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**SECRETARY**

Carlos Espinosa, P.E.

**PUBLIC NOTICE**

**ENVIRONMENTAL QUALITY CONTROL BOARD**

**AGENDA**

**Date:** Thursday, November 12, 2009

**Time:** 1:30 P.M.

**Place:** Overtown Transit Village Building (OTV)  
701 N.W. 1<sup>st</sup> Court  
Miami, Florida  
DERM Training Room  
2<sup>nd</sup> Floor

1. **AIRPORT WEST INDUSTRIAL II LLC** - (Continuance) Request for a variance from the requirements of Section 24-43 of the Code of Miami-Dade County, Florida. The request is to allow the establishment and operation of a generator assembly facility, which includes a paint booth, on a property that is located within average day pumpage wellfield protection area of the Miami Springs Upper, Miami Springs Lower, John E. Preston, and Hialeah wellfield complex. The proposed use will handle, store, use, generate, discharge and dispose of hazardous wastes. The subject property is located at 5100 N.W. 72<sup>nd</sup> Avenue, Miami-Dade County, Florida.
2. **GEORGINA E. BETANCOURT, AS TRUSTEE UNDER THE GEORGINA BETANCOURT DECLARATION OF TRUST** - (Continuance) Request for variances from the requirements of Sections 24-43.1(4), 24-43.1(6) and 24-43.1(7) of the Code of Miami-Dade County, Florida. Alternatively, the Petitioner is requesting a 10-year extension of time for compliance with said requirements. Either request is to allow that an existing commercial building continue to be served by a septic tank as a means for the disposal of the domestic liquid waste, although sanitary sewers about the subject site. Additionally, the subject facility uses, generates, handles, stores, discharges, or disposes of, a liquid wastes other than domestic sewage. The subject property is located at 7435 S.W. 24<sup>th</sup> Street, Miami-Dade County, Florida.
3. **ROBERTO DELGADO AND CARMEN DELGADO** - (Continuance) Request for the modification of Board Order 08-06 and a corresponding covenant running with the land in favor of Miami-Dade County, which is required therein. The request is to allow the installation of two above ground fuel tanks that would be used for the fueling of fleet vehicles that are kept on the subject property. The subject site is served by an on-site drinking water supply well and a septic tank. The property is located west of N.W. 137<sup>th</sup> Avenue and south of N.W. 10<sup>th</sup> Street, Miami-Dade County, Florida.



4. **MOONGLOW LLC** - (Continuance) Request for a variance from the requirements of Section 24-43.1(3) of the Code of Miami-Dade County, Florida. The request is to allow that a newly constructed single family residence be served by public water and a septic tank system, although the property is within feasible distance for connection to the public sanitary sewer system, as defined in Section 24-5 of the Code. The subject property is located at 7260 S.W. 119<sup>th</sup> Street, Village of Pinecrest, Florida.
5. **COVEMONT COMPANY LLC** - (Continuance) Request for a variance from the requirements of Section 24-43.1(7) of the Code of Miami-Dade County, Florida. Alternatively, the Petitioner is requesting a 5-year extension of time for compliance with said requirements. Either request is to allow the continued operation of an existing trailer home park, located on a property that is served by public water and septic tanks, while public sanitary sewers abut the subject site. The subject property is located at 3010 N.W. 36<sup>th</sup> Street, Miami-Dade County, Florida.
6. **CITY OF AVENTURA** - (Continuance) Request for variances from the requirements of Sections 24-43.1(4) and 24-43.1(6) of the Code of Miami-Dade County, Florida. The request is to allow the construction of a restroom facility on a City park. The proposed restroom would be served by public water and a septic tank system. The subject property is located at 18375 N.E. 31<sup>st</sup> Avenue, City of Aventura, Florida.
7. **CENTRES AZ LLC, A DELAWARE LIMITED LIABILITY COMPANY** – (Continuance) Request for a variance from the requirements of Section 24-43(5) of the Code of Miami-Dade County, Florida. The request is to allow the establishment and operation of a used motor oil collection and transfer facility that would store, use, handle, generate, dispose or discharge hazardous wastes. The proposed facility would operate in conjunction with an existing automobile parts store, which is located on a property that is served by public water and would be served by public sanitary sewers. The site is situated within the outer zone of the wellfield protection area of the South Miami Heights Wellfield complex. The subject property is located at 12695 S.W. 200<sup>th</sup> Street, Miami-Dade County, Florida.
8. **BEACON ROAD LLC** – (Continuance ) Request for variances from the requirements of Sections 24-43.1(4), 24-43.1(6) and 24-43(11) of the Code of Miami-Dade County, Florida. The request is to allow the expansion of an existing resource recovery facility, which is located on a property that is served by public water and a septic tank system and is located within the maximum day pumpage wellfield protection area of the Miami Springs Upper, Miami Springs Lower, John E. Preston, and Hialeah wellfield complex. The existing facility is limited to recycling paper only, and is proposing recycling other materials including cardboard, ferrous and nonferrous metals. The subject property is located at 7001 N.W. 36<sup>th</sup> Avenue, Miami-Dade County, Florida.
9. **GALLOWAY MEDICAL PARK ASSOCIATES, LTD.** – (Continuance) Request for variances from the requirements of Section 24-43(5) of the Code of Miami-Dade County, Florida. The request is to allow the establishment and operation of a pathology laboratory on a property served by public water and public sanitary sewers and located within the basic wellfield protection area of the Alexander Orr Wellfield. The proposed operation would use, generate, store, discharge, dispose of, or handle hazardous materials. The subject property is located at 7500 S.W. 87<sup>th</sup> Avenue, Miami-Dade County, Florida.

10. **CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC** – (Continuance) Request for the modification of Board Order No. 99-55, as modified by Board Order No. 01-52 and further modified by Board Order No. 04-36. Board Order No. 99-55 granted variances from the requirements of Sections 24-12.1 of the Code of Miami-Dade County, Florida. Specifically, the Petitioner is requesting that Condition No. 5 in said Board Order be modified as follows:

From: 5. The subject facility shall be connected to a public water main and a public sanitary sewer within one (1) year from the date of this order.

To: 5. The subject facility shall be connected to a public water main and a public sanitary sewer no later than October 8, 2012.

The purpose of the request is to extend the date at which the property shall be connected to the public water supply and public sanitary sewer systems.

The Petitioner is also requesting the modification of Condition No. 4 in Board Order 04-36,

FROM: 4. Petitioner shall complete the construction of the subject N.W. 25<sup>th</sup> Street Canal extension within one (1) year of the issuance of all necessary permits and approvals.

To: 4. Petitioner shall complete the construction of the subject N.W. 25<sup>th</sup> Street Canal on or before October 8, 2012.

The purpose of the modification is to allow additional time for the construction of the additional portion of the N.W. 25<sup>th</sup> Street Canal.

The subject property is located at 1200 N.W. 137<sup>th</sup> Avenue, Miami-Dade County, Florida.

11. **FDG BEACON COUNTYLINE, LLC AND FDG BN EXPANSION LLC** - (Continuance) Request for a variance from the requirements of Section 24-42 of the Code of Miami-Dade County, Florida. The request is to allow the construction and operation of an on-site stormwater management system on a property with existing groundwater ammonia contamination. The subject property is located at 15490 N.W. 97<sup>th</sup> Avenue, Miami-Dade County, Florida.
12. **GRANADA CONTINUING PRESBYTERIAN CHURCH, INC.** - (Continuance) Request for an extension of time to comply with the requirements of Sections 24-43.1(4), 24-43.1(6) and 24-43.1(7) of the Code of Miami-Dade County, Florida. The request is to allow an existing house of worship to continue to be served by a septic tank system while a public sanitary sewer main abuts the subject property. The subject property is located at 950 University Drive, Coral Gables, Florida.
13. **O & M AUTO SALES, INC.** - (Continuance) Request for an extension of time to comply with the requirements of Section 24-43 of the Code of Miami-Dade County, Florida. The request is to allow the maintenance and continued use of an automotive repair and paint and body shop on a property, which is located within the basic wellfield protection area of the Miami Springs Upper, Miami Springs Lower, John E. Preston and Hialeah wellfield complex. The existing facility uses, generates, stores, discharges, disposes of or handles

hazardous materials. The subject property is located at 1440 Palm Avenue, Hialeah, Florida.

14. **MERRINECK ESTATES LLC & MEDICO INTERNATIONAL REALTY HOLDINGS LLC** - (Continuance) - Request for a variance from the requirements of Section 24-43(5) of the Code of Miami-Dade County, Florida. The request is to allow the establishment and operation of a medical office with incidental procedures and specimen collection on a property served by public water and public sanitary sewers and located within the basic wellfield protection area of the Alexander Orr Wellfield. The proposed operation would use, generate, store, discharge, dispose of, or handle hazardous materials. The subject property is located at 7600-7650 S.W. 87<sup>th</sup> Avenue, Miami-Dade County, Florida.
15. **VILLAGE OF KEY BISCAYNE** - (Continuance) Appeal pursuant to the provisions of Section 24-11 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM; said determination being the issuance of a Notice of Violation and Orders for Corrective Action issued on June 19, 2009, to the Village of Key Biscayne for violations of Chapter 24 of the Code of Miami-Dade County, Florida that occurred on sewage Pump Station 131 located in the Village of Key Biscayne.
16. **FLORIDA ROCK INDUSTRIES INC** - (Continuance) Appeal pursuant to the provisions of Section 24-11 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM; said determination being the disapproval of the proposed alternative water quality monitoring plan pursuant to Special Condition 5(m) of Class IV Permit FW 96-057.
17. **BLACK ISLAND PARTNERSHIP AND VECELLIO & GROGAN INC.** - (Continuance) Appeal pursuant to the provisions of Section 24-11 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM; said determination being the disapproval of the proposed alternative water quality monitoring plan pursuant to Special Condition 5(m) of Class IV Permit FW 07-102.
18. **CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC** - (Continuance) Appeal pursuant to the provisions of Section 24-11 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM; said determination being the disapproval of the proposed alternative water quality monitoring plan pursuant to Special Condition 5(m) of Class IV Permit FW08-008.
19. **CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC** - (Continuance) Appeal pursuant to the provisions of Section 24-11 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM; said determination being the disapproval of the proposed alternative water quality monitoring plan pursuant to Special Condition 5(m) of Class IV Permit 93-075.

20. **CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC** - (Continuance) Appeal pursuant to the provisions of Section 24-11 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM; said determination being the disapproval of the proposed alternative water quality monitoring plan pursuant to Special Condition 5(m) of Class IV Permit 94-138.
21. **CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC** - (Continuance) Appeal pursuant to the provisions of Section 24-11 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM; said determination being the disapproval of the proposed alternative water quality monitoring plan pursuant to Special Condition 5(m) of Class IV Permit 00-105.
22. **CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC** - (Continuance) Appeal pursuant to the provisions of Section 24-11 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM; said determination being the disapproval of the proposed alternative water quality monitoring plan pursuant to Special Condition 5(m) of Class IV Permit 06-002.
23. **CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC** - (Continuance) Appeal pursuant to the provisions of Section 24-11 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM; said determination being the disapproval of the proposed alternative water quality monitoring plan pursuant to Special Condition 5(m) of Class IV Permit 06-048.
24. **ABEL GONZALEZ** – (Continuance) Request for variances from the requirements of Section 24-43.1(4) and 24-43.1(6) of the Code of Miami-Dade County, Florida. The request is to allow the establishment and operation of a hog farm and slaughterhouse facility on a property that is served by an on-site drinking water supply well and a septic tank and drainfield. The proposed land use would generate liquid wastes other than domestic sewage. The subject property is located at 13202 N.W. 182<sup>nd</sup> Street, Miami-Dade County, Florida.
25. **CITY OF MIAMI SPRINGS** - Request for a variance from the requirements of Section 24-43(4) of the Code of Miami-Dade County, Florida. The request is to allow that the stormwater generated on a portion of the site be disposed of by methods other than those allowed therein. The site is located within the 10-day travel time contour of the basic wellfield protection area of the Miami Springs Lower wellfield protection area. The subject property is located at 650 Curtiss Parkway, Miami Springs, Florida.
26. **MASTER CONSTRUCTION OF SOUTH FLORIDA, LLC** - The request is for variances from the requirements of Sections 24-43.1(4) and 24-43.1 (6) of the Code of Miami-Dade County, Florida. The request is to allow a contractor's office and an outdoor materials and equipment storage yard on a property zoned IU-1, light industrial. The above noted Code Sections require that land uses permitted in the underlying zoning district be served by

public water and public sanitary sewers. The subject property is located on the west side of S.W. 163rd Avenue and approximately 187 feet north of S.W. 211<sup>th</sup> Street, Miami-Dade County, Florida.

27. **LAZARO ROLANDO MARTINEZ** - Request for an extension of time to comply with the requirements of Sections 24-43.1(4) and 24-43.1(6) of the Code of Miami-Dade County, Florida. The request is to allow the continued operation of an existing salvage yard, which is served by a septic tank as a means for the disposal of the domestic liquid waste. The existing operation generates, disposes of, discharges or stores liquid waste other than domestic sewage. The subject property is located at 3380 N.W. 127<sup>th</sup> Street, Opalocka, Florida.
28. **FMK PROPERTIES, LLC** - Request for variances from the requirements of Sections 24-43.1(4) and 24-43.1(6) of the Code of Miami-Dade County, Florida. The request is to allow the expansion of an existing resource recovery facility which is located on a property that is served by public water and a septic tank system. The existing facility is limited to recycling paper only, and is proposing recycling other materials including cardboard, ferrous and nonferrous metals. The subject operations would generate, dispose of, discharge or store liquid waste other than domestic sewage. The subject property is located at 3671 N.W. 81<sup>st</sup> Street, Miami-Dade County, Florida.
29. **MEDLEY PROPERTIES, LLC** – Request for an extension of time to comply with the requirements of Sections 24-43.1(4), 24-43.1(6) and 24-43.1(7) of the Code of Miami-Dade County, Florida. The request is to allow an existing concrete products manufacturing facility to continue to operate on a property that is served by public water and a septic tank, while public sanitary sewers abut the subject site. The facility operations generate, use, store or discharge liquid wastes other than domestic sewage. The subject property is located at 11002 NW South River Drive, Miami-Dade County, Florida.
30. **SOBAY PARTNERS, LLC** - Request for a variance from the requirements of Section 24-48.9(2) of the Code of Miami-Dade County, Florida. The request is to allow the filing of an application for an extension of time for an existing Class I Permit, at a date later than 30 days prior to the expiration of the permit. The existing permit is for the construction of a marina facility at the Nirvana Apartment Complex. The subject property is located at 703 N.E. 63<sup>rd</sup> Street, Miami-Dade County, Florida.
31. **UNIVERSITY OF MIAMI** - Request for a variance from the requirements of Section 24-48.3(2) of the Code of Miami-Dade County, Florida. Said code section requires in pertinent part that any dredging or filling work proposed in a Class I Permit application shall comply with at least one of six specific criteria contained therein. The request stems from a redevelopment project involving the implementation of a stormwater management system within the University of Miami campus, which requires that approximately 75 cubic yards of fill to be placed below the mean high water line (MHWL) to extend the shoreline approx. 14.8 feet waterward of the existing MHWL and to fill approximately 0.087 acre of tidal waters. The proposed filling is not consistent with any of the aforesaid criteria. The subject property is located at 1239 Dickinson Drive, Coral Gables, Florida.
32. **KATVID ENTERPRISES, LLC** - Request for an extension of time to comply with the requirements of Sections 24-43.1(4) and 24-43.1(6) of the Code of Miami-Dade County, Florida. The request is to allow the continued operation of an existing salvage yard, which

is served by a septic tank as a means for the disposal of the domestic liquid waste. The existing facility generates, disposes of, discharges or stores liquid waste other than domestic sewage. The subject property is located at 12650 Alexandria Drive, Opalocka, Florida.

33. **DANIEL G. LEWIS AS TRUSTEE** – Request for variances from the requirements of Sections 24-43.1(4), 24-43.1(6) and 24-43.1(7) of the Code of Miami-Dade County, Florida. The request is to allow a commercial property continue to be served by an on-site drinking water supply well and a septic tank/drainfield system. Public water and public sanitary sewers abut the subject site. The existing operations on the subject property generate liquid wastes other than domestic sewage. The subject property is located at 22419 South Dixie Highway, Miami-Dade County, Florida.
34. **BRAHA DIXIE LLC** - Appeal pursuant to the provisions of Section 24-11 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM; said determination being the issuance of a certain Notice of Violation and Settlement Demand (NOV) dated April 20, 2009 and issued to Ralph Braha of Braha Dixie LLC. The subject property is located at 17400 W. Dixie Highway, Miami-Dade County, Florida.
35. **GLADYS HERNANDEZ** - Request for a variance from the requirements of Section 24-43 of the Code of Miami-Dade County, Florida. The request is to allow the establishment and operation of a pool supply facility on a property served by public water and public sanitary sewers and located within the interim wellfield protection area of the West Wellfield. The proposed operation would use, generate, store, discharge, dispose of, or handle hazardous materials. The property is located at 14263 S.W. 42<sup>nd</sup> Street, Miami-Dade County, Florida.

**OTHER MATTERS:**

Other items at the discretion of the Environmental Quality Control Board. For additional information, please call Mirna Leal at (305) 372-6764.