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**Department of Environmental Resources Management**

Environmental Quality Control Board  
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**PUBLIC NOTICE**

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**ENVIRONMENTAL QUALITY CONTROL BOARD**

**AGENDA**

**Date:** Thursday, December 9, 2010

**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. **SFFF INVESTMENTS INC.** (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 corrugated box manufacturing facility with printing resources on a property located within the basic wellfield protection area of the Miami Springs Upper, Miami Springs Lower, John E. Preston and Hialeah Wellfield complex. The proposed operation uses, handles, disposes of, discharges, stores or generates hazardous materials. The subject property is located at 840 West 19<sup>th</sup> Street, Hialeah, Florida.
2. **LIMONAR DEVELOPMENT 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 a certain DERM written determination and response dated June 14, 2010, which was received by the Appellants that allegedly denied Limonar's Class IV permit application on the wetland property located at, near or in the vicinity of S.W. 177<sup>th</sup> Avenue and S.W. 72<sup>nd</sup> Street, Miami-Dade County, Florida.
3. **PRODUCTOS VARIOS PROVAL LLC AND THE COCO BUILDING ASSOCIATION, INC-** (Continuance) Request for variances 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 facility that is served by public water and public sanitary sewers and is situated within the Northwest Wellfield. The facility would use, handle, store, discharge or dispose of hazardous materials. The subject property is located at 11450 N.W. 34<sup>th</sup> Street, Doral, Florida.
4. **HUMDOL, 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 establishment and operation of a facility on a property that would be served by public water and a septic tank system. The proposed facility would generate, dispose of, discharge or store liquid waste other than domestic sewage. The subject property is located at 3601 N.W. 81<sup>st</sup> Street, Miami-Dade County, Florida.
5. **THE BOARD OF PUBLIC INSTRUCTION OF DADE COUNTY, FLORIDA** -(Continuance) Request for an extension of time to comply with the requirements of Section 24-43.1(7) of the Code of

Miami-Dade County, Florida. The request is to allow an elementary school to continue to be served by public water and a septic tank while public sanitary sewers abut the site. The subject property is located at 21300 S.W. 122<sup>nd</sup> Avenue, Miami-Dade County, Florida.

6. **HAROLD A. JOHNSON** -(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 a Notice of Violation and Orders to Cease and Desist, dated July 2, 2010, issued to Harold Johnson and Bernard Paul-Hus, President of Hypower, Inc. The subject property is located at approximately S.W. 226<sup>th</sup> Street and S.W. 118<sup>th</sup> Avenue, Miami-Dade County, Florida.
7. **KENDALL PROPERTIES AND INVESTMENTS**-(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 a request to blend and reuse approximately 100,000 cubic yard of arsenic contaminated muck soils generated at the Tamiami Bridge Project, issued on August 6, 2010 to Kendall Properties and Investments. The subject property is located at 5800 S.W. 177<sup>th</sup> Avenue, Miami-Dade County, Florida.
8. **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.
9. **SUNSHINE GASOLINE DISTRIBUTORS, INC.** - (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. The request is to allow the existing gasoline fueling station to continue to be served by public water and a septic tank although public sanitary sewers abut the subject site. 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. The subject property is located at 3145 S.W. 107<sup>th</sup> Avenue, Miami-Dade County, Florida.
10. **MEDLEY PROPERTIES, LLC** – (Continuance) 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 a concrete products manufacturing facility to operate on a property that is served by public water and a holding tank as the means for the disposal of the domestic sewage. The facility operations generate, use, store or discharge liquid wastes other than domestic sewage. The subject property is located at 11002 N.W. South River Drive, Miami-Dade County, Florida.
11. **MIAMI-DADE COUNTY GENERAL SERVICES ADMINISTRATION AND DEPARTMENT OF HUMAN SERVICES** -(Continuance) Request for an extension of time to comply with requirements of Section 24-43.1(7) of the Code of Miami-Dade County, Florida. The request is to allow the continued operation, on a temporary basis, of existing twenty two (22) homes located on two properties that are served by public water and septic tanks, while public sanitary sewers abut the subject sites. The subject properties are located at 7531 N.W. 32<sup>nd</sup> Avenue and 7599 N.W. 32<sup>nd</sup> Avenue, Miami-Dade County, Florida.
12. **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 an extension of time for compliance with said requirements. Either request is to allow the

existing trailer home park to continue to be served by public water and septic tanks while public sanitary sewers about the subject site. The subject property is located at 3010 N.W. 36<sup>th</sup> Street, Miami-Dade County, Florida.

13. **COVEMONT CORPORATION** - (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 an extension of time for compliance with said requirements. Either request is to allow the existing trailer home park to be continue to be served by public water and septic tanks while public sanitary sewers about the subject site. The subject property is located at 1151-1175 N.W. 79<sup>th</sup> Street, Miami-Dade County, Florida.
14. **FMK PROPERTIES, LLC** - (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 resource recovery facility 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 cardboard. 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.
15. **MICHAEL FINKELSTEIN AND LAURA FARLEY** - Request for a variance from the requirements of Section 24-43.1(7) of the Code of Miami-Dade County, Florida. The request is to allow the use of a commercial property that is served by a septic tank system although public sanitary sewers about the site. The subject property is located at 11501 N.W. 2<sup>nd</sup> Avenue, Miami-Dade County, Florida.
16. **BENJAMIN NEMSER AND KATHARINE NEMSER** - 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 continued use of a cable manufacturing facility located on a property served by public water and a septic tank. The existing land use generates, disposes of, discharges and stores liquid wastes other than domestic sewage. The subject property is located at 1139 N.W. 72<sup>nd</sup> Street, Miami Dade County, Florida.
17. **OMNI REALTY INC.** - Request for a variance from the requirements of Section 24-43(11) of the Code of Miami-Dade County, Florida. The request is to allow the establishment and operation of a resource recovery and management facility, specifically a used tire recycler, on a property that is located within the average and maximum 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 7100 N.W. 37<sup>th</sup> Avenue, Hialeah, Florida.
18. **INVEGO AUTO PARTS, INC.** - 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 establishment and operation of resource recovery and management facility, specifically a scrap metal recycler, on a property which would be served by public water and a septic tank as a means for the disposal of the domestic liquid waste. The proposed facility would generate, dispose of, discharge or store liquid waste other than domestic sewage. The subject property is located at 12760 Cairo Lane, Opa-locka, Florida.
19. **WISLY LEFEVRE** – 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 establishment and operation of a printing facility on a property that would be served by public water and a septic tank system. The proposed facility would generate, dispose of, discharge or store liquid waste other than domestic sewage. The subject property is located at 14625 N.W. 7<sup>th</sup> Avenue, Miami-Dade County, Florida.
20. **THIRTY FIVE HUNDRED LLC** – Request for a modification of Corrected Board Order No. 10-52 which granted a six (6) month extension of time to comply with Condition No.4 of Board Order 08-46. The six (6) month extension of time of time was to allow the Petitioner’s tenant 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. Board Order 08-46 granted a variance from the requirements of Section 24-43 of the Code of Miami-Dade County, Florida with condition specifically stating that tipping, handling, storage and transfer of all incoming wastes streams (i.e. cardboard, paper, 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. 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. 62<sup>nd</sup> Street, Miami-Dade County, Florida.

21. **CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC** – Request for 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 Section 24-12.1 of the Code of Miami-Dade County, Florida. Specifically, the Petitioner is requesting that Condition No. 1 in said Board Order be modified to allow a greater percentage of alternative fuels. Condition No. 1 reads as follows: Solid wastes accepted by the facility as alternative fuel and process materials shall be limited to non-hazardous materials (i.e., not determined to be a characteristically hazardous wastes by applicable Florida and EPA regulations). Said fuel and materials shall be limited to those specifically approved and permitted by DERM for use as substitute materials or supplemental fuel (not as startup fuel). These solid wastes may include DERM approved petroleum-contaminated soils (excluding PCB-contaminated waste), whole tires and tire-derived fuel, booms and rages from clean petroleum spill cleanups, oil filters, used paper by-products, and clean non-chlorinated plastic byproducts as specifically approved by DERM. Furthermore, solid wastes accepted shall be source-separated so that other waste materials will not be transported to the subject site.

The Petitioner is also requesting the deletion of Condition No. 3 of Board Order No. 99-55 which reads as follows: Condition No. 3 : Solid waste accepted and used as alternative fuels shall be limited to those quantities that do not constitute more than 30% (132 BTU per hour calculated on a monthly average) of its total fuel usage. Petroleum-contaminated soils processed as a raw material substitute shall not exceed 350,400 tons per year as required in the Florida Department of Environmental Protection (FDEP) Permit No. S013-300512. During the first twelve months from the date of this approval, the Petitioner shall report the types and quantities of contaminated soils and alternative fuels, with their respective BTU values, utilized in the facility in its Monthly Operating Report to DERM. Thereafter, the Petitioner shall report this information on a quarterly basis or as specifically approved by DERM.

The subject property is located within the Northwest Wellfield at 1200 N.W. 137<sup>th</sup> Avenue, 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.

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