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PUBLIC NOTICE

ENVIRONMENTAL QUALITY CONTROL BOARD

AGENDA

Date: Thursday, January 14, 2010

Time: 1:30 P.M.

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

1. **AMACE PROPERTIES, 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 to withhold the issuance of a “Marine Facilities Annual Operating Permit” to the Appellant, for a facility located at 1390 South Dixie Highway, Coral Gables, Florida.
2. **JOSE M PAULIN & ELVIRA PAULIN** - (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 maintenance and continued use of some land uses that generate liquid waste that is not domestic sewage; said land uses take place on an existing condominium warehouse complex, which is served by septic tanks as a means for the disposal of liquid waste. The subject property is located at 7520-7554 N.W. 8th Street, Miami-Dade County, Florida.
3. **ROBERTO DELGADO AND CARMEN DELGADO** - (Continuance) Request for the modification of Board Order No. 08-06 and a corresponding covenant running with the land in favor of Miami-Dade County, Florida, which is required therein. The request is to allow the installation of two above ground fuel storage tanks for the fueling of fleet vehicles that are kept on the subject property, the storage of stationary containers used for securing dry tools and materials, the storage of limited quantities of sand, gravel, rock and asphalt, the storage of pipe and welding equipment and the temporary use of an electrical emergency generator that would be diesel fueled. 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. 137th Avenue and south of N.W. 10th Street, Miami-Dade County, Florida.

4. **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.
5. **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. 87th Avenue, Miami-Dade County, Florida.
6. **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.
7. **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 Appellants are 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.
8. **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.
9. **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.
10. **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.

11. **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.
12. **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.
13. **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.
14. **DANIEL G. LEWIS AS TRUSTEE** - (Continuance) Request for variances from the requirements of Sections 24-43.1(4), 24-43.1(6), 24-43.1(7) and 24-43.3(2)(q) of the Code of Miami-Dade County, Florida. The request is to allow a commercial property to continue to be served by an on-site drinking water supply well and a septic tank/drainfield system. Public water and public sanitary sewers about 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.
15. **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 medical offices 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 operations would use, generate, store, discharge, dispose of, or handle hazardous materials. The subject property is located at 7600-7650 S.W. 87th Avenue, Miami-Dade County, Florida.
16. **BRAHA DIXIE 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 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.

17. **CANCICAN GROUP INC.** – (Continuance) Request for a class variance from the requirements of Section 24-5 of the Code of Miami-Dade County, Florida, which provides the definitions ascribed to the words and phrases used in Chapter 24 of the same Code. The request is that the definition of “clean fill” therein shall include, among the listed materials, the calcium carbonate residuals, which are the by-product of the lime softening process of the raw water at public utilities potable water treatment plants.
18. **DAVID ANDERSEN** - (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 continued operation of an establishment that prepares food and drinks on a property that is served by an on-site drinking water supply well and a septic tank. The subject property is located at 26400 S.W. 187th Avenue, Miami-Dade County, Florida.
19. **EGLISE BAPTISTE D'EXPRESSION FRANCAISE, INC.** - (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 expansion of an existing house of worship with a fellowship hall and daycare on a property that is served by public water and a septic tank system. The proposed expansion would cause the maximum sewage loading per day per acre as defined in the aforementioned Code section to be exceeded. The subject property is located at 8255 N.W. 2nd Court, Miami-Dade County, Florida.
20. **GEORGE DAVITIAN** - (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 continued operation of a facility that stores, uses, handles, generates, disposes or discharges hazardous wastes on a property that is served by public water and public sanitary sewers and is also located within the average day pumpage wellfield protection area of the Miami Springs Upper, Miami Springs Lower, John E. Preston and Hialeah wellfield complex. The subject property is located at 1600 E. 11th Court, Hialeah, Florida.
21. **GOSPEL TABERNACLE OF FAITH DELIVERANCE CHURCH AND JOHN T. IRVING, JR. AND LINDA V. IRVING-** (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 and daycare center to continue to be served by a septic tank as the means of for the disposal of domestic liquid waste although a public sanitary sewer main abuts the subject site. The subject properties are located at 3311 N.W. 189th Street and 3341 N.W. 189th Street, Miami Gardens, Florida.
22. **GERALD AND YEHUDIT MARINOFF** - Request for a variance from the requirements of Section 24-48.3(3) of the Code of Miami-Dade County, Florida. The request is to allow an existing dock to be permitted and the installation of two boatlifts to be constructed upon tidal waters of Miami-Dade County, Florida. The dock and boatlifts are located on a place where it does not comply with the minimum water depth requirements contained in the above noted Code Section. The property is located at 18540 N Bay Rd, Sunny Isles Beach, Florida.
23. **HOB HOLDINGS REVOCABLE STATUTORY TRUST** - Request for variances from the requirements of Section 24-43.1(4) and Section 24-43.1(6) of the Code of Miami-Dade County, Florida. The request is to allow the continued use and maintenance of an existing steel and aluminum manufacturing facility. The existing facility is located on a property

served by public water and a septic tank and generates, disposes of, discharges or stores liquid waste other than domestic sewage. In the alternative, the Petitioner is requesting an extension of time to comply with aforementioned Code Sections. The property is located at 7740 N.W. 34th Street, Miami-Dade County, Florida.

24. **THIRTY FIVE HUNDRED LLC** - Request for modification of Board Order No. 08-46 which granted a variance from the requirements of Section 24-43 of the Code of Miami-Dade County, Florida. Specifically, the Petitioner is requesting that Condition no. 4 in said Board Order be modified as follows:

From: 4. Tipping, handling, storage and transfer of all incoming wastes streams (i.e. plastic, ferrous and non ferrous metal) shall be performed inside a fully enclosed building, with a spill prevention and response plan that includes secondary containment for any hazardous materials storage or handling areas. No floor drains shall be allowed inside the building.

To: 4. Tipping, handling, storage and transfer of all incoming wastes streams (i.e. plastic, ferrous and non ferrous metal) shall be performed inside a fully enclosed building, except for cardboard, which shall be allowed to be tipped outside of the building area directly into conveyers and be handled, bundled and transferred within a building, for a period of six (6) months from January 14, 2010 to June 14, 2010.

The purpose of the request is to allow the Petitioner to continue to operate a resource recovery and management facility, specifically to allow for incoming recyclable materials to be tipped outside of an enclosed building for a period of six (6) months. The Petitioner is in the process of obtaining approval of building plans for the construction of a roofed area.

The site 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 and is served by public water and public sanitary sewers. The subject property is located at 3500 N.W. 62nd 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.