, provide documentation from the facility proposed for the disposal of free water indicating acceptance criteria and the documentation submitted by the responsible party to support the disposal request/application.
7. The Air Quality Monitoring Plan shall provide a contingency to ensure adequate worker protection if the applicable trigger concentrations are exceeded (step up PPE, dust suppressant, etc).
8. DERM and the City of Miami shall be notified within 24 hours of any reportable spills associated with the project.

In addition to the above conditions for approval, the following deficiencies were identified in the referenced document:

- A. Figure 10 – Dioxin TEQ in sediments, the TEQ concentrations at location WC-5 and WC-6 are incorrectly depicted, the TEQ concentration for WC-5 is 0.894 ppb and 1.1 ppb respectively.
- B. The drawings presented in Volume 3 Section 4 incorrectly depict the locations of sample points CH-2-01 through CH-2-10.
- C. Based on the additional hotspots defined in Item 2 above, the Quantity Estimate Detail Table shall be revised to reflect these additional volumes for hotspot disposal.

Based on the above, DERM requires the following:

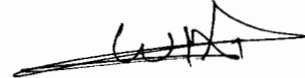
- I. A meeting with the City and its representatives, convened within thirty (30) days of receipt of this correspondence, to clarify the objectives of and provide guidance for the risk assessment (provided as Appendix F).
- II. Within forty five (45) days of receipt of this correspondence acknowledgement of the conditions 1 through 8 above and submittal of the appropriate corrections to the deficiencies identified in Items A, B, and C above (the CAP does not need to be resubmitted, the corrections will be inserted into the existing document).
- III. Within one hundred and twenty (120) days of receipt of this correspondence implement the CAP as approved.

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Failure to adhere to the items and timeframes stipulated above may result in enforcement action for this site.

If you have any questions concerning the above, contact Lorna Bucknor at [bucknl@miamidade.gov](mailto:bucknl@miamidade.gov) or myself at [mayorw@miamidade.gov](mailto:mayorw@miamidade.gov) or via telephone at (305) 372-6700.

Sincerely

A handwritten signature in black ink, appearing to read 'W. Mayorga', with a long horizontal stroke extending to the right.

Wilbur Mayorga, P.E., Chief  
Pollution Control Division

pc: David Cole, Project Manager, CH2M Hill  
Keith Ng, City of Miami  
Lisa Spadafina, DERM