

CONTAMINATION SCREENING EVALUATION REPORT

Florida Department of Transportation

District 6

SR 994/SW 200th Street/Quail Roost Drive PD&E Study

From W of SW 137th Avenue to E of SW 127th Avenue

Miami-Dade County, Florida

Financial Management Number: 445804-1-22-01

ETDM Number: 14429

July 24, 2023

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and FDOT.



Contamination Screening Evaluation Report

**SR 994 / SW 200th St / Quail Roost Drive
Project Development & Environment Study
From W of SW 137th Avenue to E of SW 127th Avenue
Miami-Dade County, Florida**

Financial Management Number: 445804-1-22-01
FAP Project Number: Not Assigned
Efficient Transportation Decision-Making Number:
14429

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1.0 EXECUTIVE SUMMARY

The Florida Department of Transportation (FDOT) is conducting a Project Development and Environment (PD&E) Study in accordance with the National Environmental Policy Act (NEPA), to evaluate alternatives for Quail Roost Drive improvements. This roadway project involves the potential widening of SR 994/SW 200th Street/Quail Roost Drive from two lanes to four lanes from west of SW 137th Avenue to east of SW 127th Avenue. The corridor begins west of 137th Avenue/ Lindgren Road and continues east along Quail Roost Drive to east of SW 127th Avenue/ Burr Road. Improvements at four intersections/cross streets are also included as follows:

- Quail Roost Drive and SW 137th Avenue
- Quail Roost Drive and SW 134th Avenue
- Quail Roost Drive and SW 132nd Avenue
- Quail Roost Drive and SW 127th Avenue

The project is located in Miami-Dade County, Florida and is within the municipality of South Miami Heights and Unincorporated Miami-Dade.

This Contamination Screening Evaluation Report (CSER) was prepared using the FDOT *PD&E Manual, Part 2, Chapter 20*. Potential contamination impacts within and adjacent to the project corridor were assessed for the three Build Alternatives as well as a Transportation System Management & Operations (TSM&O) Alternative.

After a review of all available data, including regulatory agency file reviews, database reports, historic and current aerial photography, and a site reconnaissance, contamination of soil and groundwater has been documented at several locations near the project corridor. Five potentially contaminated sites were identified and reviewed for potential impacts to the project. Of these, one site ranked “High”, one site was ranked “Medium”, and three sites were ranked as “Low”. No sites were ranked “No” for potential contamination concerns.

2.0 PROJECT OVERVIEW

2.1 PROJECT DESCRIPTION AND LOCATION

The project is located in southwest Miami-Dade County at SR 994/SW 200th Street/Quail Roost Drive, from west of SW 137th Avenue to east of SW 127th Avenue (see **Figure 2-1**) The project corridor is approximately 1.67 miles in length. Within the project limits, the roadway is locally known as Quail Roost Drive. A 350-foot extension of a Miami-Dade County road, SW 196th Street, was initially considered in order to provide an east-west connection between SW 134th Avenue (Talbot Rd) and SW 133rd Court. This connection was removed from the project scope since it is not located within FDOT’s jurisdiction.

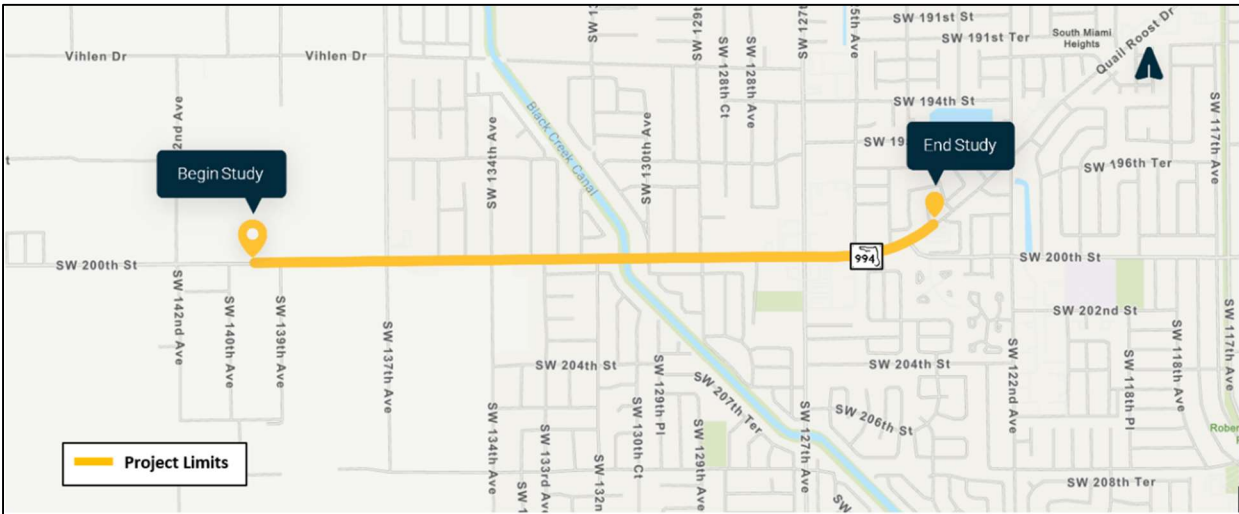


Figure 2-1: Project Location Map

In addition to the potential widening, the proposed roadway improvements may include operational enhancements at the existing intersections, removal, and replacement of the bridge structure (#870633) over Black Creek Canal (C-1W), access management measures, and stormwater management facilities. The PD&E Study will evaluate typical section alternatives based on design criteria, safety and operational needs, and the minimization of environmental effects and right-of-way (ROW) needs. The PD&E Study will evaluate the provision of the Americans with Disabilities Act (ADA) compliant facilities as well as new/enhanced pedestrian and bicycle infrastructure, including paved shoulders/designated bicycle lanes, sidewalks, and/or a shared-use path connection to the existing Black Creek Trail. Improvements at four intersections/cross streets are also proposed as part of this project:

- Quail Roost Drive and SW 137th Avenue
- Quail Roost Drive and SW 134th Avenue
- Quail Roost Drive and SW 132nd Avenue
- Quail Roost Drive and SW 127th Avenue

Refer to Section 6.1.8 Intersection Concepts in the Preliminary Engineering Report (PER) for detailed information regarding these improvements.

Black Creek Trail- Segment of Route 7 is owned by the Miami-Dade County, Parks, Recreation and Open Spaces (MDPROS) and is located along the Black Creek Canal (C-1W). Black Creek Trail- Segment of Route 7 is an 8.7-mile-long greenway corridor that begins at Black Point Park and Marina and ends near Larry and Penny Thompson Park. The preferred alternative includes relocating the trail under the proposed new bridge over Black Creek Canal (C-1W). The advantages of this option include improved safety and traffic operations due to the elimination of conflicts between motor vehicles and bicyclists/pedestrians. In addition, this option provides improved overall bridge vertical clearance.

The project is located in southwest unincorporated Miami-Dade County and occurs within the Miami Urbanized Area (as defined by the Miami-Dade County 2015 Urban Development Boundary). The project corridor primarily serves existing and future residential land uses and provides local east-west access and connectivity. Outside of the project limits, SR 994 connects directly to two Strategic Intermodal System (SIS) Highway Corridors at SR 997/Krome Avenue (west of study limits) and SR 821/Homestead Extension of the Florida Turnpike (HEFT) (east of study limits).

Within the project limits, Quail Roost Drive is classified as a rural major collector to the west of SW 137th Avenue and an urban minor arterial to the east of SW 137th Avenue. The corridor primarily has a C3R Suburban Residential Context Classification and a posted speed of 40 miles per hour. Four major intersections are located along the project corridor, including two signalized intersections (SW 137th Avenue and SW 127th Avenue) and two unsignalized intersections (SW 134th Avenue and SW 132nd Avenue). Eight other minor (unsignalized) intersections are located within the study corridor. The project location map is shown in **Figure 2-1**.

Currently, Quail Roost Drive is a two-lane roadway (one lane in each direction) from west of 137th Avenue to west of 127th Avenue. From west of SW 127th Avenue to SR 821/HEFT, Quail Roost Drive is a four-lane roadway. The existing SR 994 typical section consists of two undivided 11.5-foot travel lanes with unpaved shoulders and open drainage. Curb and gutter exist at the SR 994/SW 134th Avenue intersection and east of SW 127th Avenue within the study limits. Sidewalks, varying in width, are noncontinuous and generally located at residential subdivisions along the study corridor. There are no existing designated bicycle lanes on Quail Roost Drive within the study limits. There is one unrecorded historic bridge within the study limits that spans over the Black Creek Canal (C-1W). There is a pedestrian crossing just east of the bridge for access to the Black Creek Trail, which intersects Quail Roost Drive.

2.2 PURPOSE AND NEED

The purpose of this project is to address traffic operations and capacity constraints on Quail Roost Drive from west of SW 137th Avenue to east of SW 127th Avenue in unincorporated Miami-Dade County in order to accommodate future travel demand projected as a result of population and employment growth along the corridor. Other goals of the project are to 1) improve safety conditions along the corridor, including emergency evacuation and response times, and 2) enhance mobility options and multimodal access. Each of the elements of need is described further below:

Capacity/Transportation Demand - This project is anticipated to improve traffic operations along Quail Roost Drive by increasing the capacity to meet projected travel demand as a result of Miami-Dade County population and employment growth. Miami-Dade County is the most populous county in Florida with almost 2.6 million residents in 2015. By 2045, the county's population is expected to grow by over 33% to over 3.5 million residents. Employment growth in the county is expected to increase from 1.4 million workers in 2015 to more than 1.7 million workers by 2045.

Between SW 137th Avenue and SW 127th Avenue, the corridor has experienced a 7% increase in Annual Average Daily Traffic (AADT) from 2015 to 2019 with traffic volumes growing from 17,900 to 19,200 vehicles per day. Traffic is anticipated to continue to increase due to population growth and residential development in the area.

A planning level segment analysis was conducted for the Existing Year (2021). The analysis determined that multiple segments along the corridor performed at Level of Service (LOS) F. As travel demand continues to increase throughout the corridor, the LOS is anticipated to continue to deteriorate without additional capacity improvements.

Safety - A crash analysis was conducted from west of SW 137th Avenue to east of SW 127th Avenue. The crash data for the latest five-year period (January 2014 to December 2018) was downloaded from the FDOT's Crash Analysis Reporting System (CARS) and summarized for the project segment. A total of 390 crashes were documented for the five-year period within the project limits. The leading types of crashes along the corridor were rear-end (with 187 crashes), angle (with 77 crashes), and sideswipe (with 43 crashes). Based on crash severity, 65% (254 crashes) were property-damage-only crashes, 35% (135 crashes) were injury crashes, and <1% (1 crash) was a fatal crash. Based on FDOT's 2014–2018 High Crash Lists, the following locations were considered high-crash spots/segments:

Spots

- Quail Roost Drive at SW 137th Avenue
- Quail Roost Drive at SW 134th Avenue
- Quail Roost Drive at SW 132nd Avenue

Segment

- Quail Roost Drive from SW 137th Avenue to west of SW 127th Avenue

According to the safety review, congestion/lack of capacity and lack of left-turn lanes serve as the probable causes of the safety issues within the corridor. Providing additional capacity and improving intersections along the corridor are anticipated to result in reduced crashes and safety benefits. Improved traffic operations due to increased capacity are also anticipated to decrease emergency response times for emergency response vehicles.

Modal Interrelationships - There are no existing designated bicycle lanes within the project limits. Sidewalks are noncontinuous and generally located at residential subdivisions along the project corridor. The Black Creek Trail intersects the project corridor just east of the Black Creek Canal. The trail is a 17-mile-long greenway corridor that connects the Everglades Levee (L-31N Canal) with Black Point Park and Marina in Homestead. There is a pedestrian crossing equipped with Rectangular Rapid Flashing Beacons (RRFBs) and pavement markings to facilitate pedestrian/bicycle crossing and alert drivers of the pedestrian traffic, just east of the bridge for access to the Black Creek Trail.

Based on 2010 United States Census Data, approximately 4% of the housing units (192 housing units) within the study area are transit-dependent (no vehicle available); in addition, approximately 392 housing units within the study area use public transportation for work. This noted transit-dependent population has a higher propensity to walk, bike, or take transit to access essential services. The project is anticipated to improve multi-modal connectivity and mobility options for the transit-dependent population and the overall residential population within the project area by providing continuous bicycle and pedestrian facilities along the entire corridor and improving access to the Black Creek Trail.

Evacuation Routes and Emergency Services - Quail Roost Drive connects directly to two Strategic Intermodal System (SIS) Highway Corridors at SR 997/Krome Avenue (west of the project limits) and SR 821/HEFT (east of the project limits). According to the Florida Division of Emergency Management, both SR 997/Krome Avenue and SR 821/HEFT are designated emergency evacuation routes. SR 997/Krome Avenue additionally provides regional connectivity to US 1, which is a major evacuation route for the Florida Keys. The project is anticipated to enhance emergency evacuation capabilities by improving the capacity of the roadway and, thereby, increasing the number of residents that can be evacuated safely during an emergency event and enhancing access from the residential areas along the corridor to designated emergency evacuation routes.

3.0 EXISTING CONDITIONS

Currently, Quail Roost Drive is a two-lane roadway (one lane in each direction) from west of 137th Avenue to west of 127th Avenue. From west of SW 127th Avenue to SR 821/HEFT, Quail Roost Drive is a four-lane roadway. The existing Quail Roost Drive typical section consists of two undivided 11.5-foot travel lanes with unpaved shoulders and open drainage. Curb and gutter exists at the SR 994/SR 134th Avenue intersection and east of SW 127th Avenue within the study limits. Sidewalks, varying in width, are noncontinuous and generally located at residential subdivisions along the study corridor. There are no existing designated bicycle lanes on Quail Roost Drive within the study limits. There is one unrecorded historic bridge within the study limits that spans over the Black Creek Canal. There is a pedestrian crossing just east of the bridge for access to the Black Creek Trail, which intersects Quail Roost Drive. The right-of-way along the study corridor varies from 30 to 92 feet (see **Table 3-1**). See **Figure 3-1** for details.



Figure 3-1: Existing Typical Section

Table 3-1: Summary of Existing Right of Way

Location	Right of Way Width (feet)
West of SW 137th Avenue	30
East of SW 137th Avenue	75
West of SW 135th Avenue	60
West of SW 134th Court	83
West of SW 134th Avenue	88
SW 133rd Court	78
SW 133rd Avenue	78
West of SW 132nd Place	56
West of SW 132nd Avenue	54
SW 130th Avenue	89
SW 129th Court	90
SW 129th Avenue	90
West of SW 127th Avenue	92
East of SW 127th Avenue	80

4.0 PROJECT ALTERNATIVES

A range of alternatives were considered for the study corridor including the No-Build option, TSM&O improvements and three Build scenarios as described below. All alternatives were evaluated in terms of engineering, environmental, and socioeconomic aspects.

4.1 NO-BUILD ALTERNATIVE

The No-Build Alternative will keep the existing configuration throughout the corridor without further improvements. No operation, safety improvements, or traffic capacity would be implemented throughout the project limits. The No-Build Alternative has a number of positive aspects, since it would not require expenditure of public funds for design, construction, right of way and/or utility relocation. Traffic would not be temporarily disrupted due to construction, avoiding disruptions to local residents and businesses. Also, there would be no direct or secondary impacts to the environment, the socio-economic characteristics, community cohesion, or system linkage of the area. However, this alternative does not address existing and future congested traffic conditions. Travel demand and truck traffic will increase significantly over time, given the continued growth expected in this area of Miami-Dade County and future adjacent projects further connecting the corridor with high-volume roadways nearby. An example of a recently completed project nearby is the widening of SW 137 Avenue, a direct connection to Quail Roost Drive. Furthermore, this alternative does not address safety concerns and multimodal deficiencies along the corridor.

The No-Build alternative is considered a viable alternative through the public hearing and final selection phase to serve as a comparison to the study proposed alternatives. However, the No-Build Alternative fails to fulfill the purpose and need of the project.

The No-Build roadway typical section within the study limits, is the same as the existing typical section. Quail Roost Drive, between SW 137 Avenue and SW 127 Avenue, consists of two 11.5-ft wide general use lanes (one lane in the westbound direction and one lane in the eastbound direction). Sidewalk sections are scattered throughout project limits and are mostly present near residential areas adjacent to the corridor. See **Figure 3-1** for details.

4.2 BUILD ALTERNATIVES

TSM&O – This alternative is a strategy aimed at improving the overall performance of the transportation network without resorting to large-scale, capital improvements. This alternative maintains one lane of traffic in both directions and proposes the following improvements:

- Signal optimization and one additional eastbound left-turn lane at the intersection of SW 137th Avenue and Quail Roost Drive.
- New signal and one additional left-turn lane on all approaches of the intersection of SW 134th Avenue and Quail Roost Drive.
- One additional westbound left-turn lane at the intersection of SW 132nd Ave and SR Quail Roost Drive.

- New sidewalk on missing segments.
- 5-ft outside paved shoulder along the study limits.

This alternative presents significant impacts to the right of way and historic resources within the study limits, and it also requires the widening/replacement of the bridge over the Black Creek Canal. All of this while not sufficiently addressing the purpose and need of the project. This alternative was therefore considered non-viable as a TSM&O option (low cost and low impacts), and it evolved into Build Alternative 1.

Build Alternative 1 - This alternative maintains one lane of traffic in each direction, while adding a 16.5-ft median with exclusive left turn lanes along Quail Roost Drive. Curb and Gutter Type F is being proposed on the outside of the travel lanes while Type B curb is the typical condition on the inside to maximize the available landscaping area within the raised islands. This alternative proposes a 10-ft Shared Use Path (SUP) along both sides of the corridor, that are intended to be utilized by pedestrians as well as bicyclists. A minimum 4.5-ft buffer is proposed from the back of curb to the front of the SUP. A 2-ft buffer is proposed behind the SUPs to accommodate signing and lighting features. A traffic signal is proposed at the intersection of SR 994/Quail Roost Drive and SW 134th Avenue. See **Figure 4-1** for details.



Figure 4-1: Build Alternative 1 Typical Section

Build Alternative 2 -This alternative proposes one additional travel lane in each direction, for a total of two 11-ft lanes on each bound, and a 16.5-ft median with exclusive left turn lanes along Quail Roost Drive. Curb and Gutter Type F is proposed on the outside of the travel lanes while Type B curb is the typical condition on the inside to maximize the available landscaping area within the raised islands. This alternative also proposes a 10-ft SUP along both sides of the corridor, that are intended to be utilized by pedestrians as well as bicyclists. A minimum 4.5-ft buffer is proposed from the back of curb to the front of the SUP. A 2-ft buffer is proposed behind

the SUPs to accommodate signing and lighting features. A traffic signal is proposed at the intersection of SR 994/Quail Roost Drive and SW 134th Avenue. See **Figure 4-2** for details.



Figure 4-2: Build Alternative 2 Typical Section

Build Alternative 3 – Similar to Build Alternative 2, this alternative proposes adding one travel lane in each direction along Quail Roost Drive for a total of two 11-ft lanes on each bound. A 22-ft-wide raised median with exclusive left turn lanes is provided along the corridor, restricting access to the minor roads and driveways connecting to Quail Roost Drive. At the intersections, a striped buffer is proposed between the left turn lanes and the thru traffic. Curb and Gutter Type F is being proposed on the outside of the roadway while Type B curb is the typical condition on the inside to maximize the available landscaping area within the raised median when present. This alternative also proposes a 10-ft SUP along both sides of the corridor, that are intended to be utilized by pedestrians as well as bicyclists. A minimum 4.5-ft buffer is proposed from the back of curb to the front of the SUP. A 2-ft buffer is proposed behind the SUPs to accommodate signing and lighting features. A traffic signal is proposed at the intersection of SR 994/Quail Roost Drive and SW 134th Avenue. This alternative has the greatest impact to the existing right-of-way and also the most access management restrictions. See **Figure 4-3** for details.



Figure 4-3: Build Alternative 3 Typical Section

4.3 PREFERRED ALTERNATIVE

Build Alternative 2 was selected as the preferred alternative based on the evaluation results. Build Alternative 1 does not sufficiently address the purpose and need of the project while Build Alternative 3 meets the purpose and need but results in greater impacts than Build Alternative 2.

The preferred alternative proposes one additional travel lane in each direction, for a total of two 11-ft lanes on each bound, and a 16.5-ft raised median with exclusive left turn lanes along SR 994. Curb and Gutter Type F is proposed on the outside of the travel lanes while Type E curb is the typical condition along the median. This alternative also proposes 10-ft SUP along both sides of the corridor, that are intended to be utilized by pedestrians as well as bicyclists. A minimum 4.5-ft buffer is proposed from the back of curb to the front of the SUP. A 2-ft buffer is proposed behind the SUPs to accommodate signing and lighting features. The signalized intersections at SW 137 Ave and SW 127 Ave. will be widened to accommodate auxiliary turn lanes to meet future travel demand. A new traffic signal is proposed at the intersection of SR 994/Quail Roost Drive and SW 134th Avenue. The Preferred Alternative includes the removal and replacement of the bridge structure (bridge #870633) over the Black Creek Canal (C-1W) as well as new/enhanced pedestrian and bicycle infrastructure, including paved shoulders/designated bicycle lanes, sidewalks, and/or a shared-use path connection to the existing Black Creek Trail.

5.0 METHODOLOGY

5.1 SITE RECONNAISSANCE

A site reconnaissance was performed on March 17, 2021, and July 13, 2022, to document existing conditions and evaluate whether current development could be responsible for hazardous materials or petroleum contamination of soil or groundwater which could impact the project.

In summary, the project corridor runs along Quail Roost Drive from West of SW 137 Avenue to East of SW 127 Avenue. The project area was visually inspected for additional sites (not identified in existing databases), evidence of contamination such as stressed vegetation, vent and fill pipes, accumulated areas of debris, evidence of buried materials, areas of soil staining, etc. The site reconnaissance did not observe any other potential contamination related issues other than the concerns described below.

5.2 HISTORICAL AERIAL PHOTOGRAPH REVIEW

Historical aerial photographs were reviewed to identify historical land use/activities along the project corridor that may pose potential contamination concerns. Aerial photographs were obtained from University of Florida Digital Collections (UFDC) (1938-1963), FDOT Aerial Photo Look Up System (APLUS) (1969- 1973), and Google Earth (1985 – 2021). Photographs were reviewed every 5 years as available. A summary of historical aerial review is provided in **Section 8.1**. Sites identified as a concern are included in the discussion in **Section 8.3**.

5.3 REGULATORY FILE REVIEW

A database review/search report was obtained from the Florida Department of Environmental Protection (FDEP) and Miami-Dade County Department of Environmental Resources Management (DERM) websites for the Quail Roost Drive corridor on June 15, 2022.

In accordance with *Part 2, Chapter 20 of the FDOT PD&E Manual* (dated July 1, 2020), the following buffer distances from the exiting roadway were used:

1. 500 feet from the right of way line for petroleum, drycleaners, and nonpetroleum sites. Corridor projects in heavily industrialized or urbanized areas with dewatering planned near the contaminated sites need to be addressed with FDEP, WMD, or the local delegated program lead.
2. 1,000 feet from the right of way line for non-landfill solid waste sites (such as recycling facilities, transfer stations and debris placement areas).
3. Half a mile from the right of way line for Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), National Priorities List (NPL) Superfund sites, or Landfill sites.

This report provides locations of sites with known or potential contamination based on a number of federal and state databases, including:

- Federal NPL Site List
- Federal Delisted NPL Site List
- Federal Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) List
- Federal CERCLIS No further Remedial Action Planned (NFRAP) Site List

- Federal Resource Conservation and Recovery Act (RCRA) Corrective Action (CORRACTS) Facilities List
- Federal RCRA non-CORRACTS TSD Facilities List
- Federal RCRA Generators List
- Federal Emergency Response Notification System (ERNS) List
- State- and Tribal-equivalent CERCLIS
- State and Tribal Landfill and/or Solid Waste Disposal Site Lists
- State and Tribal Leaking Storage Tanks Lists
- State and Tribal Registered Storage Tank Lists
- State and tribal Voluntary Cleanup Sites
- Local lists of Hazardous Waste / Contaminated Sites
- Other Ascertainable Records

Individual contaminated sites were initially identified and reviewed in March 2021, and desktop information updated in June 2022, as applicable. The updated desktop review was conducted online using DERM Department of Regulatory and Economic Resources (RER) database, FDEP OCULUS and Information Portal, FDEP Contamination Locator Map, FDOT Efficient Transportation Decision Making (ETDM) Environmental Screening Tool (EST), Florida Department of Health (FDOH) Well Surveillance Mapping Site, and United States (US) Environmental Protection Agency (EPA) Facility Index System (FINDS). File reviews were supplemented with telephone conversations with Agency representatives.

A detailed discussion of the potential contamination sites identified during this contamination screening evaluation is provided in **Section 8.3**.

5.4 FIELD REVIEW

Initial pedestrian/windshield surveys of the project study area were conducted on March 17, 2021, to identify potential sites or areas with indications of past or present contaminant storage, use, generation, or disposal. A follow up field review was conducted on July 13, 2022, to update and/or verify previous data collected. The potential contamination sites were visually examined to the extent of available access for evidence of contamination. Known and potentially contaminated sites within the project study area were visually inspected for stressed vegetation, vent and fill pipes, accumulated areas of debris, evidence of buried materials, areas of soil staining, etc.). Current occupancy and operations at each site were verified during the field reviews.

5.4.1 Interviews

Interviews were conducted on July 13, 2022, for Richard Lyons Nursery, Coin Laundry, and the 7/11 Gas Station. Interview logs are included in **Appendix B**. Based on interviews, no additional information other than the information included in **Section 8.3** was provided by property owners/tenants/ occupants.

5.5 AGENCY COORDINATION

Agency coordination to obtain contamination-related information occurred through the ETDM Planning and Programming Screening (ETDM #14429, herein incorporated by reference). The latest ETDM Programming Screening Summary Report was published on July 8, 2021. For the Quail Roost Drive project, the USEPA and the South Florida Water Management District (SFWMD) reviewed the project and listed a degree of effect of “Moderate” for contamination. The FDEP reviewed the project and listed a degree of effect of “None” for contamination. The Summary Degree of Effect for contaminated sites was also listed as “Moderate” for contamination for this project in the ETDM Programming Screening Summary Report. Additional agency coordination efforts relevant to each potential contaminated area are discussed in the following sections of this report.

5.6 POTENTIAL CONTAMINATION RISK RATING

For sites identified in the Public Record as having reported contamination to a regulatory agency (FDEP, USEPA, and DERM), a search of available regulatory agency files database was made to gather information on the nature and extent of reported contamination.

After gathering and reviewing the above information and performing the site reconnaissance, a contamination risk ranking was assigned to sites that were identified as having a potential risk of existing soil or groundwater contamination.

Please note that the contamination risk potential rating is based on current conditions and may not reflect conditions which may exist in the future.

The contamination potential risk or rating system follows the FDOT Chapter 20 PD&E guidelines (dated July 1, 2020) and can be defined by the following four categories:

- **No:** A review of available information on the property and a review of the conceptual or design plans indicates there is no potential contamination impact to the project. It is possible that contaminants had been handled on the property. However, findings from the contamination screening evaluation or sampling and testing results indicate that contamination impacts are not expected.
- **Low:** A review of available information indicates that former or current activities on the property have an ongoing contamination issue, has a hazardous waste generator identification (ID) number, or handles hazardous materials in some capacity. However, based on the review of conceptual or design plans and/or findings from the contamination screening evaluation or sampling and testing results, it is not likely that there would be any contamination impacts to the project.
- **Medium:** After a review of conceptual or design plans and findings from a contamination screening evaluation or sampling and testing results, a potential contamination impact to the project has been identified. If there is insufficient information (such as regulatory records or site historical documents) to make a determination as to the potential for

contamination impact, and there is reasonable suspicion that contamination may exist, the property should be rated at least as a “Medium”. Properties used historically as gasoline stations and which have not been evaluated or assessed by regulatory agencies, sites with abandoned in place underground petroleum storage tanks or currently operating gasoline stations should receive this rating.

- **High:** After a review of all available information and conceptual or design plans, there is appropriate analytical data that shows contamination will substantially impact construction activities, have implications to ROW acquisition or have other potential transfer of contamination related liability to the FDOT.

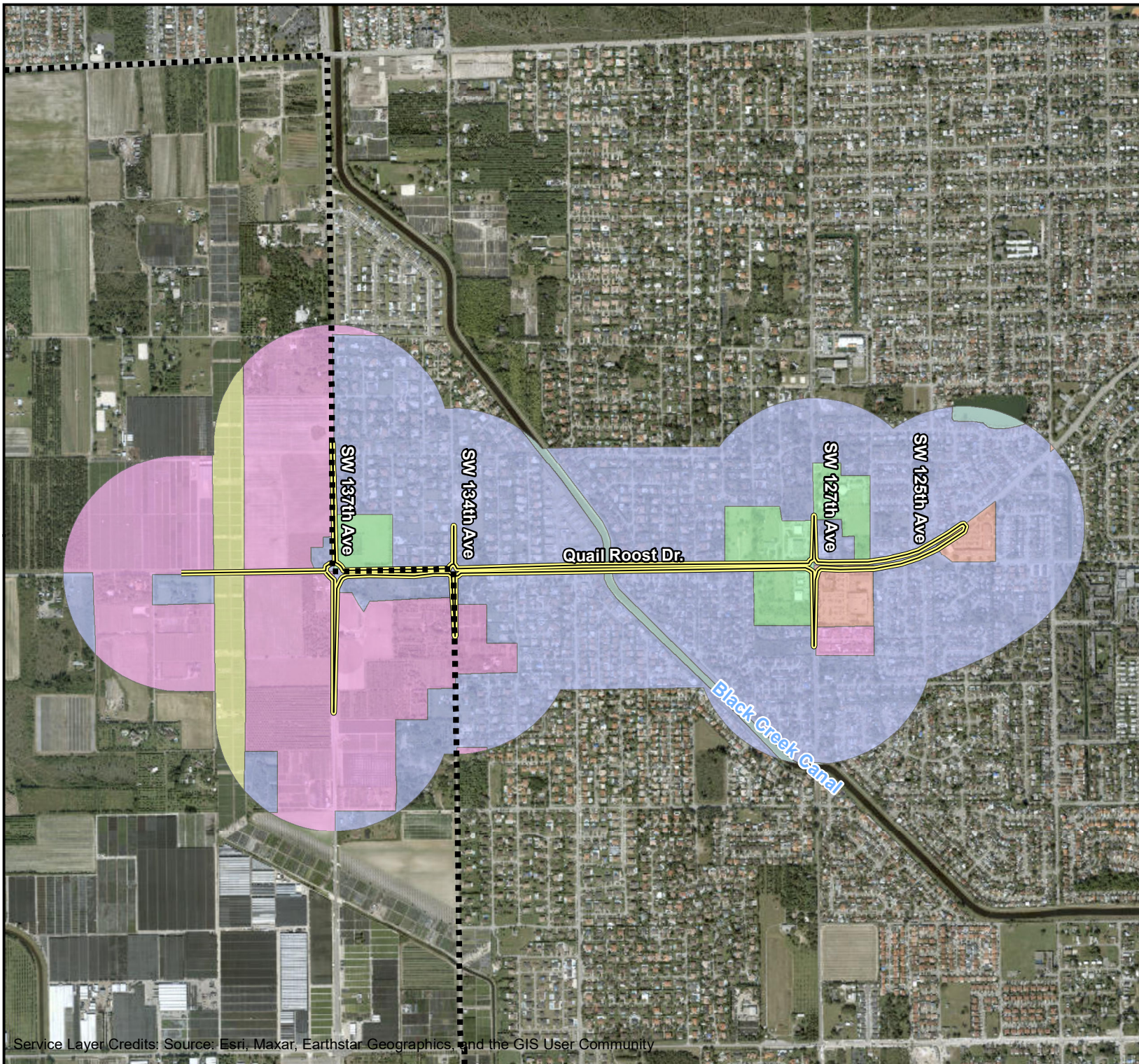
6.0 LAND USE

Existing land use within, and adjacent to, the project corridor was mapped using Miami-Dade County’s existing land use map. The primary land uses adjacent to the project corridor comprise developed properties, such as commercial, residential, institutional facilities, and agricultural including nurseries and croplands. **Figure 6-1** illustrates the existing land use. Due to the presence of nurseries and croplands, these properties should be considered potentially contaminated due to the historic use of pesticides. Past land use of the entire project corridor was also agricultural use. Historic land use is described for each site within Section 8.3.

7.0 HYDROLOGIC FEATURES

7.1 SOILS

Based on the Soil Survey of Miami Dade County, Florida (NRCS 1984), mapped soil types within close proximity to proposed improvements are classified in **Table 7-1** and shown in **Figure 7-1**. According to the *Hydric Soils of Florida Handbook* (Hurt, 2007), eight (8) of the twelve (12) soil types identified listed in **Table 7-1** are classified as hydric; the remaining three (3) types are classified as non-hydric, as well as one non-classified mapped soil. Hydric soils are typically characterized as poorly to very poorly drained muck or sandy soils. The majority of areas within and adjacent to the project corridor have been disturbed by residential development, and these areas may not currently exhibit historic soil conditions.



Quail Roost Dr. PD&E

West of SW 137 Avenue to
East of SW 127 Avenue

Miami-Dade County

Existing Land Use Map

Legend

--- Urban Development
Boundary

== Project Limits

Land Use

- Waterways
- Agriculture and
Nursery
- Commercial
- Utilities
- Residential
- Institutional

0 0.075 0.15 0.3 Miles

Scale 1:18,000

Land Use Source: South Florida
Water Management District (2020)

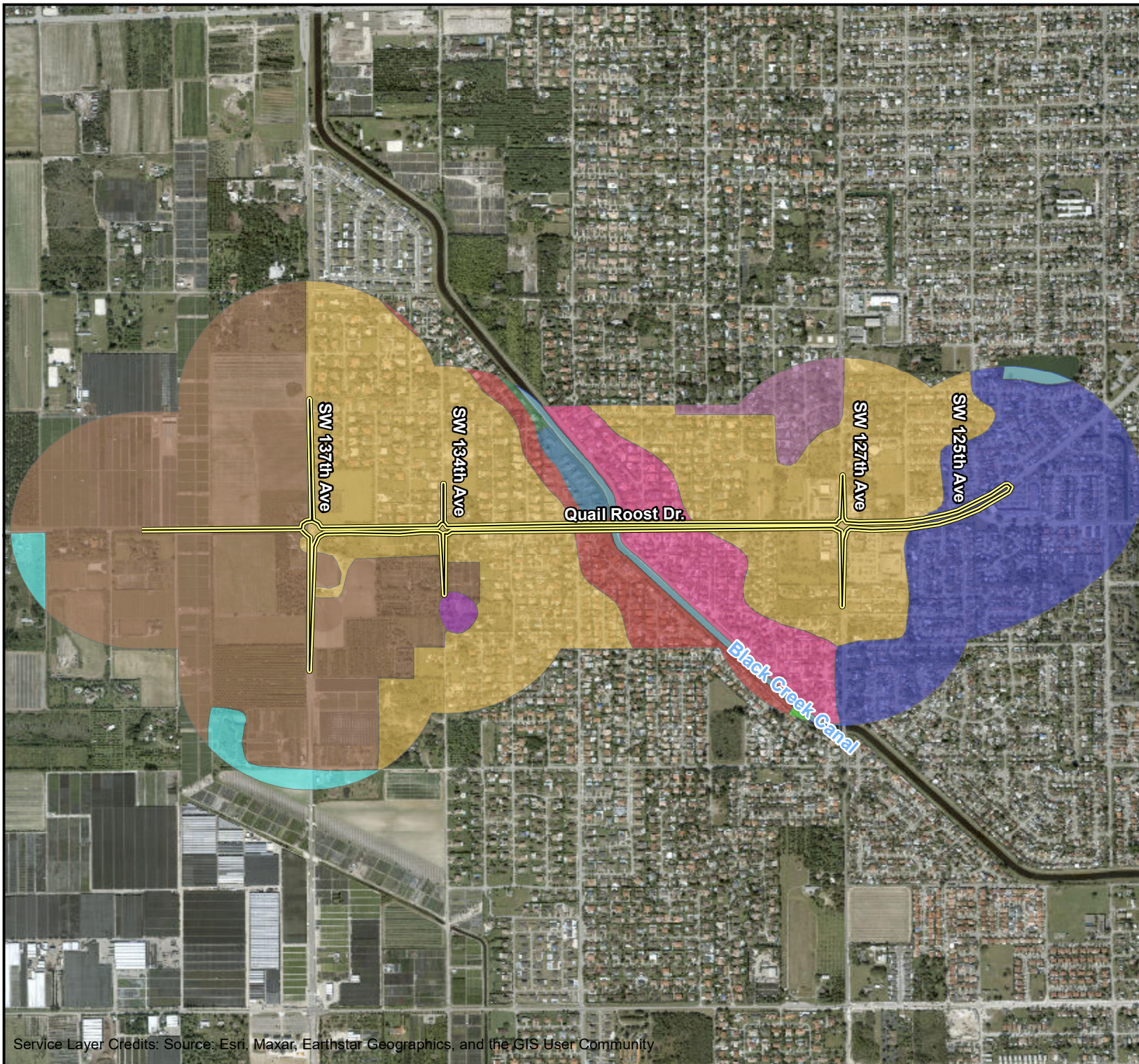
Date Updated: 03/15/2023

Figure 6-1



Table 7-1 – Mapped Soils within a Quarter Mile of the Project Corridor

Soil Name	Hydric Rating	Percent Cover (%)
Pennsuco marly silt loam, drained, 0 to 1 percent slopes	Yes	0.7%
Krome very gravelly marly loam, 0 to 2 percent slopes	Yes	31.4%
Udorthents, limestone substratum-Urban land complex, 0 to 2 percent slopes	No	2.1%
Opa-locka sand-Rock outcrop complex, 0 to 2 percent slopes	No	1.7%
Gator Lake muck, 0 to 1 percent slopes, frequently flooded	Yes	0.4%
Biscayne gravelly marly silt loam, drained-Urban land complex, 0 to 1 percent slopes	Yes	>0.1%
Biscayne marly silt loam, drained-Urban land complex, 0 to 1 percent slopes	Yes	3.6%
Krome very gravelly marly loam-Urban land complex, 0 to 2 percent slopes	Yes	37.3%
Pennsuco marly silt loam, drained-Urban land complex, 0 to 1 percent slopes	Yes	0.1%
Perrine marly silt loam, drained-Urban land complex, 0 to 1 percent slopes	Yes	6.4%
Urban land, 0 to 2 percent slopes	No	15.2%
Water	N/A	1.1%



Quail Roost Dr. PD&E

West of SW 137 Avenue to
East of SW 127 Avenue

Miami-Dade County

Soil Map

Legend

Project Limits

Soil Type

4- Pennsuco marly silt loam
7- Krome very gravelly marly loam, 0 to 2 percent slopes

10- Udorthents, limestone substratum

15- Urban land

22- Opalocka sand-Rock outcrop complex

43- Gator Lake muck

52- Biscayne gravelly marly silt loam

53- Biscayne marly silt loam

61- Krome very gravelly marly loam-Urban land complex

67- Pennsuco marly silt loam, drained-Urban land complex

69- Perrine marly silt loam

99- Water

0 0.075 0.15 0.3 Miles

Scale 1:18,000

Source: Soil data collected from USDA Web Soil Survey

Date Updated: 01/13/2023

Figure 7-1



7.2 HYDROLOGY

Groundwater and surface water drainage are influenced by both local geology and topography. The water table generally conforms to the land surface and lateral groundwater flow in the area of the site is slow due to the flat terrain. However, due to the highly transmissive characteristics of the underlying aquifer, the Biscayne Aquifer, there is a high potential for rapid movement of the groundwater. The Biscayne aquifer, a Sole Source Aquifer, is a surficial, unconfined aquifer, which extends from the ground surface to a depth of 240 feet along the eastern coastline (U.S. Geological Survey (USGS) Atlas 2000). The water table fluctuates from two (2) to four (4) feet above mean sea level. Ground elevation in the area ranges from approximately 10 to 14 feet above mean sea level. This aquifer is recharged through infiltration of precipitation and surface water. A sequence of low permeability, largely clay deposits about 1000 feet thick separates the Biscayne aquifer from the underlying Floridian aquifer system. The groundwater and surface water form an integrated hydrologic system. The SFWMD utilizes a system of canals, levees, control structures, pumping stations and water conservation areas to manage freshwater resources. Regional groundwater generally flows in the southeast direction, however, influences from local geology and topography can change the direction of groundwater flow. The specific groundwater flow beneath the subject property can only be determined by field methods such as the installation of monitoring wells and the measuring of hydrostatic pressure. There are several existing private wells adjacent to the project corridor (see **Appendix C**).

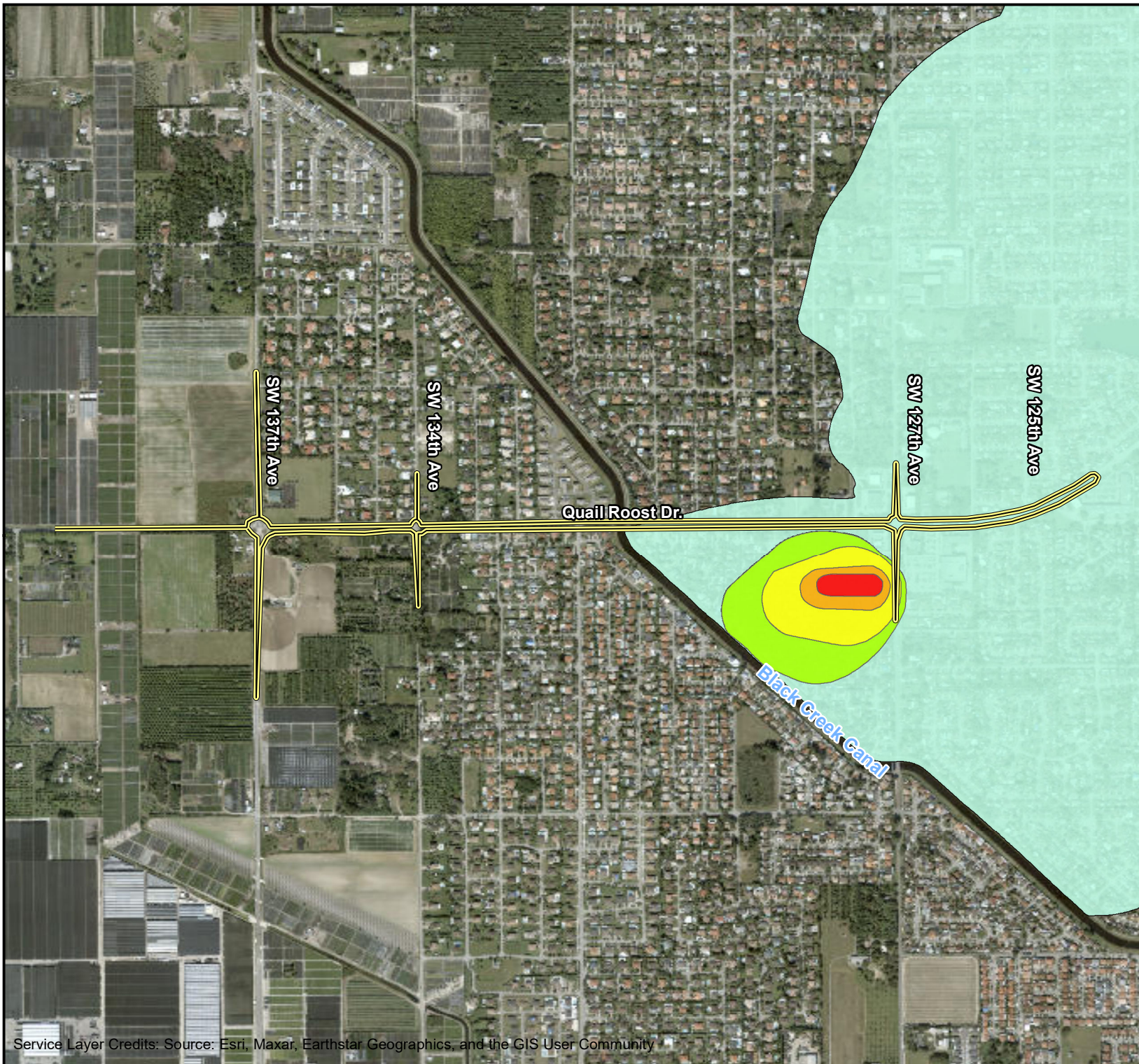
7.2.1 Miami-Dade County Wellfield Protection Zones

The Miami-Dade County Wellfield Protection Program protects the aquifer by restricting land uses within the vicinity of the public wellfield. The project corridor east of Black Creek Canal is located within the Miami-Dade County Wellfield Protection Zones in the City of South Miami Heights (see **Figure 7-2**). All phases of work will comply with the requirements of Miami-Dade County Environmental Protection Ordinance (Section 24 of the Miami-Dade County Code). All necessary precautions and Best Management Practices pertaining to construction will be followed to prevent adverse impacts to water quality.

8.0 PROJECT IMPACTS

8.1 AERIAL PHOTOGRAPH REVIEW

A detailed review of the historical aerials obtained from 1938 to 2021 is provided below. Historical aerials were reviewed for significant changes and a summary provided at a frequency of once per five years, when available.



Quail Roost Dr. PD&E

West of SW 137 Avenue to
East of SW 127 Avenue

Miami-Dade County

Wellfield Protection Zones Map

Legend

Project Limits

Wellfield Protection Area

South Miami Heights

Travel Time

10 Days

30 Days

100 Days

210 Days

0 0.05 0.1 0.2 Miles

Scale 1:18,000



Source: Wellfield protection areas obtained from Miami-Dade County open data hub

Date Updated: 01/13/2023

Figure 7-2



1938

A roadway appears in the location of present-day Quail Roost Drive. Black Creek Canal appears to be natural wetlands. The project corridor is surrounded by undeveloped natural forests, as well as large agricultural and row crop fields west of present-day Black Creek Canal, bordering present day Quail Roost Drive to the North and South, as well as East of present-day Black Creek Canal starting around present-day SW 127th Ave and ending at the Eastern limits of the proposed project. Only a few buildings/ residences appear within the agricultural fields surrounding the roadway.

1944

Similar to 1938, the land surrounding the project corridor remains relatively unchanged. Surrounding land use is untouched natural forests, row crops, and nurseries. Black Creek Canal has still not been established as a canal.

1952

Land use has changed due to large amounts of undisturbed natural forests being developed for more agricultural lands extending north and south of existing agricultural lands. The western portion of Quail Roost Drive has become a majority agricultural land, extending past the western limits of the proposed project. Quail Roost Drive appears more defined and developed. Black Creek Canal has yet to be altered from its natural state.

1963

Land use has become more developed. The vast majority of the natural forest has been developed to support more agricultural lands. Black Creek Canal has been dredged into the canal we see today. Towards the eastern portion of the project area, residential development has begun.

1968

A two-lane roadway appears in the location of present-day Quail Roost Drive. Black Creek Canal is visible bisecting Quail Roost Drive. West of the Canal, the project corridor is occupied by vacant land and agriculture, with some residences. East of the Canal, a small number of residences are visible as well, however the corridor is mostly agricultural and nurseries.

1973

Land use continues to be primarily agriculture with vacant land and some residences. Additional agriculture and residential areas are visible.

1978

Land use continues to be primarily agricultural and vacant lots.

1985

Land use appears generally unchanged.

1991

There is significant additional residential development on the east end of the corridor, and some additional residential development on the west end, however agricultural lands in the western portion of the project still remain.

1998

Some additional residential and commercial development is present throughout the corridor.

2002

The project corridor continues to be occupied by residential properties and nurseries. Residential properties are being developed where nurseries previously were. The Calvary Pentecostal Church of Miami is developed. Some commercial properties are developed on the east side of the project.

2004

Land use along the project corridor is generally unchanged. Additional residential development is present as well as some commercial properties along the entire corridor.

2009

Land use along the project corridor is generally unchanged. Additional commercial properties are developed. The project corridor is mostly fully developed.

2013-2021

Land use appears generally unchanged. The project corridor and surrounding properties appear similar to current conditions.

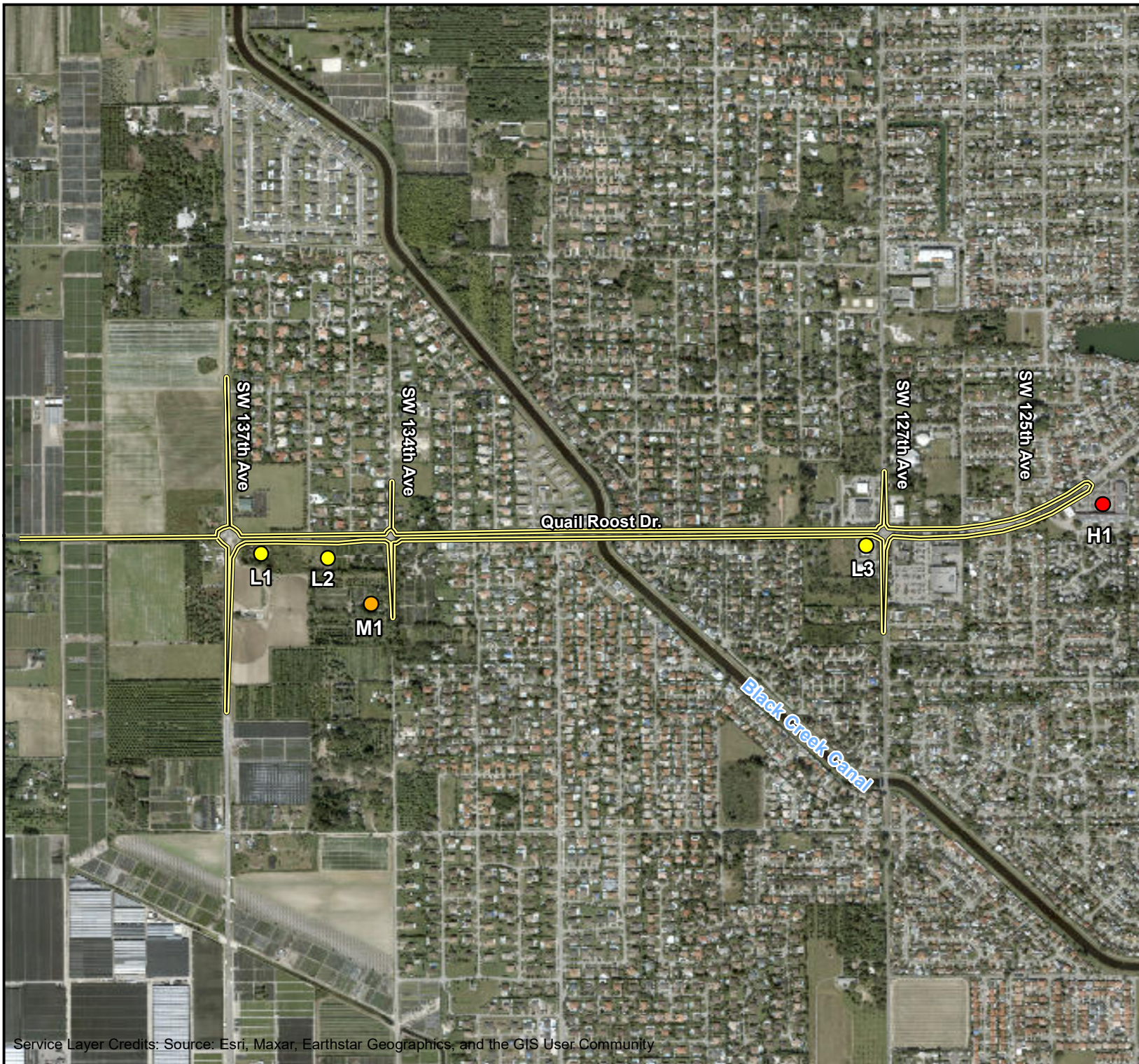
8.2 PROJECT IMPACT RESULTS

As a result of a review of all available data, such as agency file reviews at DERM and FDEP, historic data reviews including aerial photography, and the site reconnaissance, five sites were identified to have potential contamination concerns within the vicinity of the proposed project. The identified sites are described below with the appropriate risk rating (low risk, medium risk, and high risk). The locations of these sites are identified and summarized in **Table 8-1** per each viable Build Alternative and is shown in **Figure 8-1**. Relevant documentation of contaminated sites assigned a risk rating of Medium or High are included in **Appendix D**.

After a review of the information for the identified sites, site reconnaissance was conducted to confirm the locations of these sites and to identify any additional sites that could pose potential contamination concerns to the proposed construction activities. The locations of identified sites are confirmed and no additional sites with potential contamination concerns were identified. Additionally, no additional sites were identified from aerial reviews.

Table 8-1 – Potentially Contaminated Sites in the Vicinity of the Project Corridor

Site ID	Property Description	Address	Facility ID	Environmental Compliance Agency	Regulated Storage Tanks	Distance from Project	Contamination Concern / Regulatory Status	Alternative Risk Rating			
								A1	A2	A3	TSM&O
H1	Coin Laundry	12390 Quail Roost Drive	ERIC_4511	FDEP	Yes	Directly adjacent	DEP Dry cleaning Solvent Program; status unknown	High	High	High	High
M1	Richard Lyons Nursery	20200 SW 134 th Ave	ERIC_15241	FDEP	No	0.07 miles south	Heptachlor and Dieldrin (pesticides) as well as Arsenic in private well water	Medium	Medium	Medium	Medium
L1	Kendall Nursery and Landscaping IV	13650 SW 200 th Street	N/A	N/A	No	Directly adjacent	Potential contamination from pesticides/etc.	Low	Low	Low	Low
L2	Benmarqz Nursery and Landscaping	13400 SW 200 th Street	N/A	N/A	No	Directly adjacent	Potential contamination from pesticides/etc.	Low	Low	Low	Low
L3	7/11 Gas Station	12720 SW 200 th Street	N/A	N/A	Yes	Directly adjacent	None	Low	Low	Low	Low



Quail Roost Dr. PD&E

West of SW 137 Avenue to
East of SW 127 Avenue

Miami-Dade County

Contaminated Sites Map

Legend

Project Limits

Risk Rating

- High
- Medium
- Low

0 0.05 0.1 0.2 Miles
Scale 1:18,000



Source: Contamination information
obtained via FDEP and DERM

Date Updated: 03/16/2023

Figure 8-1



8.3 REGULATORY DATABASE REVIEW

High Risk Site #1

Coin Laundry
12390 Quail Roost Drive Miami, Florida 33309
FDEP Facility ID: ERIC_4511

This site entered the FDEP Dry cleaning Solvent Program Cleanup. There are no records of the type of contaminant or further information on this facility. However, it seems the facility was operating in the 90's and has been a laundry service since. Based on the limited information available, this site has been ranked as High Risk. The project is directly adjacent to the project corridor.

Medium Risk Site #1

Richard Lyons Nursery
20200 SW 134th Ave Miami, Florida 33177
FDEP Facility ID: ERIC_15241

In 2008, a residence's private well was tested, and analytical results showed Heptachlor (insecticide) exceeded the standard for drinking water at 0.34ug/L and Dieldrin (insecticide) exceeded the Department of Health (DOH) advisory level as well as the State's criteria for groundwater at 0.13 ug/L. Additionally, Arsenic exceeded the maximum contaminant level at 0.0267 mg/L and 0.0107 mg/L. This site has been taken over by the DOH as of 2010 due to the contamination being associated with a private drinking water well. The nursery has been in operation since 1918 and is still in operation. The resident has three existing wells located on property. Due to the unknown location and extent of the groundwater contamination and the proximity to the project, the site was given a Medium Risk.

Low Risk Site #1

Kendall Nursery and Landscaping IV
13650 SW 200th Street Miami, FL 33177

This site has no documented contamination; however, historic nurseries and agricultural sites may have a historic use of pesticides and other chemicals. According to aeriels, the site has been a mix of nurseries and agriculture since at least 1968. Based on this potential and the location of the nursery being directly adjacent to the project, this site was given a Low ranking.

Low Risk Site #2

Benmarqz Nursery and Landscaping
13400 SW 200th Street Miami, FL 33177

This site has no documented contamination; however, historic nurseries and agricultural sites may have a historic use of pesticides and other chemicals. According to aeriels, the site has been a mix of nurseries and agriculture since at least 1968. Based on this potential and the location of the nursery being directly adjacent to the project, this site was given a Low ranking.

Low Risk Site #3

7/11 Gas Station
12720 SW 200th Street Miami, FL 33177

This site has no documented contamination; however, it does have registered underground storage tanks and was shown to be out of compliance for unknown reasons and back in compliance in 2020. Due to the absence of any previous contamination, the site was given a Low Risk rating.

8.4 ASBESTOS AND HEAVY METALS SURVEYS

Asbestos surveys have been previously conducted by FDOT in 2019 on the Black Creek Bridge and no Asbestos Containing Materials (ACM) were identified. Bridge structures or facilities proposed for widening may have presumed ACM as defined by the Occupational Health and Safety Administration (OSHA) which includes thermal system insulation and surfacing materials. Bridge components such as Class V Finish, joints, black mastic, bearing pads, breaks for bascule bridges may contain ACM. Additionally, structures built prior to 1981, may contain presumed ACM. Coordination with the FDOT Maintenance office is recommended during final design to determine if additional asbestos surveys are needed.

A heavy metals survey has not been conducted on the Black Creek Bridge. Due to the common use of lead-based paint coating for corrosion in the 1960s and 1970s, a heavy metal survey for bridges requiring widening or demolition is recommended during final design.

8.5 PERMITS AND SPECIFICATIONS

Dewatering is anticipated to occur, as such a dewatering permit will be required from DERM/SFWMD. The contractor will be held responsible for ensuring compliance with any necessary dewatering permit(s). The dewatering plan will need to consider the radius of influence of any dewatering activity on nearby contamination plumes to avoid potential contamination plume exacerbation. The status of the sites will be updated accordingly at each future design phase. All permits will be obtained in accordance with Federal, State, and local laws and regulations and in coordination with the District Contamination Impact Coordinator (DCIC).

If dewatering activities are proposed within 500 feet of a contaminated site, a FDOT CAR Contractor will provide assistance during the preparation of the dewatering permit application and assist in the permit process. Roadway plans will have a general note listing any area of dewatering concerns with applicable stationing. See *Part 2, Chapter 20 Contamination, paragraph 20.2.5.5 Dewatering During Construction* for further details. Additionally, see *Part 1, Chapter 12, Environmental Permits and Part 2, Chapter 11, Water Quality Impact Evaluation* for guidance on NPDES permitting.

9.0 CONCLUSIONS AND RECOMMENDATIONS

In accordance with *Volume 2, Chapter 20* (dated July 1, 2020) of the *FDOT PD&E Manual*, potential contamination impacts in the area surrounding the project corridor were assessed for all viable Build Alternatives as well as the No-Build Alternative. For the viable Build Alternatives, the

degree of potential contamination concerns is equivalent due to the location and distance of the potential contaminated sites with reference to the proposed project layout.

After a review of all available data, such as agency file reviews at FDEP, aerial photography, and confirmed by site reconnaissance, contamination of groundwater has been documented in the vicinity of the project corridor. A total of five sites of potential environmental concern were identified for the project corridor; of these, one site is rated as High risk, one site is rated as Medium risk, and three sites are rated as Low Risk. The review did not identify any No Risk sites. The status of the sites will be updated accordingly at each future design phase. Remaining sites identified in the above-referenced sources are not considered to pose potential contamination concerns because of the current regulatory status of the site and/or the distance from the project corridor.

The FDOT District VI Planning and Environmental Management Office will utilize the information contained in this report to determine the need for additional investigation during the design phase of the Project. The Level II Contamination Assessment investigation may be conducted prior to any right-of-way acquisition and/or prior to the design phase, should any become necessary. Based on the findings of updated future review and Level II investigation, the design engineers may be instructed to avoid the areas of concern or to include special provisions with the plans to require that the construction activities performed in the areas of concern be performed or supervised by a contamination assessment and remediation contractor specified by the FDOT.

It must be recognized that the possibility exists that some contaminated substances, petroleum products, or environmental contamination not identified during this assessment may exist on or in the immediate vicinity of the project.

If dewatering is necessary during construction, a Water Use Permit from DERM/SFWMD is anticipated. The contractor will be held responsible for ensuring compliance with any necessary dewatering permit(s). The dewatering plan will need to consider the radius of influence of any dewatering activity on nearby contamination plumes to avoid potential contamination plume exacerbation. The status of the sites will be updated accordingly at each future design phase. All permits will be obtained in accordance with Federal, State, and local laws and regulations.

In addition, the contractor shall follow applicable FDOT Standard Specifications for Road and Bridge Construction for areas of unforeseen contamination. These specifications require that in the event any hazardous material or suspected contamination is encountered during construction, or any spills are caused by construction-related activities, the Contractor shall be instructed to stop work immediately and notify the FDOT Construction Project Manager.

As previously stated, a heavy metal survey is recommended and a survey for ACM may be required during final design on the Black Creek Canal Bridge.

Appendix A- Site Photos



Photo 1: Contaminated Site - Coin Laundry



Photo 2: Contaminated Site – Richard Lyons Nursery



Photo 3: Contaminated Site – 7/11 Gas Station



Photo 4: Contaminated Site – Kendall Nursery

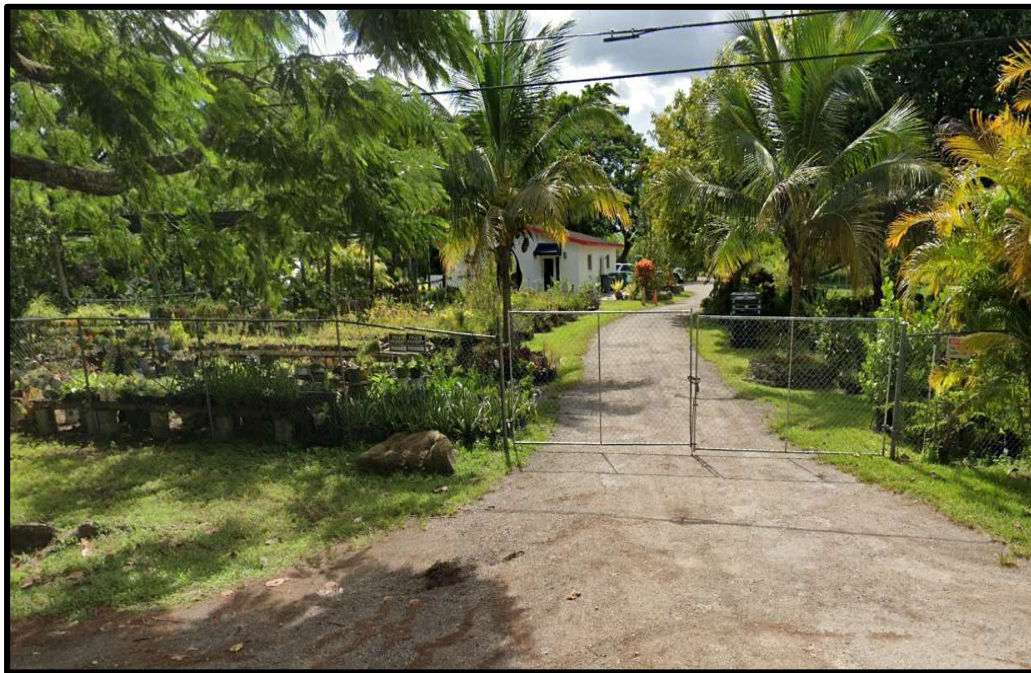


Photo 5: Contaminated Site – Benmarqz Nursery



Photo 6: Quail Roost Dr. Facing East



Photo 7: Quail Roost Dr. Facing West

Appendix B - Interviews

Inspector Name: Shannon Kelley

Date: 7/13/22

1. Name of property: Richard Lyons Nursery
2. Property address: 20200 SW 134th Ave Miami
3. Name of current property owner(s): Richard Lyon
4. Type of business currently operating: Nursery
5. Historic use of the property (same of different owners): Nursery since 1918
6. Presence of any Underground Storage Tanks (USTs) or Above Ground Storage Tanks (ASTs)? If yes, details: NO
7. USTs or ASTs present in the past? If yes, details: NO
8. Environmental permits: None
9. Is the property owner or occupant aware of any notice of violations or cleanup of contamination on the property? DOH tested water + is contaminated but DOAg says its not anylonger
10. Other information:

Inspector Name: Shannon Kelley

Date: 7/13/22

1. Name of property: 7/11 gas station
2. Property address: 12720 SW 200 St Miami 33177
3. Name of current property owner(s): Southland Corps
4. Type of business currently operating: 7/11 gas station for past 7 years
5. Historic use of the property (same or different owners): always gas station
6. Presence of any Underground Storage Tanks (USTs) or Above Ground Storage Tanks (ASTs)? If yes, details:
↳ 3 USTs, loaded, unloaded, diesel
7. USTs or ASTs present in the past? If yes, details: likely USTs in the past but they were taken out + replaced
8. Environmental permits: No
9. Is the property owner or occupant aware of any notice of violations or cleanup of contamination on the property? No
10. Other information:

Inspector Name: Shannon Kelley

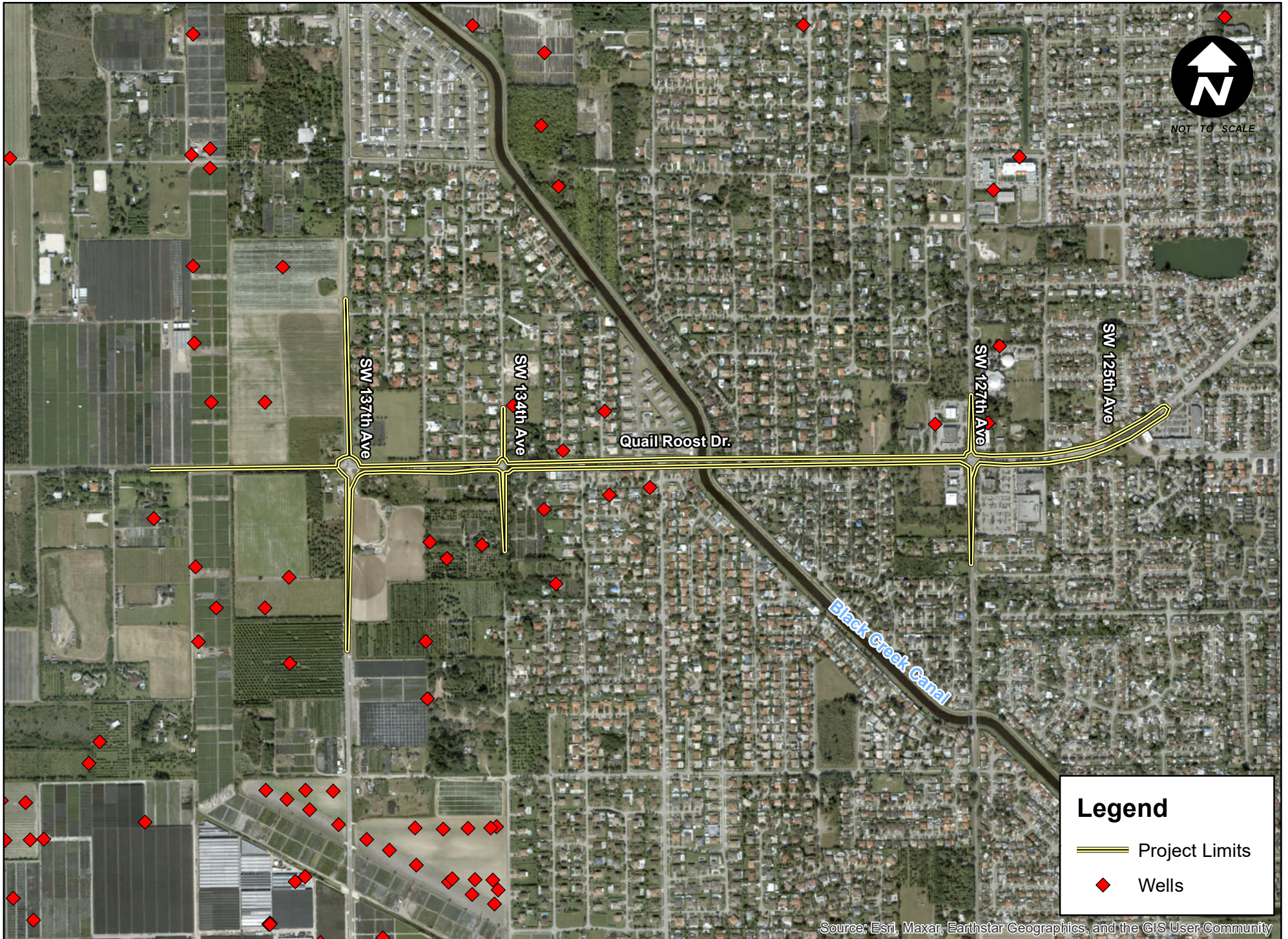
Date: 7/13/22

1. Name of property: Busy Bees coin laundry
2. Property address: 12390 Quail Roost Drive
3. Name of current property owner(s):
4. Type of business currently operating:
5. Historic use of the property (same of different owners):
6. Presence of any Underground Storage Tanks (USTs) or Above Ground Storage Tanks (ASTs)? If yes, details:
7. USTs or ASTs present in the past? If yes, details:
8. Environmental permits:
9. Is the property owner or occupant aware of any notice of violations or cleanup of contamination on the property?
10. Other information:

manager is not on site and employee
says she does not speak English

Appendix C - Private Wells Location Map

Quail Roost Drive Private Wells



Appendix D - Supporting Documentation for Medium and High Risk Sites

High Risk Site #1 Documentation

Coin Laundry

12390 Quail Roost Drive Miami, Florida 33309



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
Rapid Risk Screening Form

Drycleaning Solvent Cleanup Program
2600 Blair Stone Road, MS 4520
Tallahassee, FL. 32399-2400

Drycleaning Solvent Cleanup Program Facility Information

Facility Name: **QUAIL ROOST VILLAGE**
Facility ID Number: **139801155**
Facility Address: **12390 QUAIL ROOST DR, MIAMI, 33309**
Site Score: **28**

Property Information

Property Owner Name: **Advance Auto Parts**
Property Owner Address: **PO Box 2710, Roanoke, VA 24001**

Building base square feet: **N/A**

Property Use: Industrial Commercial / Retail Residential Other

If Other Note:

Well Survey Information

Number of large (>100,000 gpd) public supply wells within 1/2 mile: **0**
Number of small potable wells within 1/4 mile: **0**
Sample Date for DOH well data: **11/6/2009**

Are potable wells located within 500 feet of the facility: Yes No

If No skip to Facility Operation Information

Number of potable wells within 500 feet of facility: **N/A**

Are wells contaminated with drycleaning contaminants above GCTL: Yes No

If yes list the well IDs, contaminants, and concentrations:

 N/A

Note any other contaminants detected, well IDs and concentrations:

Facility Operation Information

Current Name of Facility: COIN LAUNDRY

Facility Type:
Active drycleaner or wholesale supply facility
Dry-drop off or laundry
Other Business

If vacant, razed, undergoing development (other) note:

Is there an onsite potable water supply well: Yes Unknown
Is there an onsite Irrigation well observed: Yes Unknown

For Active drycleaner or wholesale supply facility complete the following:

Facility Owner Name: _____

Operator Name: _____

If facility is under new ownership note date operations commenced: _____

Solvents used:
 PCE Petroleum Solvent GreenEarth Other

If other note solvent type:

Waste Management Concerns (note any obvious issues):

Area Profile

Facility is located in:
Shopping center/strip mail
Stand alone building
Co-located with other business

If Other Note: _____

Surrounding Land Uses
Within 500 feet of facility (check all that apply):
 Industrial Commercial / Retail Residential Other

If Other Note:

Receptor Information

Receptor Information (check all that apply):	Within former drycleaner facility or building footprint	Co-located (sharing an adjacent wall or ceiling)	Within 150 feet of facility or strip mall
Table 1			
Daycare	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
School	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Long-term Care Facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Table 2			
Residence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Identify the business name and locations (distances and direction from the facility) of any Table 1 receptors identified.

BUMBLE BEE LEARNING CENTER
APROX 150' NORTH OF CLEANER

Identify the locations (distances and direction from the facility) of any Table 2 receptors identified.

Identify nearby (within 150 feet of facility) buildings and businesses, excluding the subject property, that may use solvents.

Form completed by: MICHAEL MICHUDA ARCADIS
 Print Name Company
[Signature] 12/13/11
 Signature Date

Attachments:

- Site Photo 1390
- DOH Well Survey Map
- Parcel Map showing current structures and property boundaries

My Home
Miami-Dade County, Florida



miamidade.gov

Property Information Map



Aerial Photography - 2009

0 119 ft

This map was created on 12/7/2011 4:34:37 PM for reference purposes only.

Web Site © 2002 Miami-Dade County. All rights reserved.



Close

Summary Details:

Folio No.:	30-6901-031-0752
Property:	12390 QUAILROOST DR
Mailing Address:	ADVANCE AUTO PARTS PO BOX 2710 ROANOKE VA 24001-

Property Information:

Primary Zone:	6200 ARTERIAL BUSINESS
CLUC:	0011 RETAIL OUTLET
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	6,020
Lot Size:	20,006 SQ FT
Year Built:	1999
Legal Description:	OAK PARK ESTATES SEC 2 PB 126-57 PORT OF TRACT B DESC BEG 612.78FTSWLY OF NE COR OF TRACT B TH S 33 DEG E 56.80FT S163.03FT NWLY AD 188.62FT NWLY-NLY & ELY

Assessment Information:

Year:	2011	2010
Land Value:	\$440,132	\$440,132
Building Value:	\$379,773	\$379,773
Market Value:	\$819,905	\$819,905
Assessed Value:	\$819,905	\$819,905

Taxable Value Information:

Year:	2011	2010
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$0/\$819,905	\$0/\$819,905
County:	\$0/\$819,905	\$0/\$819,905
School Board:	\$0/\$819,905	\$0/\$819,905

Sale Information:

Sale Date:	5/1999
Sale Amount:	\$210,000
Sale O/R:	18662-3349
Sales Qualification Description:	Sales which are qualified
View Additional Sales	

DM



Potable Well Survey

Florida Department of Health Bureau of Water Programs

Facility ID: **9801155**
Request: 1510
Name: FMR QUAIL ROOST VILLAGE
Address: 12390 QUAIL ROOST DR
MIAMI, FL 33177

County:
DADE

GPS Date / Method: 9/30/2009 DGPS OFFS
Decimal Degrees: 25.581397 -80.392498
Deg Min Sec: 25 34 53.0292 80 23 32.9928

Large (>150,000 gpd) Public Supply Wells within 1/2 mile: 0
Small potable wells within 1/4 mile: 0

Sent to CHD: 9/9/2009
Received: 10/19/2009

Comment:

APPROVED PerrymanAD

9801155
 FMR QUAIL ROOST VILLAGE
 12390 QUAIL ROOST DR
 MIAMI, FL 33177

Latitude/Longitude: 25.581397 -80.392498
 DDMSS: 25 34 53.0292 80 23 32.9928
 Number of large public wells (>150,000 gpd) within the 1/2 mile: 0
 Number of small public and private wells within the 1/4 mile: 0



Sample Results--Drycleaner*

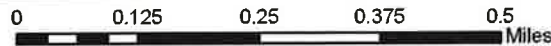
- ★ >1/2 MCL/HAL
- <1/2 MCL/HAL
- <1/4 MCL/HAL
- ▲ Sampled, no detect
- ⤴ Not sampled within last year
(3 years if large Community PWS)
- ⊙ No sample found for this analysis

SDWA PWS Wells

- Design Capacity
- PS <150,000 gpd
 - P150 ≥150,000 gpd

Facility Type

- Ⓟ Petroleum
- Ⓟ Proximity Threat
- Ⓟ Drycleaner
- Ⓟ Toxics
- Ⓟ Other
- Ⓟ Cattle Dip Vat



**Florida Department of Health
 Bureau of Water Programs
 Potable Well Survey**

Disclaimer
 This product is for reference purposes only and is not to be construed as a legal document. Any reliance on the information contained herein is at the user's own risk. The Florida Department of Health and its agents assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

* The following chemicals were used for the Solvent Indicator analysis:
 Tetrachloroethylene, Trans-1,2-Dichloroethylene, Cis-1,2-Dichloroethylene, 1,2-Dichloroethane, Trichloroethylene, 1,1-Dichloroethylene, and Vinyl Chloride

Signature: _____

11/6/2009
 perrymanad
 DADE

ER SHOP

COIN LAUNDRY

RESTAURANT

KUTTING EDGE
 BARBER SHOP
 12396
 BOSTON
 PHILIPS
 BLENDERS
 TAPES
 UNISEX
 BEBEANS
 100 GUTE
 A MIRA MIRA
 STYLES
 7-969-6264



Co Laundry
 Wash & Fold
 Professional Dry Cleaning
 Lavado Por L...
 305-232-0020



12390
 HOURS - HORARIO
 MONDAY - SATURDAY
 7:00 AM to 7:00 PM
 SUNDAY
 7:00 AM to 5:00 PM
 OPEN 7 DAYS
 ABIERTO 7 DIAS
 305-232-0020
 NOTICE
 THIS PROPERTY IS
 UNDER
 24-HOUR
 VIDEO
 SURVEILLANCE



COIN LAUNDRY
 CUSTOMERS
 PARKING ONLY

COIN LAUNDRY
 CUSTOMERS
 PARKING ONLY

NO ALCOHOLIC
 BEVERAGES
 ALLOWED ON
 THIS PROPERTY





Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

May 3, 1999

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Gabe Nemeth
Message Construction Company
1111 Kane Concourse, Suite 400
Bay Harbor Island, Florida 33154

**Subject: Quail Roost Village
12390 Quail Roost Dr.
Miami, FL 33309
DEP Facility ID#139801155**



Dear Mr. Nemeth:

The Department has completed its review of the application package submitted in accordance with Chapter 62-781, Florida Administrative Code (F.A.C.). The Department has determined that the referenced site is eligible for state-administered cleanup under the Drycleaning Solvent Cleanup Program.

Pursuant to Section 376.3078(7), Florida Statutes (F.S.), the site has received a score of 28. A priority list of eligible sites will be maintained by the Department, based on an ordering of scored sites such that the highest scored sites are of the highest priority for rehabilitation. Scored sites are incorporated into this list on a quarterly basis with all sites previously on the list being adjusted accordingly.

Section 376.3078, F.S., provides that cleanup of this incident be absorbed at the expense of the Hazardous Waste Management Trust Fund, minus a deductible payable by the applicant(s). The deductible for this facility, pursuant to 376.3078(3)(d), is \$10,000.00 and will be payable upon notice from the Department. Also, participation in the Program is contingent upon continual compliance with the conditions of eligibility set forth in Section 376.3078(3), F.S.

Persons whose substantial interests are affected by this Order of Eligibility have a right, pursuant to Sections 120.569 and 120.57, F.S., to petition for an administrative determination (hearing). The Petition must conform to the requirements of Chapters 62-110.106 and 28-106.201, F.A.C., and must be filed (received) with the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within



Drycleaning Solvent Cleanup Program Application

PERC

Please Print or Type **Bureau of Waste Cleanup**

13/98 0115 DATA ENTERED

FEB 8 1999

DEC 30 1998

Hazardous Waste Cleanup Section

DEP Form: 62-781.900(1) _____
Form Title: Drycleaning Solvent Cleanup Program Application
Effective Date: 3/13/96 _____
DEP Application No.: _____
(FDEP Use Only)

If the drycleaning facility or wholesale supply facility is in operation, all items on the form shall be completed. If the drycleaning facility or wholesale supply facility is no longer in operation and the real property owner participated in the operation of the drycleaning facility or wholesale supply facility, then all of the items on the form shall be completed by the real property owner. If the drycleaning facility or wholesale supply facility is no longer in operation and the real property owner did not participate in the operation of the drycleaning facility, then only items 1 - 8 of Section I, and Section III shall be completed by the real property owner.

SECTION I

1. SITE Information:

Name: Quail Roost Village
 Street Address: 12390 Quail Roost Drive.
 City, County, Zip: Miami, Florida 33309.

Facility Identification Number: _____

Taxpayer Identification Number: _____

2. The site operates, or at some time in the past operated as a:
 Drycleaning Facility Wholesale Supply Facility

Attach documentation that a drycleaning facility or wholesale supply facility operates or at some time in the past operated at the site.

3. Is the site currently operating as a uniform rental or linen supply facility?
 YES NO

4. Indicate one of the following:

a. The site is currently operating as a drycleaning or a wholesale supply facility. Indicate the date that the currently operating drycleaning facility or wholesale supply facility began operation: ___/___/___

b. The site is no longer operating as a drycleaning or a wholesale supply facility. Indicate the dates that the drycleaning facility or wholesale supply facility operated: ___/___/___ to 8/24/92.
 And, indicate whether the site is occupied by another business by stating the name of the business in the space provided below:

5. Has a Drycleaning Solvent Cleanup Program Application, DEP Form 62-781.900(1), been previously submitted to the Department for the same site as indicated in item number 1 of this form?
 YES NO

If YES, indicate the date of the most recent application prior to this application: ___/___/___
 Briefly state the reason(s) the application is being resubmitted: _____

RECEIVED
 D.E.R.
 99 JAN -4 PM 2:09
 STORAGE
 REGULATION

6. REAL PROPERTY OWNER Information:

Name: Message Construction Co.
Address: 1111 Kane Concourse, Suite 400
City, State, Zip: Bay Harbor, Island, Fl. 33154 48270
Contact Person: Gabe Nemeta telephone: (305) 232-7777

7. OWNER Information:

Name: _____
Address: _____
City, State, Zip: _____
Contact Person: _____ Telephone: () - _____

8. OPERATOR Information:

Name: _____
Address: _____
City, State, Zip: _____
Contact Person: _____ Telephone: () - _____

If the drycleaning facility or wholesale supply facility is no longer in operation and the real property owner did not participate in the operation of the drycleaning facility, then go to Section III on page 6 of 6 and complete the form. The remaining questions in Section I and Section II do not have to be completed.

9. Drycleaning Solvent Secondary Containment:

a. Have secondary containment structures been installed around or beneath each machine or item of equipment in which drycleaning solvents are used?

YES NO

If YES, then indicate when the containment structure(s) was installed: / /

b. Have secondary containment structures been installed around or beneath each area where drycleaning solvents or waste which contains drycleaning solvents are stored?

YES NO

If YES, then indicate when the containment structure(s) was installed: / /

c. Have the floor surfaces of the drycleaning facility been sealed or otherwise rendered impervious in any area in which solvents may leak, spill, or otherwise be released?

YES NO

If YES, then indicate when the floors were sealed: / /

Facility ID: 9801155 Facility Status: CLOSED County: 13 DADE District: SED Name: QUAIL ROOST VILLAGE Address: 12390 QUAIL ROOST DR Address2: City: MIAMI FL 33309- Onsite Mgr: VACANT Phone:	Create Date:02-FEB-1999 Name Update: Addr Update: Account Status: ASTC: 0 USTC: 0
Facility Type:1 - Drycleaner Financial Resp: Insurance Comp: Cleanup Status: -	DEP Contract Owned?:N Coverage Period: - Effective:
Owner Name: MESSAGE CONSTRUCTION CO Address: 1111 KANE CONCOURSE #400 City/St/Zip: BAY HARBOR ISLAND, FL 33154 Last Updated: 02-FEB-1999 Phone: 305-232-7777 Contact: GABE NEMETH	Role:PROP OWN Owner ID#:48270 Begin Date:02-FEB-1999 Bad Address?:

Facility status.
 Count: *1

<List><Replace>



Drycleaning Solvent Cleanup Program Application

Please Print or Type **Bureau of Waste Cleanup**

DEC 30 1998

**Hazardous Waste
Cleanup Section**

DEP Form 62-781.900(1)
Form Title: Drycleaning Solvent Cleanup Program Application
Effective Date: 3/1/96
DEP Application No.:
(DEP Use Only)

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SECTION I

1. SITE Information:
 Name: Quail Roost Village
 Street Address: 12390 Quail Roost Drive
 City, County, Zip: Miami, Florida 33309
 Facility Identification Number: 139801155
 Taxpayer Identification Number: _____



2. The site operates, or at some time in the past operated as a:
 Drycleaning Facility Wholesale Supply Facility

Attach documentation that a drycleaning facility or wholesale supply facility operates or at some time in the past operated at the site.

3. Is the site currently operating as a uniform rental or linen supply facility?
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4. Indicate one of the following:
 a. The site is currently operating as a drycleaning or a wholesale supply facility. Indicate the date that the currently operating drycleaning facility or wholesale supply facility began operation: / /
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 And, indicate whether the site is occupied by another business by stating the name of the business in the space provided below: _____

5. Has a Drycleaning Solvent Cleanup Program Application, DEP Form 62-781.900(1), been previously submitted to the Department for the same site as indicated in item number 1 of this form?
 YES NO

If YES, indicate the date of the most recent application prior to this application: / /
 Briefly state the reason(s) the application is being resubmitted: _____



Site Screening Report Form

Please Print or Type (See Site Screening Guidance Manual for instructions)
COMPLETE ENTIRE FORM

Bureau of Waste Cleanup

DEC 30 1998

Hazardous Waste
Cleanup Section

DEP Form: 62-782-0006-1
Form Title: Site Screening Report Form
Effective Date: March 11, 1996
DEP Application No: _____

Instructions and definitions that are necessary for completing this form can be obtained from the Site Screening Report Guidance Manual. Information provided on this form shall be in accordance with the directions and provisions of the Site Screening Guidance Manual.

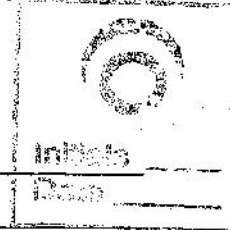
1. Facility Identification

a. Facility Name: Quail Roost Village

b. Facility Address: 12390 Quail Roost Drive

Miami, Florida 33309

c. Facility Identification Number (if assigned): 139801155



2. Fire or Explosion Hazard:

If a fire or explosion hazard existed at the site, then provide the date that the hazard was reported to the State Warning Point and the local fire department:

 / /

NOTE: DO NOT USE THIS SITE SCREENING REPORT FORM TO REPORT A FIRE OR EXPLOSION HAZARD TO THE DEPARTMENT. If the fire or explosion hazard has not been reported to the State Warning Point at 1-904-413-9911 and the local fire department, then immediately notify these authorities.

3. Documentation of Contamination:

a. Laboratory used to analyze sample:

Envirodyne Inc.

CompQAP No.890041G

b. Methodology used: EPA Method 8021B

c. Sample Media: Soil Groundwater

Medium Risk Site #1 Documentation

Richard Lyons Nursery

20200 SW 134th Ave Miami, Florida 33177

Memo to File

This site has pesticide contamination in drinking well. Leslie Smith and Kyle Brown from the Department visited the site on December 12, 2010. We spoke with Richard Lyons the property owner, and he had informed us that the Department of Health and been at his residence one month prior to replace the carbon filters on the reverse osmosis filter located behind his dwelling. It was apparent that both Miami Department of Environmental Resource Management (DERM) and the DOH were actively handling the case.

At this time the Department of Environmental Protection will inactivate the case. Should land use change in the future then a cleanup case may be warranted.

Prepared by: Kyle Brown (Environmental Specialist)

December 12, 2010

Senarath, Amala

From: Senarath, Amala
Sent: Wednesday, October 15, 2008 8:53 AM
To: 'rlyons@lyonsandsmith.com'
Cc: Wierzbicki, Paul
Subject: RE: Richard Lyons Nursery

Dear Mr. Lyons,

I have talked to the Miami Dade Department of Health and Miami Dade Department of Environmental Resources Management (DERM) and they are now managing this case. As you are aware the DEP's Southeast District has no jurisdiction over potable wells. The DOH has already taken confirmation samples from the location on September 18, 2008. When this process is completed the DOH will inform the DEP's Water Restoration unit will take it from there to remediate if the contaminants of concern are found. Please contact Mr. Joseph De Marzio (Joseph_Demarzio@doh.state.fl.us) of DOH for additional information.

Regards,

Amala Senarath, M.B.A.
Environmental Specialist

Florida Department of Environmental Protection
South East District
400 North Congress Avenue, Suite 200
West Palm Beach, FL 33401
Phone: (561) 681-6675 Fax: (561) 681-6770
Email: Amala.Senarath@dep.state.fl.us

More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

From: Richard W. Lyons [<mailto:rlyons@lyonsandsmith.com>]
Sent: Wednesday, October 08, 2008 3:26 PM
To: Senarath, Amala
Subject: RE: Richard Lyons Nursery

Dear Ms. Senarath

When will you be able to set a time to review my situation with me? I am most anxious to resolve the problem. Thank you for your time.

From: Senarath, Amala [<mailto:Amala.Senarath@dep.state.fl.us>]
Sent: Friday, September 05, 2008 1:14 PM
To: rlyons@lyonsandsmith.com
Cc: Smith, Leslie A.
Subject: RE: Richard Lyons Nursery

Mr. Lyons,

I will contact you next week or the week after depending on the path Ike takes regarding our site visit.

Thank you

Amala Senarath, M.B.A.
Environmental Specialist

Florida Department of Environmental Protection
South East District
400 North Congress Avenue, Suite 200
West Palm Beach, FL 33401
Phone: (561) 681-6675 Fax: (561) 681-6770
Email: Amala.Senarath@dep.state.fl.us

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The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

From: RICHARD W LYONS [mailto:rlyons@lyonsandsmith.com]
Sent: Friday, September 05, 2008 1:12 PM
To: Senarath, Amala
Cc: Smith, Leslie A.
Subject: Richard Lyons Nursery

Dear Ms Amala Senarath:

I understand that you will be visiting my nursery. In light of the fact that hurricane Ike is knocking on our door. I suggest that we see what he is doing and then set a date and time. I hope this is satisfactory to you.

Thank you for your attention.

Richard

Richard W. Lyons
Attorney-at-Law
1230 NW 7th Street
Miami, Florida 33125
Web Site
<http://www.lyonsandsmith.com>
E-Mail
rlyons@lyonsandsmith.com
phone 305-324-1100
fax 305-324-1054

Richard Lyons' Nursery
20200 SW 134th Avenue
Miami, Florida 33177

phone 305-251-6293
fax 305-324-1054
Web Site
<http://www.rarefloweringtrees.com>

NOTE

The information contained in this E-Mail message is intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (305-324-1100), and destroy the original message. Thank you.

Senarath, Amala

From: Senarath, Amala
Sent: Thursday, September 18, 2008 2:20 PM
To: 'Joseph_Demarzio@doh.state.fl.us'; BucknL@miamidade.gov
Cc: Samir_Elmir@doh.state.fl.us; Richard_Rojas@doh.state.fl.us; Victor_Lopez@doh.state.fl.us; Wierzbicki, Paul
Subject: RE: Lyons Nursery 20200 SW 134 Ave

Joe,

Thank you for keeping DEP's South East District in the loop about this case. As I stated in my communications to Miami Dade DERM and DOH we would appreciate it if you continue to copy us in your correspondence regarding the Nursery.

Thank you

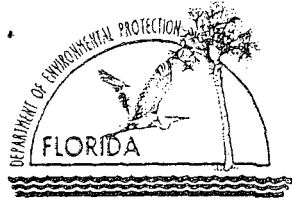
Amala Senarath, M.B.A.
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From: Joseph_Demarzio@doh.state.fl.us [mailto:Joseph_Demarzio@doh.state.fl.us]
Sent: Thursday, September 18, 2008 2:15 PM
To: BucknL@miamidade.gov
Cc: Samir_Elmir@doh.state.fl.us; Richard_Rojas@doh.state.fl.us; Victor_Lopez@doh.state.fl.us; Senarath, Amala
Subject: Lyons Nursery 20200 SW 134 Ave

Lorna: We have been in touch with DEP also and are today taking a confirmation sample at this location. We have several other locations in the area sampled at the same time as the Lyons Nursery, which have failed to show any MCL's for Pesticides. We are however, also taking at least one of those again in this current confirmation sampling. When this process is completed, DEP Water Restoration unit will take it from there to remediate if the MCL is confirmed. We can let you know the results of the confirmation sampling when we receive them. Thanks, Joe



DEPARTMENT OF ENVIRONMENTAL PROTECTION
WASTE CLEANUP SECTION

TELEPHONE LOG

Caller: Joseph DeMarzio
Of: Drinking Water Department, Miami-Dade DOH
Date: 9/18/08
Case Name: Richard Lyons Nursery
Address:
Tel: 305 623 3570 (o) 305-409-0151 (cell)

I ~~had~~ called Mr. DeMarzio to further discuss the email I sent him yesterday (9/17/08) regarding the Drinking Water well containing Heptachlor and Dieldrin at Richard Lyons Nursery.

He said ~~to~~ his staff is taking confirmatory samples at the site today to confirm these findings. The property has 2 wells. One for the house and one for irrigation. They took samples couple of years ago and did not find anything.

If the confirmatory samples find these COCs above MCL they will report it to the 356 Program (Toxic Water Program) and the program office would take steps to correct it or ~~we~~ connect the house to the City water. They would also report the ~~the~~ data and the well situation to the DEP's water restoration program to ~~be~~ alert them of the situation. He said he would also reply to my email for the record.

Anula Senarath.

Senarath, Amala

From: Mayorga, Wilbur (DERM) [MayorW@miamidade.gov]
Sent: Wednesday, September 17, 2008 12:07 PM
To: Senarath, Amala
Cc: Bucknor, Lorna (DERM)
Subject: RE: Richard Lyons Nursery

Importance: High

Thanks
Our staff are researching the site
We will inform you

Thanks

Wilbur Mayorga, P.E., Chief
Pollution Control Division
Miami-Dade County
Environmental Resources Management
Overtown Transit Village
701 NW 1st Court 8th floor
Miami, FL 33136
Phone: 305-372-6700
Fax 305-372-6729
E-Mail: MAYORW@MIAMIDADE.GOV
"Delivering Excellence Every day"

From: Senarath, Amala [mailto:Amala.Senarath@dep.state.fl.us]
Sent: Wednesday, September 17, 2008 11:39 AM
To: Mayorga, Wilbur (DERM)
Subject: RE: Richard Lyons Nursery

I am sorry I forgot the attachment.

<<Richard Lyons data.doc>>

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

From: Senarath, Amala
Sent: Wednesday, September 17, 2008 11:37 AM
To: 'mayorw@miamidade.gov'
Subject: Richard Lyons Nursery

Dear Mr. Mayorga,

We are in receipt of some data that was referred from our Tallahassee staff. Please find the attached laboratory results for a drinking water well at Richard Lyons Nursery. The well contained

Heptachlor 0.34 ug/L (the standard for drinking water (applicable to public utilities) is 0.4 ug/L. Dieldrin was also identified in the water at a concentration of 0.13 ug/L. I found no standard for Dieldrin in drinking water, however, the state's criteria for groundwater is 0.002ug/L.

As you are aware, the DEP does not address issues related to private or residential drinking water. The reason I am contacting you is to find out whether you no of any contaminated sites or discharges of pesticides in the area. So as to determine the "source" of this contamination. I will also inform the Miami Dade Health Department to inform of this data.

The contact person for this site:

Richard W. Lyons
Attorney-at-Law
1230 NW 7th Street
Miami, Florida 33125
Web Site
<http://www.lyonsandsmith.com>
E-Mail
rlyons@lyonsandsmith.com
phone 305-324-1100
fax 305-324-1054

Richard Lyons' Nursery
20200 SW 134th Avenue
Miami, Florida 33177
phone 305-251-6293
fax 305-324-1054
Web Site
<http://www.rarefloweringtrees.com>

I await your advise on this matter.

Thanking you

Amala Senarath, M.B.A.
Environmental Specialist

Florida Department of Environmental Protection
South East District
400 North Congress Avenue, Suite 200
West Palm Beach, FL 33401
Phone: (561) 681-6675 Fax: (561) 681-6770
Email: Amala.Senarath@dep.state.fl.us

More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

Senarath, Amala

From: Senarath, Amala
Sent: Wednesday, September 17, 2008 11:47 AM
To: 'Joesph_DeMarzio@doh.state.fl.us'
Subject: Richard Lyons Nursery

Importance: High

Mr. Joseph De Marzio,
Drinking Water Department,
Miami Dade Department of Health

Dear Mr. DeMarzio,

I tried to contact you by phone to discuss this but could not connect.

We are in receipt of some data that was referred from our Tallahassee staff. Please find the attached some laboratory data results. One of the data sets is laboratory results for a drinking water well at Richard Lyons Nursery. The well contained Heptachlor 0.34 ug/L (the standard for drinking water (applicable to public utilities) is 0.4 ug/L. Dieldrin was also identified in the water at a concentration of 0.13 ug/L. I found no standard for Dieldrin in drinking water, however, the state's criteria for groundwater is 0.002ug/L.

As you are aware, the DEP does not address issues related to private or residential drinking water. Hence I am forwarding the data to take the appropriate action. Please do not hesitate to contact me should you need further clarification or information.



080715-068.doc



080429-010.doc



080429-020.doc

The contact person for this site:

Richard W. Lyons
Attorney-at-Law
1230 NW 7th Street
Miami, Florida 33125
Web Site
<http://www.lyonsandsmith.com>
E-Mail
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Thanking you,

Amala Senarath, M.B.A.
Environmental Specialist

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Senarath, Amala

From: Senarath, Amala
Sent: Wednesday, September 17, 2008 11:45 AM
To: 'mayorw@miamidade.gov'
Subject: RE: Richard Lyons Nursery

Importance: High



080715-068.doc



080429-010.doc



080429-020.doc

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Web Site
<http://www.rarefloweringtrees.com>

I await your advise on this matter.

Thanking you

Amala Senarath, M.B.A.
Environmental Specialist

Florida Department of Environmental Protection
South East District
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ENVIRONMENTAL CHEMISTRY ANALYSIS REPORT FOR:

SAMPLE ID TEXT: 080715-068 SAMPLE ID NUMERIC: 313547 SAMPLE STATUS: A

JOB ID: DADE-080715-009 JOB STATUS: A PROJECT ID: TOX-HSET

DADE COUNTY HEALTH DEPT
ENVIRONMENTAL HEALTH & ENG
1725 N.W. 167TH STREET

MIAMI

FL 33056

ABBREVIATIONS, TERMS, AND SYMBOLS USED:

? = ILLEGIBLE INFORMATION ON SUBMISSION FORM
Kg = KILOGRAM
mg = MILLIGRAM
ug = MICROGRAM
L = LITER
mL = MILLILITER
m3 = CUBIC METER
in2 = SQUARE INCH
ft2 = SQUARE FOOT
ppmv = PARTS PER MILLION BY VOLUME
% = PERCENT
DOH = DEPARTMENT OF HEALTH
QC = QUALITY CONTROL
MCL = MAXIMUM CONTAMINANT LEVEL
MDL = METHOD DETECTION LIMIT
PQL = PRACTICAL QUANTITATION LIMIT

*** PLEASE NOTE THIS REPORT'S USE OF RESULT QUALIFIERS. ***

AN EXPLANATION OF EACH ONE USED FOR THE RESULTS OF ANALYSIS COMPONENTS WILL APPEAR AT THE BOTTOM OF EACH SAMPLE REPORT.

RESULT VALUES INDICATED AS APPROXIMATE BY RESULT QUALIFIERS SHOULD BE REGARDED AS SUSPECT AND USED ONLY WITH DISCRETION.

PLEASE DIRECT QUESTIONS OR COMMENTS TO:

FLORIDA DEPARTMENT OF HEALTH
BUREAU OF LABORATORIES
P.O. BOX 210
JACKSONVILLE, FLORIDA 32231

DIANE E. WIEGEL
ENVIRONMENTAL CHEMISTRY LABORATORY
(904) 791-1788

FL LABORATORY ID: E12700
NELAC LAB ID NO.: 11746 (NY) EPA ID NUMBER: FL00024

AUTHORIZED BY: DIANE E. WIEGEL
QA OFFICER OR DESIGNEE

DATE: 1-AUG-2008

REPORT DATE: 1-AUG-2008 REPRINTED: 2-SEP-2008 PAGE: 1 OF 3

JOB ID: DADE-080715-009 FOR DADE COUNTY HEALTH DEPT

SAMPLE ID: 313547 / 080715-068

```

Project ID . . . . . TOX-HSET
Charge Code . . . . . QUARTERLY INVOICE
Matrix ID . . . . . WATER
Sample Priority . . . . . 5
Date/Time Received . . . . . 24-JUL-2008 10:13:00.00
Cooler Temperature (C) . . . . . 6.4
NIST Thermometer Number . . . . . 50109846
Demographics Entered On . . . . . 24-JUL-2008 15:03:00.00
Demographics Entered By . . . . . LCLEMENTS
Collector . . . . . VICTOR J LOPEZ
Collector Phone . . . . . 305-219-3185
Date/Time Collected . . . . . 22-JUL-2008 14:40:00.00
Purge Duration (Minutes) . . . . . 10
Relinquish Date . . . . . 23-JUL-2008 00:00:00.00
Sample Types . . . . . FIRST SAMPLE
Treatment . . . . . P - RAW (POST-TANK)
Well Type . . . . . 42 - LIMITED USE PUBLIC WATER SYSTEM (64E-8;
F.A.C.)

Sample/System Street . . . . . 20200 SW 134 AVE
Sample/System City . . . . . MIAMI
Sample/System State . . . . . FL
Sample/System Zip . . . . . 33177
County Name . . . . . DADE
County Code . . . . . 13
Florida Unique Well ID . . . . . AAL0282
Contact 1 Type (O/R/B) . . . . . B - OWNER/RESIDENT
Contact 1 Last Name . . . . . LYONS LLC
Contact 1 Street . . . . . 20200 SW 134 AVE
Contact 1 City . . . . . MIAMI
Contact 1 State . . . . . FL
Contact 1 Zip . . . . . 33177

```

	RESULTS	UNITS	QUALI- FIERS
ANALYSIS: [Organohalide pesticides and PCB's / EPA 505]			
COMPONENTS: Bottle ID.....	B		
Date and time extracted.....	29-JUL-2008 14:00		
Date and time analyzed.....	29-JUL-2008 17:13		
Analyst name.....	F. MCINNIS		
HEXACHLOROCYCLOPENTADIENE.....	0.012	ug/L	U
HEXACHLOROBENZENE (HCB).....	0.0059	ug/L	U
LINDANE (G-BHC).....	0.0011	ug/L	U
HEPTACHLOR.....	0.012	ug/L	U
ALDRIN.....	0.0028	ug/L	U
HEPTACHLOR EPOXIDE.....	0.34	ug/L	C
T-NONACHLOR.....	0.030	ug/L	
DIELDRIN.....	0.13	ug/L	HA
ENDRIN.....	0.0017	ug/L	U
C-NONACHLOR.....	0.0039	ug/L	I
METHOXYCHLOR.....	0.015	ug/L	U
SIMAZINE.....	0.22	ug/L	S
ATRAZINE.....	0.30	ug/L	U
ALACHLOR.....	0.012	ug/L	U

JOB ID: DADE-080715-009

FOR DADE COUNTY HEALTH DEPT

=====

SAMPLE ID: 313547 / 080715-068

METOLACHLOR.....	0.032	ug/L	U,@
G-CHLORDANE.....	0.076	ug/L	
A-CHLORDANE.....	0.15	ug/L	
CHLORDANE, TECHNICAL.....	0.79	ug/L	I
TOXAPHENE.....	0.27	ug/L	U
PCB-AROCHLOR 1016.....	0.13	ug/L	U,W
PCB-AROCHLOR 1221.....	0.13	ug/L	U,W
PCB-AROCHLOR 1232.....	0.13	ug/L	U,W
PCB-AROCHLOR 1242.....	0.13	ug/L	U,W
PCB-AROCHLOR 1248.....	0.13	ug/L	U,W
PCB-AROCHLOR 1254.....	0.13	ug/L	U,W
PCB-AROCHLOR 1260.....	0.13	ug/L	U,W
TOTAL PCB'S.....	0.13	ug/L	U,W

Result Qualifier Key:

- U - Indicates that the compound was analyzed for but not detected.
- C - Result exceeds maximum contaminant level as in Chapter 62-550 or 520; F.A.C.
- HA - Value exceeds Department of Health advisory level.
- I - The reported value is between the laboratory MDL and the laboratory PQL.
- S - Analyte not screened; result value is the MDL.
- @ - Method not approved for this analyte; result for informational purposes.
- W - Method is approved only as a screen for this analyte.

ENVIRONMENTAL CHEMISTRY ANALYSIS REPORT FOR:

SAMPLE ID TEXT: 080429-010 SAMPLE ID NUMERIC: 308727 SAMPLE STATUS: A

JOB ID: DADE-080429-002

JOB STATUS: A PROJECT ID: TOX-HSET

DADE COUNTY HEALTH DEPT
ENVIRONMENTAL HEALTH & ENG
1725 N.W. 167TH STREET

MIAMI

FL 33056

ABBREVIATIONS, TERMS, AND SYMBOLS USED:

? = ILLEGIBLE INFORMATION ON SUBMISSION FORM
Kg = KILOGRAM
mg = MILLIGRAM
ug = MICROGRAM
L = LITER
mL = MILLILITER
m3 = CUBIC METER
in2 = SQUARE INCH
ft2 = SQUARE FOOT
ppmv = PARTS PER MILLION BY VOLUME
% = PERCENT
DOH = DEPARTMENT OF HEALTH
QC = QUALITY CONTROL
MCL = MAXIMUM CONTAMINANT LEVEL
MDL = METHOD DETECTION LIMIT
PQL = PRACTICAL QUANTITATION LIMIT

*** PLEASE NOTE THIS REPORT'S USE OF RESULT QUALIFIERS. ***

AN EXPLANATION OF EACH ONE USED FOR THE RESULTS OF ANALYSIS COMPONENTS WILL APPEAR AT THE BOTTOM OF EACH SAMPLE REPORT.

RESULT VALUES INDICATED AS APPROXIMATE BY RESULT QUALIFIERS SHOULD BE REGARDED AS SUSPECT AND USED ONLY WITH DISCRETION.

PLEASE DIRECT QUESTIONS OR COMMENTS TO:

FLORIDA DEPARTMENT OF HEALTH
BUREAU OF LABORATORIES
P.O. BOX 210
JACKSONVILLE, FLORIDA 32231

ORIA L. SMITH
ENVIRONMENTAL CHEMISTRY LABORATORY
(904) 791-1788

FL LABORATORY ID: E12700
NELAC LAB ID NO.: 11746 (NY) EPA ID NUMBER: FL00024

AUTHORIZED BY: ORIA L. SMITH
QA OFFICER OR DESIGNEE

DATE: 3-JUN-2008

REPORT DATE: 3-JUN-2008 REPRINTED: 2-SEP-2008 PAGE: 1 OF 2

JOB ID: DADE-080429-002

FOR DADE COUNTY HEALTH DEPT

SAMPLE ID: 308727 / 080429-010

```

Project ID . . . . . TOX-HSET
Charge Code . . . . . QUARTERLY INVOICE
Matrix ID . . . . . WATER
Sample Priority . . . . . 5
Date/Time Received . . . . . 15-MAY-2008 10:22:00.00
Cooler Temperature (C) . . . . . 28
NIST Thermometer Number . . . . . 72050921
Demographics Entered On . . . . . 28-MAY-2008 14:52:00.00
Demographics Entered By . . . . . LCLEMENTS
Collector . . . . . RICHARD ROJAS
Collector Phone . . . . . 305-623-3536
Date/Time Collected . . . . . 14-MAY-2008 09:13:00.00
Relinquish Date . . . . . 14-MAY-2008 00:00:00.00
Sample Types . . . . . RESAMPLE
Treatment . . . . . NONE GIVEN
Well Type . . . . . 43 - PRIVATE WELL
Sample/System Street . . . . . 7997 SW 76 AVE
Sample/System City . . . . . MIAMI
Sample/System State . . . . . FL
Sample/System Zip . . . . . 33143
County Name . . . . . DADE
County Code . . . . . 13
Florida Unique Well ID . . . . . AAH5206
Contact 1 Last Name . . . . . GARIA-LABIN
Contact 1 First Name . . . . . CARLOS
Contact 1 Street . . . . . 7997 SW 76 AVE
Contact 1 City . . . . . MIAMI
Contact 1 State . . . . . FL
Contact 1 Zip . . . . . 33143

```

	RESULTS	UNITS	QUALI- FIERS
ANALYSIS: [Arsenic / EPA 200.8]			
COMPONENTS: Date and time analyzed.....	22-MAY-2008 15:09		
Analyst name.....	L. BLACKWELL		
ARSENIC.....	0.0267	mg/L	C
ANALYSIS: [Turbidity measurement for metals]			
COMPONENTS: Date and time analyzed.....	16-MAY-2008 09:15		
Analyst name.....	Q. GAO		
Digestion Required?.....	FALSE		

Result Qualifier Key:

C - Result exceeds maximum contaminant level as in Chapter 62-550 or 520; F.A.C.

ENVIRONMENTAL CHEMISTRY ANALYSIS REPORT FOR:

SAMPLE ID TEXT: 080429-020 SAMPLE ID NUMERIC: 308737 SAMPLE STATUS: A

JOB ID: DADE-080429-004

JOB STATUS: A PROJECT ID: TOX-HSET

DADE COUNTY HEALTH DEPT
ENVIRONMENTAL HEALTH & ENG
1725 N.W. 167TH STREET

MIAMI

FL 33056

ABBREVIATIONS, TERMS, AND SYMBOLS USED:

? = ILLEGIBLE INFORMATION ON SUBMISSION FORM
Kg = KILOGRAM
mg = MILLIGRAM
ug = MICROGRAM
L = LITER
mL = MILLILITER
m3 = CUBIC METER
in2 = SQUARE INCH
ft2 = SQUARE FOOT
ppmv = PARTS PER MILLION BY VOLUME
% = PERCENT
DOH = DEPARTMENT OF HEALTH
QC = QUALITY CONTROL
MCL = MAXIMUM CONTAMINANT LEVEL
MDL = METHOD DETECTION LIMIT
PQL = PRACTICAL QUANTITATION LIMIT

*** PLEASE NOTE THIS REPORT'S USE OF RESULT QUALIFIERS. ***

AN EXPLANATION OF EACH ONE USED FOR THE RESULTS OF ANALYSIS COMPONENTS WILL APPEAR AT THE BOTTOM OF EACH SAMPLE REPORT.

RESULT VALUES INDICATED AS APPROXIMATE BY RESULT QUALIFIERS SHOULD BE REGARDED AS SUSPECT AND USED ONLY WITH DISCRETION.

PLEASE DIRECT QUESTIONS OR COMMENTS TO:

FLORIDA DEPARTMENT OF HEALTH
BUREAU OF LABORATORIES
P.O. BOX 210
JACKSONVILLE, FLORIDA 32231

DIANE E. WIEGEL
ENVIRONMENTAL CHEMISTRY LABORATORY
(904) 791-1788

FL LABORATORY ID: E12700
NELAC LAB ID NO.: 11746 (NY) EPA ID NUMBER: FL00024

AUTHORIZED BY: DIANE E. WIEGEL
QA OFFICER OR DESIGNEE

DATE: 23-JUN-2008

REPORT DATE: 23-JUN-2008 REPRINTED: 2-SEP-2008 PAGE: 1 OF 2

JOB ID: DADE-080429-004 FOR DADE COUNTY HEALTH DEPT

SAMPLE ID: 308737 / 080429-020

```

Project ID . . . . . TOX-HSET
Charge Code . . . . . QUARTERLY INVOICE
Matrix ID . . . . . WATER
Sample Priority . . . . . 5
Date/Time Received . . . . . 2-JUN-2008 10:15:00.00
Cooler Temperature (C) . . . . . 30
NIST Thermometer Number . . . . . 50109846
Demographics Entered On . . . . . 9-JUN-2008 13:41:00.00
Demographics Entered By . . . . . RSHEPARD
Collector . . . . . RICHARD ROJAS
Collector Phone . . . . . 305-623-3536
Date/Time Collected . . . . . 29-MAY-2008 15:27:00.00
Relinquish Date . . . . . 30-MAY-2008 00:00:00.00
Sample Types . . . . . RESAMPLE
Treatment . . . . . NONE GIVEN
Well Type . . . . . 43 - PRIVATE WELL
Sample/System Street . . . . . 7611 SW 81 AVE
Sample/System City . . . . . MIAMI
Sample/System State . . . . . FL
Sample/System Zip . . . . . 33143
County Name . . . . . DADE
County Code . . . . . 13
Florida Unique Well ID . . . . . AAL0102
Contact 1 Last Name . . . . . FERNANDEZ
Contact 1 Street . . . . . 7611 SW 81 AVE
Contact 1 City . . . . . MIAMI
Contact 1 State . . . . . FL
Contact 1 Zip . . . . . 33143

```

	RESULTS	UNITS	QUALI-FIERS
ANALYSIS: [Arsenic / EPA 200.8]			
COMPONENTS: Date and time analyzed.....	17-JUN-2008 12:30		
Analyst name.....	L. BLACKWELL		
ARSENIC.....	0.0107	mg/L	C
ANALYSIS: [Turbidity measurement for metals]			
COMPONENTS: Date and time analyzed.....	3-JUN-2008 09:20		
Analyst name.....	Q. GAO		
Digestion Required?.....	FALSE		

Result Qualifier Key:

C - Result exceeds maximum contaminant level as in Chapter 62-550 or 520; F.A.C.

Senarath, Amala

From: Smith, Leslie A.
Sent: Friday, September 05, 2008 9:10 AM
To: 'rlyons@lyonsandsmith.com'
Cc: Senarath, Amala
Subject: RE: Private Potable Water Sampling Results

Good morning, Mr. Lyons:

Management of your case has been transferred to Ms. Amala Senarath, who is copied on this email. Her schedule will be more flexible than mine. You may coordinate the site visit with her via email or, if you wish, you can call Amala at 561-681-6675.

It has been a pleasure working with you.

Leslie Smith
ESIII
Florida Department of Environmental Protection
561-681-6671

More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

-----Original Message-----

From: RICHARD W LYONS [mailto:rlyons@lyonsandsmith.com]
Sent: Wednesday, September 03, 2008 9:24 PM
To: Smith, Leslie A.
Subject: RE: Private Potable Water Sampling Results

Thank you.

Richard W. Lyons
Attorney-at-Law
1230 NW 7th Street
Miami, Florida 33125
Web Site
<http://www.lyonsandsmith.com>
E-Mail
rlyons@lyonsandsmith.com
phone 305-324-1100
fax 305-324-1054

Richard Lyons' Nursery
20200 SW 134th Avenue
Miami, Florida 33177
phone 305-251-6293
fax 305-324-1054
Web Site
<http://www.rarefloweringtrees.com>

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-----Original Message-----

From: Smith, Leslie A. [mailto:Leslie.A.Smith@dep.state.fl.us]
Sent: Wednesday, September 03, 2008 5:19 PM
To: rlyons@lyonsandsmith.com
Cc: Dolan, Judy
Subject: RE: Private Potable Water Sampling Results

Hi, Richard:

I am waiting for a response from my field partner to see if she can change plans and make herself available on the other dates. When she lets me know, I will email or call you.

-----Original Message-----

From: Richard W. Lyons [mailto:rlyons@lyonsandsmith.com]
Sent: Wed 9/3/2008 3:18 PM
To: Smith, Leslie A.
Cc:
Subject: RE: Private Potable Water Sampling Results

Do we have a date for your return visit? I am try to plan my time.
Did you get my message that I would be willing to meet you on the 11th at 3:30pm.?

Richard W. Lyons

Attorney-at-Law

1230 NW 7th Street

Miami, Florida 33125

phone 305-324-1100

fax 305-324-1054

<http://www.lyonsandsmith.com> <<http://www.lyonsandsmith.com/>>

rlyons@lyonsandsmith.com <<mailto:rlyons@lyonsandsmith.com>>

Richard Lyons' Nursery

20200 SW 134th Avenue

Miami, Florida 33177

phone 305-251-6293

fax 305-324-1054

<http://www.rarefloweringtrees.com>

<<http://www.rarefloweringtrees.com/>>

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From: Smith, Leslie A. [mailto:Leslie.A.Smith@dep.state.fl.us]
Sent: Tuesday, August 26, 2008 4:50 PM
To: rlyons@lyonsandsmith.com

Cc: Wierzbicki, Paul
Subject: Private Potable Water Sampling Results

Mr. Lyons:

Thank you for taking the time to speak with me this afternoon.

I am sending you a copy of the data/correspondence that was referred from our Tallahassee staff; it was prompted my call to you. You may note that the report contains data from another address in Miami-Dade County. Please don't let that confuse you; it is just that the two issues were referred to the District staff together. The other data is not relevant to Lyons Nursery.

The drinking water standard for Heptachlor is 0.0004 mg/L or 0.4 ug/L. This standard is applicable to public utilities. According to the report, the water has a concentration of 0.34 ug/L. Dieldrin was also identified in the water that was sampled, at a concentration of 0.13 ug/L. I found no standard for Dieldrin in drinking water, however, the state's criteria for groundwater (the concentration over which it is considered contaminated in most instances) is 0.002 ug/L.

As I explained, the Department of Environmental Protection does not address issues related to private or residential drinking water. I can only state that the pesticide concentrations are above those that would be typically allowed in "city water" and advise you to contact the Miami-Dade Department of Health to discuss the use of the well water for potable purposes.

I am assigned to the Waste Cleanup Section, which is responsible for remediation or cleaning up contamination. The presence of these pesticides in your well is indicative of a former release or possible environmental contamination. I understand that you were in the hospital when I called, but I wish to continue this conversation further. Please call me at the telephone number listed below or email me when you are better able to talk. I will be in the field both Wednesday and Thursday; I am scheduled to be in the office on Friday.

Leslie Smith

ESIII

Florida Department of Environmental Protection

561-681-6671

More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com <<http://www.floridadiscountdrugcard.com/>> for more info or call toll-free, 1-866-341-8894.

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you.

Please take a few minutes to comment on the quality of service you received.

Simply click on this link to the DEP Customer Survey

<<http://survey.dep.state.fl.us/?refemail=Leslie.A.Smith@dep.state.fl.us>> .

Thank you in advance for completing the survey.

Smith, Leslie A.

From: RICHARD W LYONS [rlyons@lyonsandsmith.com]
Sent: Friday, August 29, 2008 10:39 PM
To: Smith, Leslie A.
Subject: RE: Private Potable Water Sampling Results

I apologize, I don't remember the date you gave me.
I am able to meet with you in the afternoon on Sept 15,17,22,or 23. Are any of these dates good for you? If not, call me again and we can try another day and time.

Richard W. Lyons
Attorney-at-Law
1230 NW 7th Street
Miami, Florida 33125
Web Site
<http://www.lyonsandsmith.com>
E-Mail
rlyons@lyonsandsmith.com
phone 305-324-1100
fax 305-324-1054

Richard Lyons' Nursery
20200 SW 134th Avenue
Miami, Florida 33177
phone 305-251-6293
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From: Smith, Leslie A. [mailto:Leslie.A.Smith@dep.state.fl.us]
Sent: Tuesday, August 26, 2008 4:50 PM
To: rlyons@lyonsandsmith.com
Cc: Wierzbicki, Paul
Subject: Private Potable Water Sampling Results

Mr. Lyons:

Thank you for taking the time to speak with me this afternoon.

I am sending you a copy of the data/correspondence that was referred from our Tallahassee staff; it was prompted my call to you. You may note that the report contains data from another address in Miami-Dade County. Please don't let that confuse you; it is just that the two issues were referred to the District staff together. The other data is not relevant to Lyons Nursery.

The drinking water standard for Heptachlor is 0.0004 mg/L or 0.4 ug/L. This standard is applicable to public utilities. According to the report, the water has a concentration of 0.34 ug/L. Dieldrin was also identified in the water that was sampled, at a concentration of 0.13 ug/L. I found no standard for Dieldrin in drinking water, however, the

state's criteria for groundwater (the concentration over which it is considered contaminated in most instances) is 0.002 ug/L.

As I explained, the Department of Environmental Protection does not address issues related to private or residential drinking water. I can only state that the pesticide concentrations are above those that would be typically allowed in "city water" and advise you to contact the Miami-Dade Department of Health to discuss the use of the well water for potable purposes.

I am assigned to the Waste Cleanup Section, which is responsible for remediation or cleaning up contamination. The presence of these pesticides in your well is indicative of a former release or possible environmental contamination. I understand that you were in the hospital when I called, but I wish to continue this conversation further. Please call me at the telephone number listed below or email me when you are better able to talk. I will be in the field both Wednesday and Thursday; I am scheduled to be in the office on Friday.

Leslie Smith
ESIII
Florida Department of Environmental Protection
561-681-6671

More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

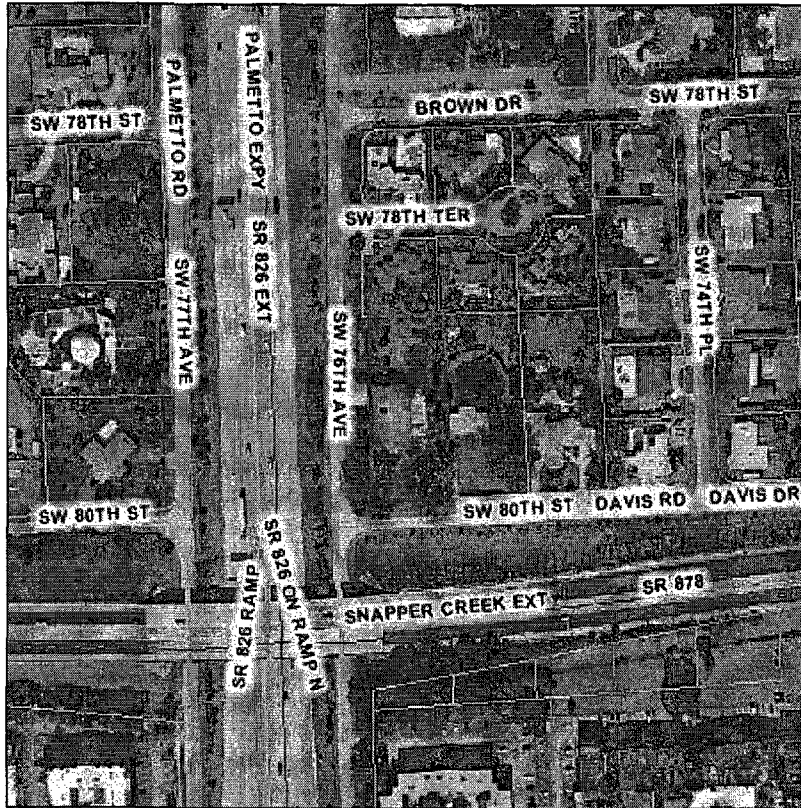
The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

My Home
Miami-Dade County, Florida



miamidade.gov

Property Information Map



Digital Orthophotography - 2007

0 — 131 ft

This map was created on 8/12/2008 1:37:22 PM for reference purposes only.

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Close

Summary Details:

Folio No.:	30-4035-000-0530
Property:	7997 SW 76 AVE
Mailing Address:	LUIS SANCHEZ &W ANGELA SANCHEZ 7997 SW 76 AVE MIAMI FL 33143-4133

Property Information:

Primary Zone:	2300 ESTATE RESIDENTIAL
CLUC:	0001 RESIDENTIAL- SINGLE FAMILY
Beds/Baths:	4/2
Floors:	1
Living Units:	1
Adj Sq Footage:	5,450
Lot Size:	38,768 SQ FT
Year Built:	1970
Legal Description:	35 54 40 .89 AC E130FT OF W415FT OF S1/2 OF SW1/4 OF SW1/4 OF NW1/4 LESS S35FT LOT SIZE IRREGULAR 75R 184007

Sale Information:

Sale O/R:	23136-1449
Sale Date:	2/2005
Sale Amount:	\$715,000

Assessment Information:

Year:	2007	2006
Land Value:	\$501,098	\$451,200
Building Value:	\$558,048	\$445,200
Market Value:	\$1,059,146	\$896,400
Assessed Value:	\$918,810	\$896,400
Homestead Exemption:	\$25,000	\$25,000
Total Exemptions:	\$25,000	\$25,000
Taxable Value:	\$893,810	\$871,400

~~305-SW~~

305-269-9432

My Home
Miami-Dade County, Florida

MIAMI-DADE

miamidade.gov

Property Information Map



Digital Orthophotography - 2007

0 ——— 128 ft

This map was created on 8/12/2008 1:38:27 PM for reference purposes only.

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Close

Summary Details:

Folio No.:	30-4034-001-0100
Property:	7611 SW 81 AVE
Mailing Address:	JOSE L FERNANDEZ & W JOSEFINA
	7611 SW 81 AVE MIAMI FL 33143-3928

Property Information:

Primary Zone:	2300 ESTATE RESIDENTIAL
CLUC:	0001 RESIDENTIAL- SINGLE FAMILY
Beds/Baths:	3/2
Floors:	1
Living Units:	1
Adj Sq Footage:	2,011
Lot Size:	40,075 SQ FT
Year Built:	1954
Legal Description:	CLAYHAVEN SUB PB 56-87 LOT 10 LOT SIZE IRREGULAR OR 14377- 3991 1289 4

Sale Information:

Sale O/R:	14299-1342
Sale Date:	10/1989
Sale Amount:	\$185,000

Assessment Information:

Year:	2007	2006
Land Value:	\$493,274	\$470,263
Building Value:	\$180,191	\$169,492
Market Value:	\$673,465	\$639,755
Assessed Value:	\$267,291	\$260,772
Homestead Exemption:	\$25,000	\$25,000
Total Exemptions:	\$25,000	\$25,000
Taxable Value:	\$242,291	\$235,772
Senior Exemption:	\$50,000	\$25,000
Senior Taxable Value:	\$192,291	\$210,772

305-596-5506

Senarath, Amala

From: Smith, Leslie A.
Sent: Tuesday, September 09, 2008 10:59 AM
To: Senarath, Amala
Subject: RE: data

Thanks for the reminder... you have three sets. Only one report is for Lyons. It includes the heptachlor and Dieldrin.

I suggest that you spend some time learning about their use, history, and mobility in the environment. You may also wish to do some internet research to become familiar with the history and current use of the general area and Lyons Nursery. Lastly, you need to research the rules that apply to ZOD and water standards (62-550 and 62-520). These items help you understand what rules apply to a private potable well (especially one that is located on a piece of land that is considered agricultural) and how to better decide if there's been a discharge.



RE: sample results

Leslie Smith
ESIII
Florida Department of Environmental Protection
561-681-6671

More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

From: Senarath, Amala
Sent: Tuesday, September 09, 2008 10:52 AM
To: Smith, Leslie A.
Subject: data

Leslie,

Can you please email me the well data for Richard Lyons Nursery?

Thank you

Amala

Senarath, Amala

From: Priest, Andrew
Sent: Tuesday, September 02, 2008 2:34 PM
To: Smith, Leslie A.
Subject: RE: sample results
Attachments: 080715-068.doc; 080429-010.doc; 080429-020.doc

From: Smith, Leslie A.
Sent: Tuesday, September 02, 2008 2:30 PM
To: Priest, Andrew
Subject: sample results

Hi, Andrew:

I am looking for the actual laboratory reports and COCs for
130125501 (7997 SW 76 Ave – Miami – 5/14/2008 – 080429-01
130102601 – 7611 SW 81 Ave – Miami – 5/29/2008 – 080429-02
130126701 – 20200 SW 134 Ave – Miami – 7/22/08 – 080715-06
130126701 – 20200 SW 134 Ave – Miami – 7/22/08 – 080715-06

Thanks.

Leslie Smith
ESIII
Florida Department of Environmental Protection
561-681-6671

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ENVIRONMENTAL CHEMISTRY ANALYSIS REPORT FOR:

SAMPLE ID TEXT: 080715-068 SAMPLE ID NUMERIC: 313547 SAMPLE STATUS: A

JOB ID: DADE-080715-009

JOB STATUS: A PROJECT ID: TOX-HSET

DADE COUNTY HEALTH DEPT
ENVIRONMENTAL HEALTH & ENG
1725 N.W. 167TH STREET

MIAMI

FL 33056

ABBREVIATIONS, TERMS, AND SYMBOLS USED:

? = ILLEGIBLE INFORMATION ON SUBMISSION FORM
Kg = KILOGRAM
mg = MILLIGRAM
ug = MICROGRAM
L = LITER
mL = MILLILITER
m3 = CUBIC METER
in2 = SQUARE INCH
ft2 = SQUARE FOOT
ppmv = PARTS PER MILLION BY VOLUME
% = PERCENT
DOH = DEPARTMENT OF HEALTH
QC = QUALITY CONTROL
MCL = MAXIMUM CONTAMINANT LEVEL
MDL = METHOD DETECTION LIMIT
PQL = PRACTICAL QUANTITATION LIMIT

*** PLEASE NOTE THIS REPORT'S USE OF RESULT QUALIFIERS. ***

AN EXPLANATION OF EACH ONE USED FOR THE RESULTS OF ANALYSIS COMPONENTS WILL APPEAR AT THE BOTTOM OF EACH SAMPLE REPORT.

RESULT VALUES INDICATED AS APPROXIMATE BY RESULT QUALIFIERS SHOULD BE REGARDED AS SUSPECT AND USED ONLY WITH DISCRETION.

PLEASE DIRECT QUESTIONS OR COMMENTS TO:

FLORIDA DEPARTMENT OF HEALTH
BUREAU OF LABORATORIES
P.O. BOX 210
JACKSONVILLE, FLORIDA 32231

DIANE E. WIEGEL
ENVIRONMENTAL CHEMISTRY LABORATORY
(904) 791-1788

FL LABORATORY ID: E12700
NELAC LAB ID NO.: 11746 (NY) EPA ID NUMBER: FL00024

AUTHORIZED BY: DIANE E. WIEGEL
QA OFFICER OR DESIGNEE

DATE: 1-AUG-2008

REPORT DATE: 1-AUG-2008 REPRINTED: 2-SEP-2008 PAGE: 1 OF 3

JOB ID: DADE-080715-009

FOR DADE COUNTY HEALTH DEPT

SAMPLE ID: 313547 / 080715-068

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Project ID . . . . . TOX-HSET
Charge Code . . . . . QUARTERLY INVOICE
Matrix ID . . . . . WATER
Sample Priority . . . . . 5
Date/Time Received . . . . . 24-JUL-2008 10:13:00.00
Cooler Temperature (C) . . . . . 6.4
NIST Thermometer Number . . . . . 50109846
Demographics Entered On . . . . . 24-JUL-2008 15:03:00.00
Demographics Entered By . . . . . LCLEMENTS
Collector . . . . . VICTOR J LOPEZ
Collector Phone . . . . . 305-219-3185
Date/Time Collected . . . . . 22-JUL-2008 14:40:00.00
Purge Duration (Minutes) . . . . . 10
Relinquish Date . . . . . 23-JUL-2008 00:00:00.00
Sample Types . . . . . FIRST SAMPLE
Treatment . . . . . P - RAW (POST-TANK)
Well Type . . . . . 42 - LIMITED USE PUBLIC WATER SYSTEM (64E-8;
F.A.C.)
Sample/System Street . . . . . 20200 SW 134 AVE
Sample/System City . . . . . MIAMI
Sample/System State . . . . . FL
Sample/System Zip . . . . . 33177
County Name . . . . . DADE
County Code . . . . . 13
Florida Unique Well ID . . . . . AAL0282
Contact 1 Type (O/R/B) . . . . . B - OWNER/RESIDENT
Contact 1 Last Name . . . . . LYONS LLC
Contact 1 Street . . . . . 20200 SW 134 AVE
Contact 1 City . . . . . MIAMI
Contact 1 State . . . . . FL
Contact 1 Zip . . . . . 33177

```

	RESULTS	UNITS	QUALIFIERS
ANALYSIS: [Organohalide pesticides and PCB's / EPA 505]			
COMPONENTS: Bottle ID.....	B		
Date and time extracted.....	29-JUL-2008 14:00		
Date and time analyzed.....	29-JUL-2008 17:13		
Analyst name.....	F. MCINNIS		
HEXACHLOROCYCLOPENTADIENE.....	0.012	ug/L	U
HEXACHLOROBENZENE (HCB).....	0.0059	ug/L	U
LINDANE (G-BHC).....	0.0011	ug/L	U
HEPTACHLOR.....	0.012	ug/L	U
ALDRIN.....	0.0028	ug/L	U
HEPTACHLOR EPOXIDE	0.034	ug/L	C
T-NONACHLOR.....	0.030	ug/L	
DEHELDRIIN	0.013	ug/L	HA
ENDRIN.....	0.0017	ug/L	U
C-NONACHLOR.....	0.0039	ug/L	I
METHOXYCHLOR.....	0.015	ug/L	U
SIMAZINE.....	0.22	ug/L	S
ATRAZINE.....	0.30	ug/L	U
ALACHLOR.....	0.012	ug/L	U

JOB ID: DADE-080715-009

FOR DADE COUNTY HEALTH DEPT

=====

SAMPLE ID: 313547 / 080715-068

METOLACHLOR.....	0.032	ug/L	U,@
G-CHLORDANE.....	0.076	ug/L	
A-CHLORDANE.....	0.15	ug/L	
CHLORDANE, TECHNICAL.....	0.79	ug/L	I
TOXAPHENE.....	0.27	ug/L	U
PCB-AROCHLOR 1016.....	0.13	ug/L	U,W
PCB-AROCHLOR 1221.....	0.13	ug/L	U,W
PCB-AROCHLOR 1232.....	0.13	ug/L	U,W
PCB-AROCHLOR 1242.....	0.13	ug/L	U,W
PCB-AROCHLOR 1248.....	0.13	ug/L	U,W
PCB-AROCHLOR 1254.....	0.13	ug/L	U,W
PCB-AROCHLOR 1260.....	0.13	ug/L	U,W
TOTAL PCB'S.....	0.13	ug/L	U,W

Result Qualifier Key:

- U - Indicates that the compound was analyzed for but not detected.
- C - Result exceeds maximum contaminant level as in Chapter 62-550 or 520; F.A.C.
- HA - Value exceeds Department of Health advisory level.
- I - The reported value is between the laboratory MDL and the laboratory PQL.
- S - Analyte not screened; result value is the MDL.
- @ - Method not approved for this analyte; result for informational purposes.
- W - Method is approved only as a screen for this analyte.

ENVIRONMENTAL CHEMISTRY ANALYSIS REPORT FOR:

SAMPLE ID TEXT: 080429-010 SAMPLE ID NUMERIC: 308727 SAMPLE STATUS: A

JOB ID: DADE-080429-002 JOB STATUS: A PROJECT ID: TOX-HSET

DADE COUNTY HEALTH DEPT
ENVIRONMENTAL HEALTH & ENG
1725 N.W. 167TH STREET

MIAMI

FL 33056

ABBREVIATIONS, TERMS, AND SYMBOLS USED:

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PLEASE DIRECT QUESTIONS OR COMMENTS TO:

FLORIDA DEPARTMENT OF HEALTH
BUREAU OF LABORATORIES
P.O. BOX 210
JACKSONVILLE, FLORIDA 32231

ORIA L. SMITH
ENVIRONMENTAL CHEMISTRY LABORATORY
(904) 791-1788

FL LABORATORY ID: E12700
NELAC LAB ID NO.: 11746 (NY) EPA ID NUMBER: FL00024

AUTHORIZED BY: ORIA L. SMITH DATE: 3-JUN-2008
QA OFFICER OR DESIGNEE

REPORT DATE: 3-JUN-2008 REPRINTED: 2-SEP-2008 PAGE: 1 OF 2

JOB ID: DADE-080429-002

FOR DADE COUNTY HEALTH DEPT

SAMPLE ID: 308727 / 080429-010

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Project ID . . . . . TOX-HSET
Charge Code . . . . . QUARTERLY INVOICE
Matrix ID . . . . . WATER
Sample Priority . . . . . 5
Date/Time Received . . . . . 15-MAY-2008 10:22:00.00
Cooler Temperature (C) . . . . . 28
NIST Thermometer Number . . . . . 72050921
Demographics Entered On . . . . . 28-MAY-2008 14:52:00.00
Demographics Entered By . . . . . LCLEMENTS
Collector . . . . . RICHARD ROJAS
Collector Phone . . . . . 305-623-3536
Date/Time Collected . . . . . 14-MAY-2008 09:13:00.00
Relinquish Date . . . . . 14-MAY-2008 00:00:00.00
Sample Types . . . . . RESAMPLE
Treatment . . . . . NONE GIVEN
Well Type . . . . . 43 - PRIVATE WELL
Sample/System Street . . . . . 7997 SW 76 AVE
Sample/System City . . . . . MIAMI
Sample/System State . . . . . FL
Sample/System Zip . . . . . 33143
County Name . . . . . DADE
County Code . . . . . 13
Florida Unique Well ID . . . . . AAH5206
Contact 1 Last Name . . . . . GARIA-LABIN
Contact 1 First Name . . . . . CARLOS
Contact 1 Street . . . . . 7997 SW 76 AVE
Contact 1 City . . . . . MIAMI
Contact 1 State . . . . . FL
Contact 1 Zip . . . . . 33143

```

	RESULTS	UNITS	QUALIFIERS
ANALYSIS: [Arsenic / EPA 200.8]			
COMPONENTS: Date and time analyzed.....	22-MAY-2008 15:09		
Analyst name.....	L. BLACKWELL		
ARSENIC.....	0.0267	mg/L	C
ANALYSIS: [Turbidity measurement for metals]			
COMPONENTS: Date and time analyzed.....	16-MAY-2008 09:15		
Analyst name.....	Q. GAO		
Digestion Required?.....	FALSE		

Result Qualifier Key:

C - Result exceeds maximum contaminant level as in Chapter 62-550 or 520; F.A.C.

ENVIRONMENTAL CHEMISTRY ANALYSIS REPORT FOR:

SAMPLE ID TEXT: 080429-020 SAMPLE ID NUMERIC: 308737 SAMPLE STATUS: A

JOB ID: DADE-080429-004 JOB STATUS: A PROJECT ID: TOX-HSET

DADE COUNTY HEALTH DEPT
ENVIRONMENTAL HEALTH & ENG
1725 N.W. 167TH STREET

MIAMI

FL 33056

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ug = MICROGRAM
L = LITER
mL = MILLILITER
m3 = CUBIC METER
in2 = SQUARE INCH
ft2 = SQUARE FOOT
ppmv = PARTS PER MILLION BY VOLUME
% = PERCENT
DOH = DEPARTMENT OF HEALTH
QC = QUALITY CONTROL
MCL = MAXIMUM CONTAMINANT LEVEL
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BUREAU OF LABORATORIES
P.O. BOX 210
JACKSONVILLE, FLORIDA 32231

DIANE E. WIEGEL
ENVIRONMENTAL CHEMISTRY LABORATORY
(904) 791-1788

FL LABORATORY ID: E12700
NELAC LAB ID NO.: 11746 (NY) EPA ID NUMBER: FL00024

AUTHORIZED BY: DIANE E. WIEGEL
QA OFFICER OR DESIGNEE

DATE: 23-JUN-2008

REPORT DATE: 23-JUN-2008 REPRINTED: 2-SEP-2008 PAGE: 1 OF 2

JOB ID: DADE-080429-004

FOR DADE COUNTY HEALTH DEPT

SAMPLE ID: 308737 / 080429-020

```

Project ID . . . . . TOX-HSET
Charge Code . . . . . QUARTERLY INVOICE
Matrix ID . . . . . WATER
Sample Priority . . . . . 5
Date/Time Received . . . . . 2-JUN-2008 10:15:00.00
Cooler Temperature (C) . . . . . 30
NIST Thermometer Number . . . . . 50109846
Demographics Entered On . . . . . 9-JUN-2008 13:41:00.00
Demographics Entered By . . . . . RSHEPARD
Collector . . . . . RICHARD ROJAS
Collector Phone . . . . . 305-623-3536
Date/Time Collected . . . . . 29-MAY-2008 15:27:00.00
Relinquish Date . . . . . 30-MAY-2008 00:00:00.00
Sample Types . . . . . RESAMPLE
Treatment . . . . . NONE GIVEN
Well Type . . . . . 43 - PRIVATE WELL
Sample/System Street . . . . . 7611 SW 81 AVE
Sample/System City . . . . . MIAMI
Sample/System State . . . . . FL
Sample/System Zip . . . . . 33143
County Name . . . . . DADE
County Code . . . . . 13
Florida Unique Well ID . . . . . AAL0102
Contact 1 Last Name . . . . . FERNANDEZ
Contact 1 Street . . . . . 7611 SW 81 AVE
Contact 1 City . . . . . MIAMI
Contact 1 State . . . . . FL
Contact 1 Zip . . . . . 33143

```

	RESULTS	UNITS	QUALIFIERS
ANALYSIS: [Arsenic / EPA 200.8]			
COMPONENTS: Date and time analyzed.....	17-JUN-2008 12:30		
Analyst name.....	L. BLACKWELL		
ARSENIC.....	0.0107	mg/L	C
ANALYSIS: [Turbidity measurement for metals]			
COMPONENTS: Date and time analyzed.....	3-JUN-2008 09:20		
Analyst name.....	Q. GAO		
Digestion Required?.....	FALSE		

Result Qualifier Key:

C - Result exceeds maximum contaminant level as in Chapter 62-550 or 520; F.A.C.

Select Year: 2008 Go

The 2008 Florida Statutes

CHAPTER 386

PARTICULAR CONDITIONS AFFECTING PUBLIC HEALTH

PART I

SANITARY NUISANCES (ss. 386.01-386.051)

PART II

INDOOR AIR: TOBACCO SMOKE (ss. 386.201-386.2125)

SANIT:

386.041(a, e, f)
 GPB Program
~~386.041~~
 DOH is in charge
 of compliance
 of the well.
 Dr. Beringer
 is in charge.

386.01 Sanitary nuisance.

386.02 Duty of Department of Health.

386.03 Notice to remove nuisances; authority of

386.041 Nuisances injurious to health.

386.051 Nuisances injurious to health, penalty.

386.01 Sanitary nuisance.--A sanitary nuisance is the commission of any act, by an individual, municipality, organization, or corporation, or the keeping, maintaining, propagation, existence, or permission of anything, by an individual, municipality, organization, or corporation, by which the health or life of an individual, or the health or lives of individuals, may be threatened or impaired, or by which or through which, directly or indirectly, disease may be caused.

History.--s. 1, ch. 4346, 1895; GS 1153; RGS 2157; CGL 3386.

386.02 Duty of Department of Health.--The Department of Health, upon request of the proper authorities, or of any three responsible resident citizens, or whenever it may seem necessary to the department, shall investigate the sanitary condition of any city, town, or place in the state; and if, upon

examination, the department shall ascertain the existence of any sanitary nuisance as herein defined, it shall serve notice upon the proper party or parties to remove or abate the said nuisance or, if necessary, proceed to remove or abate the said nuisance in the manner provided in s. 823.01.

History.--s. 11, ch. 4346, 1895; GS 1154; RGS 2158; CGL 3387; ss. 19, 35, ch. 69-106; s. 148, ch. 77-147; s. 75, ch. 97-101.

386.03 Notice to remove nuisances; authority of Department of Health and local health authorities.--

(1) The Department of Health, upon determining the existence of anything or things herein declared to be nuisances by law, shall notify the person or persons committing, creating, keeping, or maintaining the same, to remove or cause to be removed, the same within 24 hours, or such other reasonable time as may be determined by the department, after such notice be duly given.

(2) If the sanitary nuisance condition is not removed by such person or persons within the time prescribed in said notice, the department, its agents or deputies or local health authorities, may within the county where the nuisance exists, remove, cause to remove, or prevent the continuing sanitary nuisance condition in the following manner:

(a) Undertake required correctional procedures, including the removal of same if necessary; the cost or expense of such removal or correctional procedures shall be paid by the person or persons committing, creating, keeping, or maintaining such nuisances; and if the said cost and expense thus accruing shall not be paid within 10 days after such removal, the same shall be collected from the person or persons committing, creating, keeping, or maintaining such nuisances, by suit at law; but this paragraph shall not authorize the department to alter, change, demolish, or remove any machinery, equipment, or facility designed or used for the processing or disposing of liquid or smoke effluent of a manufacturing plant.

(b) Institute criminal proceedings in the county court in the jurisdiction of which the condition exists against all persons failing to comply with notices to correct sanitary nuisance conditions as provided in this chapter.

(c) Institute legal proceedings authorized by the department as set forth in s. 381.0012.

(d) Institute administrative proceedings authorized by the department as set forth in s. 381.0061.

History.--s. 12, ch. 4346, 1895; GS 1155; RGS 2159; CGL 3388; s. 1, ch. 63-64; ss. 19, 35, ch. 69-106; s. 1, ch. 77-119; s. 149, ch. 77-147; s. 5, ch. 80-351; s. 53, ch. 91-297; s. 76, ch. 97-101.

386.041 Nuisances injurious to health.--

(1) ~~The following conditions existing, permitted, maintained, kept, or caused by any individual, municipal organization, or corporation, governmental or private, shall constitute prima facie evidence of maintaining a nuisance injurious to health:~~

(a) Untreated or improperly treated human waste, garbage, offal, dead animals, or ~~dangerous waste materials~~ from manufacturing processes harmful to human or animal life and air pollutants, gases, and noisome odors which are harmful to human or animal life.

(b) Improperly built or maintained septic tanks, water closets, or privies.

(c) The keeping of diseased animals dangerous to human health.

(d) Unclean or filthy places where animals are slaughtered.

(e) The creation, maintenance, or causing of any condition capable of breeding flies, mosquitoes, or other arthropods capable of transmitting diseases, directly or indirectly to humans.

(f) Any other condition determined to be a sanitary nuisance as defined in s. 386.01.

(2) The Department of Health, its agents and deputies, or local health authorities are authorized to investigate any condition or alleged nuisance in any city, town, or place within the state, and if such condition is determined to constitute a sanitary nuisance, they may take such action to abate the said nuisance condition in accordance with the provisions of this chapter.

History.--s. 2, ch. 63-64; ss. 19, 35, ch. 69-106; s. 150, ch. 77-147; s. 77, ch. 97-101.

386.051 Nuisances injurious to health, penalty.--Any person found guilty of creating, keeping, or maintaining a nuisance injurious to health shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

History.--s. 2, ch. 63-64; s. 337, ch. 71-136.

PART II

INDOOR AIR: TOBACCO SMOKE

386.201 Popular name.

386.202 Legislative intent.

386.203 Definitions.

386.204 Prohibition.

386.2045 Enclosed indoor workplaces; specific exceptions.

386.205 Customs smoking rooms.

386.206 Posting of signs; requiring policies.

386.207 Administration; enforcement; civil penalties.

386.208 Penalties.

386.209 Regulation of smoking preempted to state.

386.211 Public announcements in mass transportation terminals.

386.212 Smoking prohibited near school property; penalty.

386.2125 Rulemaking.

386.201 Popular name.--This part may be cited by the popular name the "Florida Clean Indoor Air Act."

History.--s. 1, ch. 85-257; s. 1, ch. 92-185; s. 1, ch. 2003-398.

386.202 Legislative intent.--The purpose of this part is to protect people from the health hazards of secondhand tobacco smoke and to implement the Florida health initiative in s. 20, Art. X of the State Constitution. It is the intent of the Legislature to not inhibit, or otherwise obstruct, medical or scientific research or smoking cessation programs approved by the Department of Health.

History.--s. 2, ch. 85-257; s. 2, ch. 92-185; s. 2, ch. 2003-398.

386.203 Definitions.--As used in this part:

- (1) "Commercial" use of a private residence means any time during which the owner, lessee, or other person occupying or controlling the use of the private residence is furnishing in the private residence, or causing or allowing to be furnished in the private residence, child care, adult care, or health care, or any combination thereof, and receiving or expecting to receive compensation therefor.
- (2) "Common area" means a hallway, corridor, lobby, aisle, water fountain area, restroom, stairwell, entryway, or conference room in a customs area of an airport terminal under the authority and control of the Bureau of Customs and Border Protection of the United States Department of Homeland Security.
- (3) "Department" means the Department of Health.
- (4) "Designated smoking guest rooms at public lodging establishments" means the sleeping rooms and directly associated private areas, such as bathrooms, living rooms, and kitchen areas, if any, rented to guests for their exclusive transient occupancy in public lodging establishments, including hotels, motels, resort condominiums, transient apartments, transient lodging establishments, rooming houses, boarding houses, resort dwellings, bed and breakfast inns, and the like; and designated by the person or persons having management authority over such public lodging establishment as rooms in which smoking may be permitted.
- (5) "Enclosed indoor workplace" means any place where one or more persons engages in work, and which

place is predominantly or totally bounded on all sides and above by physical barriers, regardless of whether such barriers consist of or include, without limitation, uncovered openings; screened or otherwise partially covered openings; or open or closed windows, жалousies, doors, or the like. A place is "predominantly" bounded by physical barriers during any time when both of the following conditions exist:

- (a) It is more than 50 percent covered from above by a physical barrier that excludes rain, and
- (b) More than 50 percent of the combined surface area of its sides is covered by closed physical barriers. In calculating the percentage of side surface area covered by closed physical barriers, all solid surfaces that block air flow, except railings, must be considered as closed physical barriers. This section applies to all such enclosed indoor workplaces and enclosed parts thereof without regard to whether work is occurring at any given time.
- (c) The term does not include any facility owned or leased by and used exclusively for noncommercial activities performed by the members and guests of a membership association, including social gatherings, meetings, dining, and dances, if no person or persons are engaged in work as defined in subsection (12).
- (6) "Essential services" means those services that are essential to the maintenance of any enclosed indoor room, including, but not limited to, janitorial services, repairs, or renovations.
- (7) "Physical barrier" includes an uncovered opening; a screened or otherwise partially covered opening; or an open or closed window, жалousie, or door.
- (8) "Retail tobacco shop" means any enclosed indoor workplace dedicated to or predominantly for the retail sale of tobacco, tobacco products, and accessories for such products, in which the sale of other products or services is merely incidental. Any enclosed indoor workplace of a business that manufactures, imports, or distributes tobacco products or of a tobacco leaf dealer is a business dedicated to or predominantly for the retail sale of tobacco and tobacco products when, as a necessary and integral part of the process of making, manufacturing, importing, or distributing a tobacco product for the eventual retail sale of such tobacco or tobacco product, tobacco is heated, burned, or smoked or a lighted tobacco product is tested.
- (9) "Secondhand smoke," also known as environmental tobacco smoke (ETS), means smoke emitted from lighted, smoldering, or burning tobacco when the smoker is not inhaling; smoke emitted at the mouthpiece during puff drawing; and smoke exhaled by the smoker.
- (10) "Smoking" means inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted tobacco product.
- (11) "Stand-alone bar" means any licensed premises devoted during any time of operation predominantly or totally to serving alcoholic beverages, intoxicating beverages, or intoxicating liquors, or any combination thereof, for consumption on the licensed premises; in which the serving of food, if any, is merely incidental to the consumption of any such beverage; and the licensed premises is not located within, and does not share any common entryway or common indoor area with, any other enclosed indoor

workplace, including any business for which the sale of food or any other product or service is more than an incidental source of gross revenue. A place of business constitutes a stand-alone bar in which the service of food is merely incidental in accordance with this subsection if the licensed premises derives no more than 10 percent of its gross revenue from the sale of food consumed on the licensed premises.

(12) "Work" means any person's providing any employment or employment-type service for or at the request of another individual or individuals or any public or private entity, whether for compensation or not, whether full or part time, whether legally or not. "Work" includes, without limitation, any such service performed by an employee, independent contractor, agent, partner, proprietor, manager, officer, director, apprentice, trainee, associate, servant, volunteer, and the like. The term does not include noncommercial activities performed by members of a membership association.

(13) "Membership association" means a charitable, nonprofit, or veterans' organization that holds a current exemption under s. 501(c)(3), (4), (7), (8), (10), or (19) or s. 501(d) of the Internal Revenue Code.

History.--s. 3, ch. 85-257; s. 1, ch. 88-266; s. 3, ch. 92-185; s. 42, ch. 94-218; s. 78, ch. 97-101; s. 2, ch. 2000-185; s. 3, ch. 2003-398.

386.204 Prohibition.--A person may not smoke in an enclosed indoor workplace, except as otherwise provided in s. 386.2045.

History.--s. 4, ch. 85-257; s. 4, ch. 92-185; s. 4, ch. 2003-398.

386.2045 Enclosed indoor workplaces; specific exceptions.--Notwithstanding s. 386.204, tobacco smoking may be permitted in each of the following places:

(1) PRIVATE RESIDENCE.--A private residence whenever it is not being used commercially to provide child care, adult care, or health care, or any combination thereof as defined in s. 386.203(1).

(2) RETAIL TOBACCO SHOP.--An enclosed indoor workplace dedicated to or predominantly for the retail sale of tobacco, tobacco products, and accessories for such products, as defined in s. 386.203(8).

(3) DESIGNATED SMOKING GUEST ROOM.--A designated smoking guest room at a public lodging establishment as defined in s. 386.203(4).

(4) STAND-ALONE BAR.--A business that meets the definition of a stand-alone bar as defined in s. 386.203(11) and that otherwise complies with all applicable provisions of the Beverage Law and this part.

(5) SMOKING CESSATION PROGRAM, MEDICAL OR SCIENTIFIC RESEARCH.--An enclosed indoor workplace, to the extent that tobacco smoking is an integral part of a smoking cessation program approved by the department, or medical or scientific research conducted therein. Each room in which tobacco smoking is permitted must comply with the signage requirements in s. 386.206.

(6) CUSTOMS SMOKING ROOM.--A customs smoking room in an airport in-transit lounge under the authority

and control of the Bureau of Customs and Border Protection of the United States Department of Homeland Security subject to the restrictions contained in s. 386.205.

History.--s. 5, ch. 2003-398.

386.205 Customs smoking rooms.--A customs smoking room may be designated by the person in charge of an airport in-transit lounge under the authority and control of the Bureau of Customs and Border Protection of the United States Department of Homeland Security. A customs smoking room may only be designated in an airport in-transit lounge under the authority and control of the Bureau of Customs and Border Protection of the United States Department of Homeland Security. A customs smoking room may not be designated in an elevator, restroom, or any common area as defined by s. 386.203. Each customs smoking room must conform to the following requirements:

- (1) Work, other than essential services defined in s. 386.203(6), must not be performed in the room at any given time.
- (2) Tobacco smoking must not be permitted in the room while any essential services are being performed in the room.
- (3) Each customs smoking room must be enclosed by physical barriers that are impenetrable by secondhand tobacco smoke and prevent the escape of secondhand tobacco smoke into the enclosed indoor workplace.
- (4) Each customs smoking room must exhaust tobacco smoke directly to the outside and away from air intake ducts, and be maintained under negative pressure, with respect to surrounding spaces, sufficient to contain tobacco smoke within the room.
- (5) Each customs smoking room must comply with the signage requirements in s. 386.206.

History.--s. 5, ch. 85-257; s. 5, ch. 92-185; s. 79, ch. 97-101; s. 1, ch. 2000-185; s. 1, ch. 2000-370; s. 6, ch. 2003-398.

386.206 Posting of signs; requiring policies.--

- (1) The proprietor or other person in charge of an enclosed indoor workplace must develop and implement a policy regarding the smoking prohibitions established in this part. The policy may include, but is not limited to, procedures to be taken when the proprietor or other person in charge witnesses or is made aware of a violation of s. 386.204 in the enclosed indoor workplace and must include a policy which prohibits an employee from smoking in the enclosed indoor workplace. In order to increase public awareness, the person in charge of an enclosed indoor workplace may, at his or her discretion, post "NO SMOKING" signs as deemed appropriate.
- (2) The person in charge of an airport terminal that includes a designated customs smoking room must conspicuously post, or cause to be posted, signs stating that no smoking is permitted except in the

designated customs smoking room located in the customs area of the airport. Each sign posted pursuant to this section must have letters of reasonable size that can be easily read. The color, design, and precise locations at which such signs are posted shall be left to the discretion of the person in charge of the premises.

(3) The proprietor or other person in charge of an enclosed indoor workplace where a smoking cessation program, medical research, or scientific research is conducted or performed must conspicuously post, or cause to be posted, signs stating that smoking is permitted for such purposes in designated areas in the enclosed indoor workplace. Each sign posted pursuant to this section must have letters of reasonable size which can be easily read. The color, design, and precise locations at which such signs are posted shall be left to the discretion of the person in charge of the premises.

History.--s. 6, ch. 85-257; s. 6, ch. 92-185; s. 687, ch. 95-148; s. 7, ch. 2003-398; s. 10, ch. 2006-2.

386.207 Administration; enforcement; civil penalties.--

(1) The department or the Division of Hotels and Restaurants or the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation shall enforce this part based upon each department's specific areas of regulatory authority and to implement such enforcement shall adopt, in consultation with the State Fire Marshal, rules specifying procedures to be followed by enforcement personnel in investigating complaints and notifying alleged violators and rules specifying procedures by which appeals may be taken by aggrieved parties.

(2) Public agencies responsible for the management and maintenance of government buildings shall report observed violations to the department. The State Fire Marshal shall report to the department observed violations of this part found during its periodic inspections conducted under its regulatory authority.

(3) The department or the Division of Hotels and Restaurants or the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, upon notification of observed violations of this part, shall issue to the proprietor or other person in charge of such enclosed indoor workplace a notice to comply with this part. If the person fails to comply within 30 days after receipt of the notice, the department or the Division of Hotels and Restaurants or the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation shall assess a civil penalty against the person of not less than \$250 and not to exceed \$750 for the first violation and not less than \$500 and not to exceed \$2,000 for each subsequent violation. The imposition of the fine must be in accordance with chapter 120. If a person refuses to comply with this part, after having been assessed such penalty, the department or the Division of Hotels and Restaurants or the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation may file a complaint in the circuit court of the county in which the enclosed indoor workplace is located to require compliance.

(4) All fine moneys collected pursuant to this section shall be used by the department for children's medical services programs pursuant to the provisions of part I of chapter 391.

History.--s. 7, ch. 85-257; s. 2, ch. 88-266; s. 1, ch. 89-109; s. 688, ch. 95-148; s. 8, ch. 2003-398.

386.208 Penalties.--Any person who violates s. 386.204 commits a noncriminal violation as defined in s. 775.08(3), punishable by a fine of not more than \$100 for the first violation and not more than \$500 for each subsequent violation. Jurisdiction shall be with the appropriate county court.

History.--s. 8, ch. 85-257; s. 7, ch. 92-185; s. 9, ch. 2003-398.

386.209 Regulation of smoking preempted to state.--This part expressly preempts regulation of smoking to the state and supersedes any municipal or county ordinance on the subject.

History.--s. 9, ch. 85-257; s. 8, ch. 92-185; s. 10, ch. 2003-398.

386.211 Public announcements in mass transportation terminals.--Announcements about the Florida Clean Indoor Air Act shall be made regularly over public address systems in terminals of public transportation carriers located in metropolitan statistical areas with populations over 230,000 according to the latest census. These announcements shall be made at least every 30 minutes and shall be made in appropriate languages. Each announcement must include a statement to the effect that Florida is a clean indoor air state and that smoking is not allowed except as provided in this part.

History.--s. 9, ch. 92-185; s. 11, ch. 2003-398.

386.212 Smoking prohibited near school property; penalty.--

(1) It is unlawful for any person under 18 years of age to smoke tobacco in, on, or within 1,000 feet of the real property comprising a public or private elementary, middle, or secondary school between the hours of 6 a.m. and midnight. This section does not apply to any person occupying a moving vehicle or within a private residence.

(2) A law enforcement officer may issue a citation in such form as prescribed by a county or municipality to any person violating the provisions of this section. Any such citation must contain:

(a) The date and time of issuance.

(b) The name and address of the person cited.

(c) The date and time the civil infraction was committed.

(d) The statute violated.

(e) The facts constituting the violation.

(f) The name and authority of the law enforcement officer.

(g) The procedure for the person to follow to pay the civil penalty, to contest the citation, or to appear in court.

(h) The applicable civil penalty if the person elects not to contest the citation.

(i) The applicable civil penalty if the person elects to contest the citation.

(3) Any person issued a citation pursuant to this section shall be deemed to be charged with a civil infraction punishable by a maximum civil penalty not to exceed \$25, or 50 hours of community service or, where available, successful completion of a school-approved anti-tobacco "alternative to suspension" program.

(4) Any person who fails to comply with the directions on the citation shall be deemed to waive his or her right to contest the citation and an order to show cause may be issued by the court.

History.--s. 1, ch. 96-217; s. 12, ch. 2003-398.

386.2125 Rulemaking.--The department and the Department of Business and Professional Regulation, shall, in consultation with the State Fire Marshal, have the authority to adopt rules pursuant to ss. 120.536 (1) and 120.54 to implement the provisions of this part within each agency's specific areas of regulatory authority. Whenever assessing a smoking cessation program for approval, the department shall consider whether the smoking cessation program limits to the extent possible the potential for exposure to secondhand tobacco smoke, if any, to nonparticipants in the enclosed indoor workplace.

History.--s. 13, ch. 2003-398.

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Summary Details:

Folio No.:	30-6911-000-0070
Property:	20200 SW 134 AVE
Mailing Address:	LYONS LLC 1230 NW 7 ST MIAMI FL 33125-3702

Property Information:

Primary Zone:	9000 AGRICULTURE
CLUC:	0002 MULTIFAMILY-DUPLEX
Beds/Baths:	3/2
Floors:	1
Living Units:	2
Adj Sq Footage:	4,026
Lot Size:	10 ACRES
Year Built:	1947
Legal Description:	11 56 39 10 AC M/L S1/2 OF NE1/4 OF NW1/4 OF NW1/4 & N1/2 OF SE1/4 OF NW1/4 OF NW1/4 OR 20204-3907 012002 4

Sale Information:

Sale O/R:	15173-1028
Sale Date:	8/1991
Sale Amount:	\$210,000

Assessment Information: *

Year:	2008	2007
Land Value:	\$1,000,000	\$1,000,000
Building Value:	\$207,416	\$207,416
Market Value:	\$1,207,416	\$1,207,416
Assessed Value:	\$1,207,416	\$1,207,416
Agricultural Classification:	\$875,862	\$875,862
Total Exemptions:	\$875,862	\$875,862
Taxable Value:	\$331,554	\$331,554

*The market and assessed values are accurately reflected. Information related to this property's exemptions and taxable values are being updated as a result of the recent passage of Amendment One and will be available shortly.

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Property Information Report

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- [2007 Back Assessments](#)
- [2007 Enterprise Folio](#)
- [2007 Historical Abatements](#)
- [2008 Quarterly Payments](#)
- [2007 Tax Notice/Memorandum](#)

Real Estate Tax Information

Today's Date: 09/09/2008 Last Update: 09/05/2008 Tax Year: 2007

Folio Number: 30 69110000070 UNINC. DADE CO.

Owner's Name: LYONS LLC

Property Address: 20200 SW 134 AVE

Mailing Information :

LYONS LLC
1230 NW 7 ST
MIAMI FL
331253702

Legal Description :

11 56 39 10 AC M/L
S1/2 OF NE1/4 OF NW1/4 OF NW1/4
& N1/2 OF SE1/4 OF NW1/4 OF
NW1/4

[To view 2007 Tax Notice/Memorandum click here](#)

2007 Taxes are in paid status.

Amounts due are subject to change without notice.

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Pesticides in Drinking-Water

Session Objectives

- To demonstrate the conflict in pesticide use between agricultural and public health needs.
- To describe the two principal methods of pesticide classification.
- To describe the GVs set for pesticides and their by-products.

Pesticides in Drinking-Water

Pesticides are used for agricultural as well as public health purposes. Often a choice has to be made between their detrimental effects on the environment and their use for disease vector control, as for example, for malaria or schistosomiasis control. The adverse environmental effects of pesticides used in public health can often be mitigated through proper selection and application procedures. Equally, many pesticides have both beneficial and harmful health effects - their use may reduce the presence of particular vectors, although they may be toxic if consumed through water. In these circumstances, the relative benefits and dis-benefits should be evaluated.

With all pesticides, whether they have harmful health effects or not, the application should be well focused both in terms of application technique, quantity used and timing of application. As a general rule, the minimum of pesticide should be applied by the most efficient method at the most suitable time to achieve the required goal. Over-application and/or application at times when the action is less likely to be effective should be avoided.

Pesticides can be classified according to chemical class (e.g. organochlorine, carbamate, organophosphorus, chlorophenoxy compounds) or according to their intended use (e.g. fungicide, herbicide, fumigant). It is important to know both since the chemical structure of the pesticide and its use often determine its behaviour in the environment, occurrence in drinking-water and toxicity to humans. Table 1 indicates the chemical class and use of the pesticides evaluated in the *Guidelines*.

Of the 36 pesticides evaluated, 28 contain chlorine. Organophosphorus pesticides were not evaluated although their use has increased as replacement for organochlorine pesticides. However, the organophosphorus pesticides are readily hydrolysed in water, adsorbed on sediments, or readily degraded in soil. As a result, they are seldom if ever found in drinking-water.

Many of the pesticides evaluated are herbicides. Because of their frequent use near waterbodies they have often been found in surface water. Furthermore many of these herbicides are fairly mobile in soil and readily migrate into groundwater.

While the use of organochlorine pesticides has declined in industrialized countries, their use continues in developing countries for public health as well as for agricultural purposes. For this reason, several organochlorine pesticides were evaluated in the *Guidelines*.

The toxicological basis of the guideline values and exposure assumptions made, as reflected in the percentage allocation of the TDI to drinking-water, are summarized in Tables 2 and 3.

For organochlorine pesticides such as aldrin/dieldrin, chlordane, DDT, heptachlor, and hexachlorobenzene only 1% of the TDI was allocated to drinking-water since it is known that these pesticides are highly persistent, have a high bioaccumulation potential, and are often found in food (Table 2).

In the majority of cases limited information was available on the contribution of drinking-water to the total exposure. Therefore a default value of 10% of the TDI was used (Table 3).

While considerable information is available on the toxicity of metabolites of pesticides formed in mammalian systems, the nature and toxicity of the environmental degradation products of pesticides are largely unknown and have not been taken into consideration in the *Guidelines*.

Alachlor, 1,2-dibromo-3-chloropropane, 1,3-dichloropropene and hexachlorobenzene were considered to be carcinogenic. The linearized multistage extrapolation model was therefore used to derive guideline values corresponding to an upper-bound estimate of an excess lifetime cancer risk of 1 per 100,000 of the population exposed.

Because limited information was available on the toxicity of 1,3-dichloropropane, ethylene dibromide and MCPB, no guideline values were derived for these pesticides.

Not all pesticides that have been found in water have been evaluated in the *Guidelines*. However, over 240 pesticides have been evaluated by the Joint FAO/WHO Meeting on Pesticide Residues (JMPR). Such evaluations could be used by countries wishing to establish standards or guidelines for pesticides of national concern.

In many circumstances, it may not be the principal component of the pesticide which is of concern, but impurities and by-products. It may be more effective to control the release of toxic substances into the aquatic environment through proper product quality control than by establishing standards for drinking-water. It may be more appropriate therefore, to ensure that product quality standards and their enforcement are in place than drinking-water quality standards.

References

International Programme on Chemical Safety (IPCS). Summary of Toxicological Evaluations Performed by the Joint FAO/WHO Meeting on Pesticide Residues, 1996.

Table 1. Chemical family and use of pesticides evaluated in the Guidelines (also continued overleaf)

PESTICIDE	CHEMICAL FAMILY	USE
alachlor	CA	HB
aldicarb	CB	AC IN NE
aldrin/dieldrin	OC	IN TE
atrazine	TR	HB
bentazone	BT	HB
carbofuran	CB	AC IN NE
chlordane	OC	IN TE
chlorotoluron	UR	HB
DDT	OC	IN
1,2-dibromo-3-chloropropane	HH	FM NE
2,4-D	PO	HB
2,4-DB	PO	HB
1,2-dichloropropane	HH	FM
1,3-dichloropropane	HH	--
1,3-dichloropropene	HH	FM FU IN NE
dichlorprop	PO	HB IG
ethylene dibromide	BR	IN FU
fenoprop	PO	HB

Table 1 (continued): Chemical family and use of pesticides evaluated in the Guidelines

PESTICIDE	CHEMICAL FAMILY	USE
heptachlor and heptachlor epoxide	OC	IN TE
hexachlorobenzene	OC	FU
isoproturon	UR	HB
lindane	OC	IN
MCPA	PO	HB
MCPB	PO	HB
mecoprop	PO	HB
methoxychlor	OC	IN
metolachlor	AM	HB
molinate	TC	HB
pendimethaline	DA	HB
pentachlorophenol	OC	FU HB IN
permethrin	PY	IN
propanil	AN	HB
pyridate	PA	HB
simazine	TR	HB
2,4,5-T	PO	HB
trifluralin	DA	HB

Key for Table 1.

Codes for chemical use

AM acetamide
AN anilide
BR bromide
BT benzothiadiazole
CA chloroacetanilide
CB carbamate
DA dinitroaniline
HH halogenated hydrocarbon

OC organochlorine
PA pyridazine
PO phenoxy
PY pyrethroid
TC thiocarbamate
TR triazine
UR urea

Codes for use

AC acaricide
FM fumigant
FU fungicide
HB herbicide

IG growth regulator
IN insecticide
NE nematicide
TE termiticide

Table 2. Risk assessment of pesticides where substantial exposure from food is expected

PESTICIDE	NOAEL mg/kg bw/d	UF	%TDI	GV, ug/l (IARC Group)
aldrin/dieldrin	0.025	250	1	0.03 (3)
bentazone	10	100	1	30
chlordane	0.05	100	1	0.2 (2B)
DDT	0.25	10	1	2 (2B)
heptachlor + epoxide	0.025	200	1	0.03 (2B)
lindane	0.5	100	1	2 (2B)
permethrin	5	100	1	20 (3)

Key: GV guideline value
 LOAEL lowest-observed-adverse-effect level
 NOAEL no-observed-adverse-effect level
 P provisional
 % TDI percent of tolerable daily intake allocated to drinking-water
 UF uncertainty factor

Table 3. Risk assessment of pesticides where knowledge of exposure from different media is limited

PESTICIDE	NOAEL mg/kg bw/d	UF	%TDI	GV, ug/l (IARC Group)
aldicarb	0.4	100	10	10 (3)
atrazine	0.5	1000	10	2 (2B)
carbofuran	0.05	30	10	5
chlorotoluron	11.3	1000	10	30
2,4-D	1	100	10	30 (2B)
2,4-DB	3	100	10	90 (2B)
1,2-dichloropropane	100 (LOAEL)	10000	10	20 P (3)
dichlorpop	3.64	100	10	100 (2B)
fenoprop	0.9	300	10	9 (2B)
isoproturon	3	1000	10	9
MCPA	0.15	300	10	2 (2B)
mecoprop	1	300	10	10 (2B)
methoxychlor	5	1000	10	20 (3)
metolachlor	3.5	1000	10	10
molinate	0.2	100	10	6
pendimethalin	5 (LOAEL)	1000	10	20
pentachlorophenol	3	1000	10	9 P (2B)
propanil	5	1000	10	20
pyridate	3.5	100	10	100
simazine	0.52	1000	10	2 (3)
2,4,5-T	3	1000	10	9 (2B)
trifluraline	0.75	100	10	20 (3)

Key: GV guideline value
 LOAEL lowest-observed-adverse-effect level
 NOAEL no-observed-adverse-effect level
 P provisional
 % TDI percent of tolerable daily intake allocated to drinking-water
 UF uncertainty factor

Pesticides in Drinking-Water

Presentation Plan

Section	Key points	OHP
Introduction	<ul style="list-style-type: none"> • there are conflicting uses of pesticides - agricultural and public health uses • adverse environmental effect of pesticides can often be mitigated through proper selection and application procedures 	
Classification	<ul style="list-style-type: none"> • there are two methods of classifying pesticides <ol style="list-style-type: none"> a) according to chemical class b) according to their intended use • it is important to know both these to determine its behaviour in the environment, occurrence in drinking water and toxicity to humans 	Table 1
The Guidelines	<ul style="list-style-type: none"> • of the 35 pesticides evaluated, 28 contain chlorine • many of the evaluated pesticides are herbicides and readily migrate into groundwater • in developing countries organochlorine pesticides have particular use in public health as well as agricultural practices and have thus been evaluated in the <i>Guidelines</i> • setting GVs for pesticides is often difficult because of uncertainty about health impacts • the percentage allocation of the TDI to drinking water, reflects the toxicological basis of the Guideline levels and exposure assumptions made 	Tables 2,3 OHP 1
	<ul style="list-style-type: none"> • the nature and toxicity of the environmental degradation products of pesticides are largely unknown and are therefore not taken into account in the <i>Guidelines</i> • the linearized multistage extrapolation model was used to derive guideline values based on an upper-bound estimate of an excess lifetime cancer risk of 1 per 100,000 of the population exposed • standards and guidelines for pesticides can be established using the evaluations made by the Joint FAO/WHO Meeting on Pesticide Residues 	

Pesticides in the *Guidelines*

- Of the 35 pesticides evaluated, 28 contain chlorine
- Many of the pesticides evaluated are herbicides and readily migrate into groundwater
- Organochlorine pesticides have been included since they still have public health uses in developing countries
- Setting GVs is difficult due to uncertainty of health impacts
- 10% of the TDI allocated to drinking-water
- Nature and toxicity of the environmental degradation products of pesticides are largely unknown





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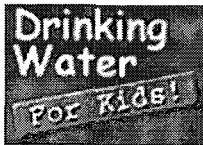
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Consumer Factsheet on: HEPTACHLOR AND HEPTACHLOR EPOXIDE

List of Contaminants

As part of the Drinking Water and Health pages, this fact sheet is part of a larger publication:

National Primary Drinking Water Regulations

This is a factsheet about a chemical that may be found in some public or private drinking water supplies. It may cause health problems if found in amounts greater than the health standard set by the United States Environmental Protection Agency (EPA).

What is Heptachlor and how is it used?

Heptachlor is a white to tan waxy organic solid with a camphor-like odor. The epoxide is formed from heptachlor in the environment. It was once used as a non-agricultural insecticide. Most uses of the product were canceled in 1978. The only permitted commercial use of heptachlor products is for fire ant control in buried, pad-mounted electric power transformers, and in underground cable television and telephone cable boxes.

The list of trade names given below may help you find out whether you are using this chemical at home or work.

Trade Names and Synonyms:

- Aahepta
- Agroceres
- Hepta
- Heptachlordane
- Heptagran
- Heptamul
- Heptox
- Gold Crest H-60
- Rhodiachlor
- Velsicol 104
- Basaklor
- Soleptax
- Termide

Why is Heptachlor being Regulated?

In 1974, Congress passed the Safe Drinking Water Act. This law requires EPA to determine safe levels of chemicals in drinking water which do or may cause health problems. These non-enforceable levels, based solely on possible health risks and

exposure, are called Maximum Contaminant Level Goals.

The MCLGs for heptachlor and its epoxide have been set at zero because EPA believes this level of protection would not cause any of the potential health problems described below.

Based on these MCLGs, EPA has set enforceable standards called Maximum Contaminant Levels (MCLs). MCLs are set as close to the MCLGs as possible, considering the ability of public water systems to detect and remove contaminants using suitable treatment technologies.

The MCL for heptachlor has been set at 0.4 parts per billion (ppb) because EPA believes, given present technology and resources, this is the lowest level to which water systems can reasonably be required to remove this contaminant should it occur in drinking water. The MCL for the epoxide is 0.2 ppb.

These drinking water standards and the regulations for ensuring these standards are met, are called National Primary Drinking Water Regulations. All public water supplies must abide by these regulations.

What are the Health Effects?

Short-term: EPA has found heptachlor and its epoxide to potentially cause the following health effects when people are exposed to it at levels above the MCL for relatively short periods of time: liver and central nervous system damage.

Long-term: Heptachlor and its epoxide have the potential to cause the following effects from a lifetime exposure at levels above the MCL: extensive liver damage; cancer.

How much Heptachlor is produced and released to the environment?

Heptachlor may be released directly to the soil in connection with its use in termite and fire ant control. However, heptachlor has been found in treated wastewater from some types of industrial facilities. Production of heptachlor in 1982 was nearly 100,000 lbs.

Heptachlor epoxide is not produced commercially, but rather is formed by the chemical and biological transformation of heptachlor in the environment.

What happens to Heptachlor when it is released to the environment?

Heptachlor can evaporate from soil surfaces, and is degraded by bacteria once it passes into the soil. Heptachlor is expected to adsorb strongly to soil and so resist leaching to groundwater.

Heptachlor epoxide also adsorbs strongly to soil but is extremely resistant to biodegradation, persisting for many years in the upper soil layers. Similarly in water, heptachlor will be broken down while the epoxide will persist, usually in sediments.

Heptachlor epoxide is concentrated extensively in aquatic life. It is taken up into the food chain by plants and bioconcentrates into fish, animals and milk.

How will Heptachlor be Detected in and Removed from My Drinking Water?

The regulation for heptachlor became effective in 1992. Between 1993 and 1995, EPA required your water supplier to collect water samples every 3 months for one year and analyze them to find out if heptachlor is present above 0.04 ppb. If it is present above this level, the system must continue to monitor this contaminant.

If contaminant levels are found to be consistently above the MCL, your water supplier must take steps to reduce the amount of heptachlor so that it is consistently below that level. The following treatment methods have been approved by EPA for removing heptachlor: Granular activated charcoal.

How will I know if Heptachlor is in my drinking water?

If the levels of heptachlor exceed the MCL, 0.4 ppb, the system must notify the public via newspapers, radio, TV and other means. Additional actions, such as providing alternative drinking water supplies, may be required to prevent serious risks to public health.

Drinking Water Standards:

Mcl

Heptachlor- 0.4 ppb

Heptachlor epoxide- 0.2 ppb

Learn more about your drinking water!

EPA strongly encourages people to learn more about their drinking water, and to support local efforts to protect and upgrade the supply of safe drinking water. Your water bill or telephone book's government listings are a good starting point.

Your local water supplier can give you a list of the chemicals they test for in your water, as well as how your water is treated.

Your state Department of Health/Environment is also a valuable source of information.

For help in locating these agencies or for information on drinking water in general, call: EPA's Safe Drinking Water Hotline: (800) 426-4791.

For additional information on the uses and releases of chemicals in your state, contact the: Community Right-to-Know Hotline: (800) 424-9346

List of Contaminants

[Safewater Home](#) | [About Our Office](#) | [Publications](#) | [Links](#) | [Office of Water](#) | [En Español](#) | [Questions and Answers](#)

[EPA Home](#) | [Privacy and Security Notice](#) | [Contact Us](#)

Last updated on Tuesday, November 28th, 2006
URL: http://www.epa.gov/ogwdw000/contaminants/dw_contamfs/heptachl.html

Senarath, Amala

From: Senarath, Amala
Sent: Friday, September 05, 2008 1:14 PM
To: 'rlyons@lyonsandsmith.com'
Cc: Smith, Leslie A.
Subject: RE: Richard Lyons Nursery

Mr. Lyons,

I will contact you next week or the week after depending on the path Ike takes regarding our site visit.

Thank you

Amala Senarath, M.B.A.
Environmental Specialist

Florida Department of Environmental Protection
South East District
400 North Congress Avenue, Suite 200
West Palm Beach, FL 33401
Phone: (561) 681-6675 Fax: (561) 681-6770
Email: Amala.Senarath@dep.state.fl.us

More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

From: RICHARD W LYONS [mailto:rlyons@lyonsandsmith.com]
Sent: Friday, September 05, 2008 1:12 PM
To: Senarath, Amala
Cc: Smith, Leslie A.
Subject: Richard Lyons Nursery

Dear Ms Amala Senarath:

I understand that you will be visiting my nursery. In light of the fact that hurricane Ike is knocking on our door. I suggest that we see what he is doing and then set a date and time. I hope this is satisfactory to you.

Thank you for your attention.

Richard

Richard W. Lyons
Attorney-at-Law
1230 NW 7th Street
Miami, Florida 33125
Web Site
<http://www.lyonsandsmith.com>
E-Mail

ryons@lyonsandsmith.com

phone 305-324-1100

fax 305-324-1054

Richard Lyons' Nursery
20200 SW 134th Avenue

Miami, Florida 33177

phone 305-251-6293

fax 305-324-1054

Web Site

<http://www.rarefloweringtrees.com>

NOTE

The information contained in this E-Mail message is intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (305-324-1100), and destroy the original message. Thank you.

Wierzbicki, Paul

080767

From: Priest, Andrew
Sent: Tuesday, August 12, 2008 1:09 PM
To: Wierzbicki, Paul; Lurix, Joe
Subject: Contaminated Private Drinking Water Wells
Attachments: se1.xls

The DEP Water Supply Restoration program regularly receives information from the Department of Health regarding the sampling of potable wells, primarily non-regulated private wells. Attached is a list of samples taken in the last quarter that exceeded the primary drinking water standard or health action level. These samples were taken from wells in counties that are in your district.

Your names were provided as contact persons in your District by the Division of Waste in Tallahassee. If you believe someone else in your District should be the contact person(s), please let me know.

We intend to update each District quarterly as we get new information.

If you have any questions, email me or call me at 850-245-8399 (SC 205-8399).

Thank you,

Andrew Priest

se1

WELL_ID	WELL_ADDR	WELL_CITY	LATITUDE	LONGITUDE	LOC_MET	FLORIDA	SAMP_DA	SAMPLE_I	CHEMICAL	VALUE	UNITS
130125501	7997 SW 76 AVE	MIAMI	25.69594	80.3163	DGPS	AAH5206	5/14/2008	080429-01	ARSENIC	0.0267	mg/L
130102601	7611 SW 81 AVENUE	MIAMI	25.69888	80.3245	DGPS	AAL0102	5/29/2008	080429-02	ARSENIC	0.0107	mg/L
130126701	20200 SW 134 AVE	MIAMI	25.5802	80.41354	DGPS	AAL0282	7/22/2008	080715-06	DIELDRI	0.13	ug/L
130126701	20200 SW 134 AVE	MIAMI	25.5802	80.41354	DGPS	AAL0282	7/22/2008	080715-06	HEPTACH	0.34	ug/L

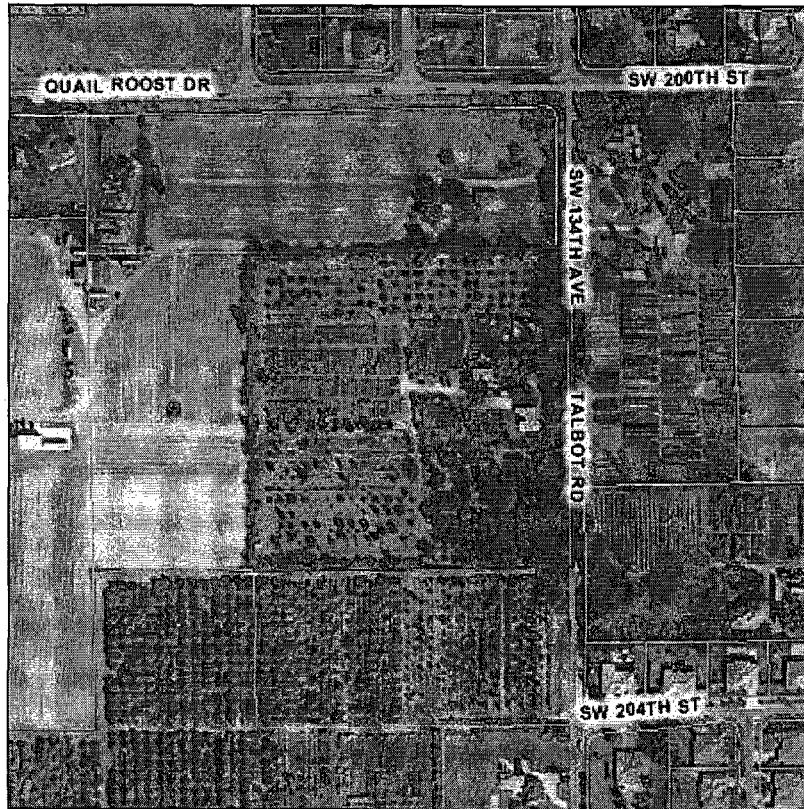
RES_QUA		COUNTY	
C			
C			
HA			
C			

My Home
Miami-Dade County, Florida

MIAMI-DADE

miamidade.gov

Property Information Map



Digital Orthophotography - 2007

0 — 169 ft

This map was created on 8/12/2008 1:39:46 PM for reference purposes only.

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Close

Summary Details:

Folio No.:	30-6911-000-0070
Property:	20200 SW 134 AVE
Mailing Address:	LYONS LLC 1230 NW 7 ST MIAMI FL 33125-3702

Property Information:

Primary Zone:	9000 AGRICULTURE
CLUC:	0002 MULTIFAMILY-DUPLEX
Beds/Baths:	3/2
Floors:	1
Living Units:	2
Adj Sq Footage:	4,026
Lot Size:	10 ACRES
Year Built:	1947
Legal Description:	11 56 39 10 AC M/L S1/2 OF NE1/4 OF NW1/4 OF NW1/4 & N1/2 OF SE1/4 OF NW1/4 OF NW1/4 OR 20204-3907 012002 4

Sale Information:

Sale O/R:	15173-1028
Sale Date:	8/1991
Sale Amount:	\$210,000

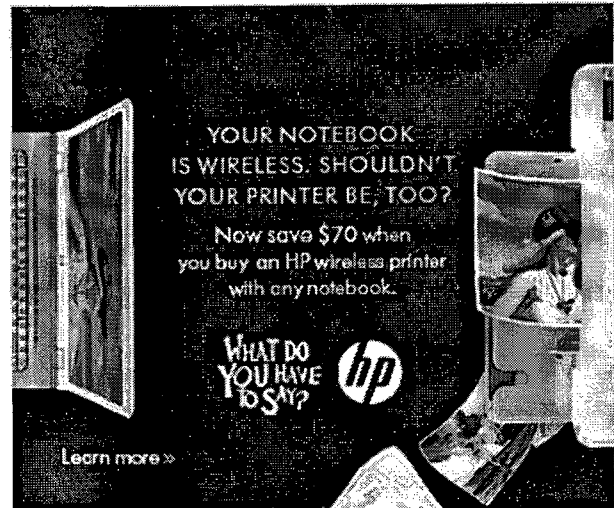
Assessment Information:

Year:	2007	2006
Land Value:	\$1,000,000	\$800,000
Building Value:	\$207,416	\$196,280
Market Value:	\$1,207,416	\$996,280
Assessed Value:	\$1,207,416	\$996,280
Agricultural Classification:	\$875,862	\$694,862
Total Exemptions:	\$875,862	\$694,862
Taxable Value:	\$331,554	\$301,418

Richard Lyons Nursery
305-251-6293

MAPQUEST

arsenic in private potable well



A: 7611 SW 81st Ave, Miami, FL 33143-3928



MAPQUEST

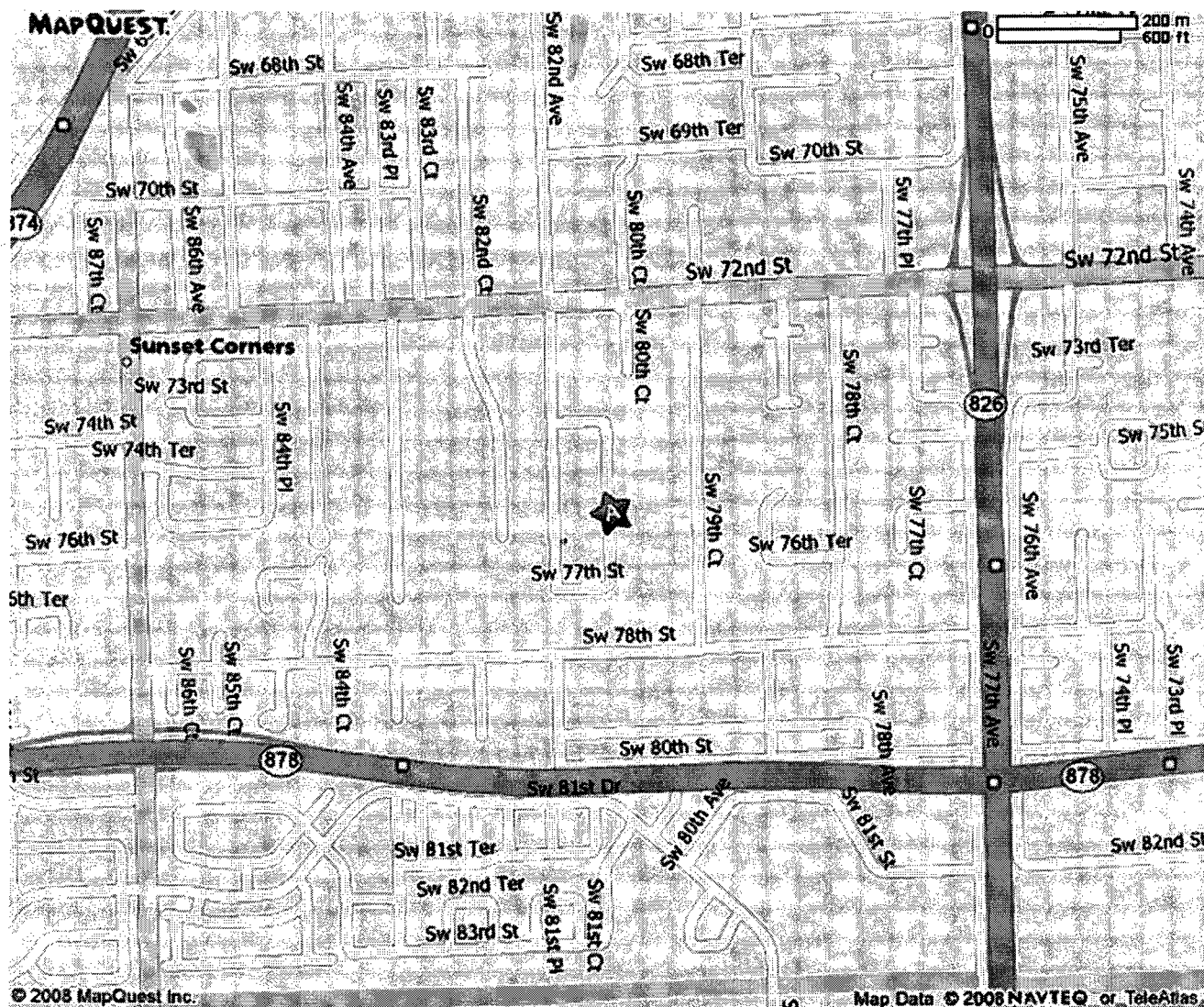
Notes (only text visible within note field will print)

What is your 2008 Credit Score?

Excellent	750 - 840
Good	660 - 749
Fair	620 - 659
Poor	310 - 619
I Don't Know	????

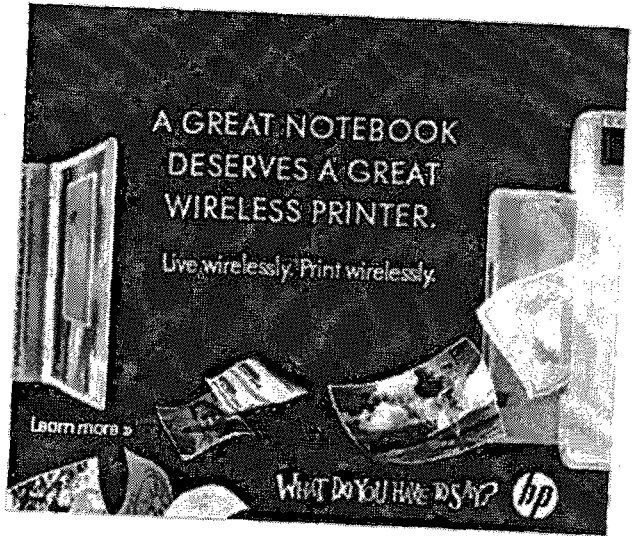
Find out instantly!

A: 7611 SW 81st Ave, Miami, FL 33143-3928

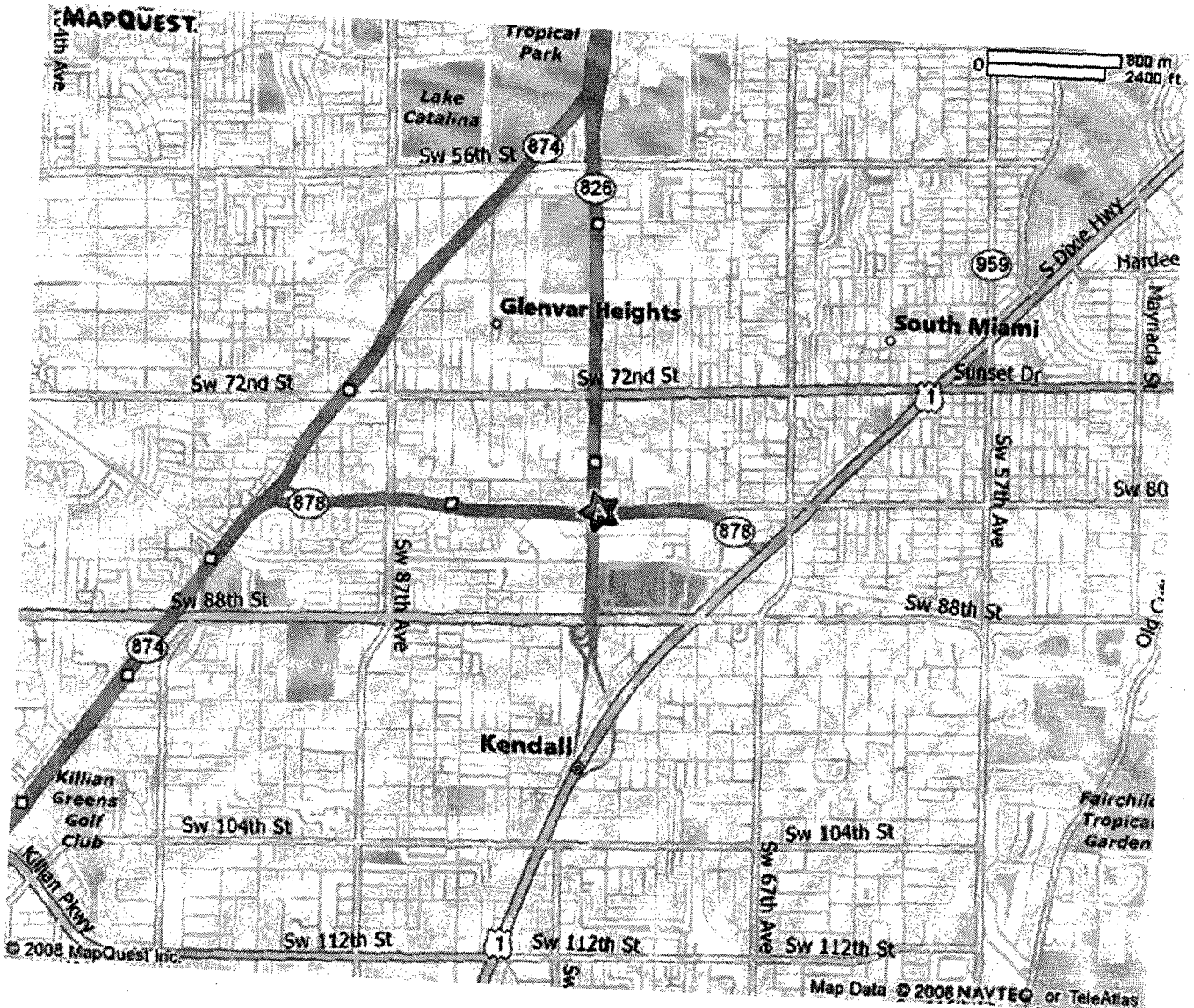


MAPQUEST

Arsenic in private potable well



A: 7997 SW 76th Ave, Miami, FL 33143-4133



MAPQUEST

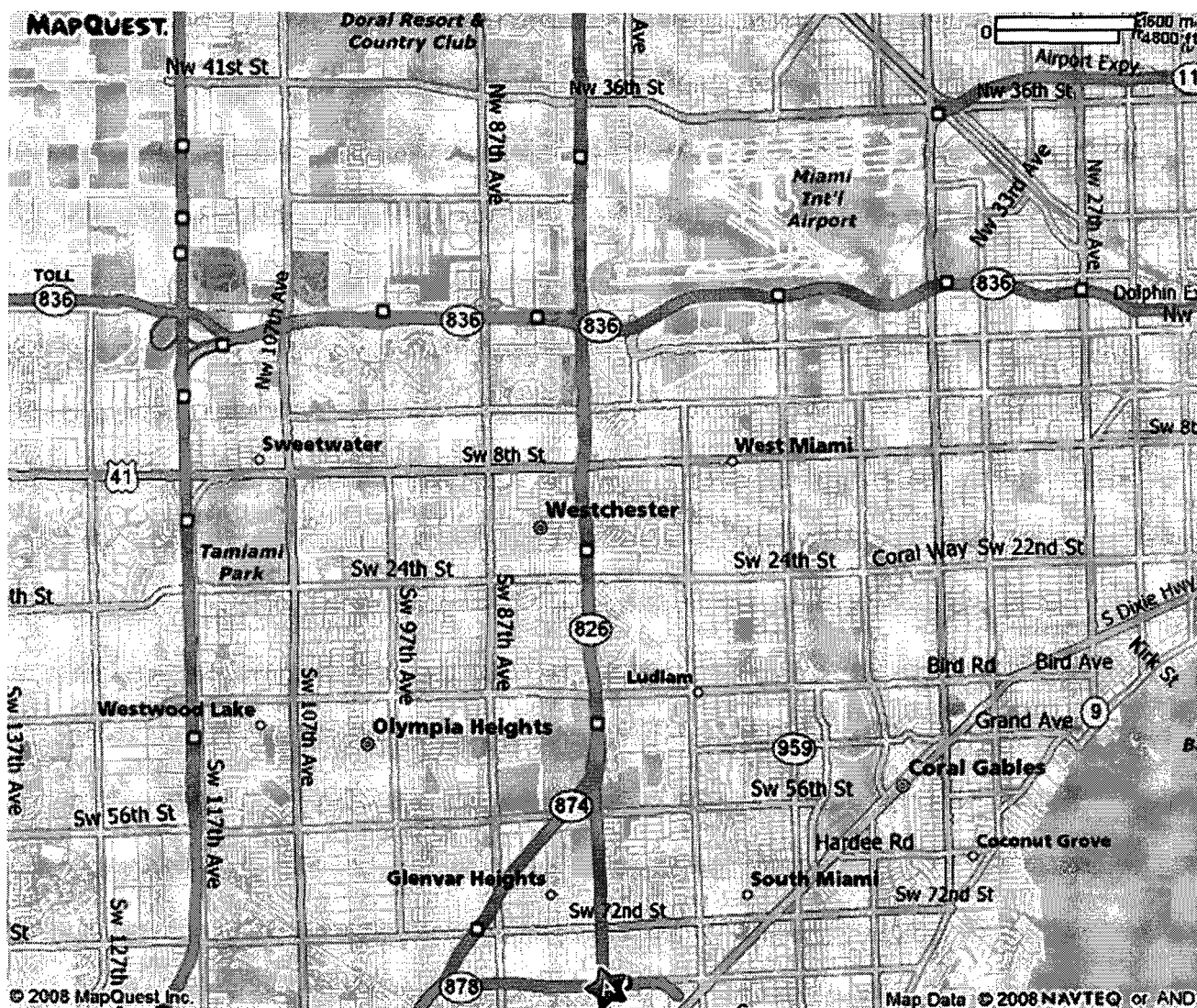
Notes (only text visible within note field will print)

What is your 2008 Credit Score?

Excellent	750 - 840
Good	660 - 749
Fair	620 - 659
Poor	310 - 619
I Don't Know	????

Find out instantly!

A: 7997 SW 76th Ave, Miami, FL 33143-4133



MAPQUEST

What is your 2008 Credit Score?

Excellent	750 - 850
Good	660 - 749
Fair	620 - 659
Poor	310 - 619
I Don't Know	????

Find out instantly!

A: 7997 NW 76th Ave, Medley, FL 33166-7512



MAPQUEST

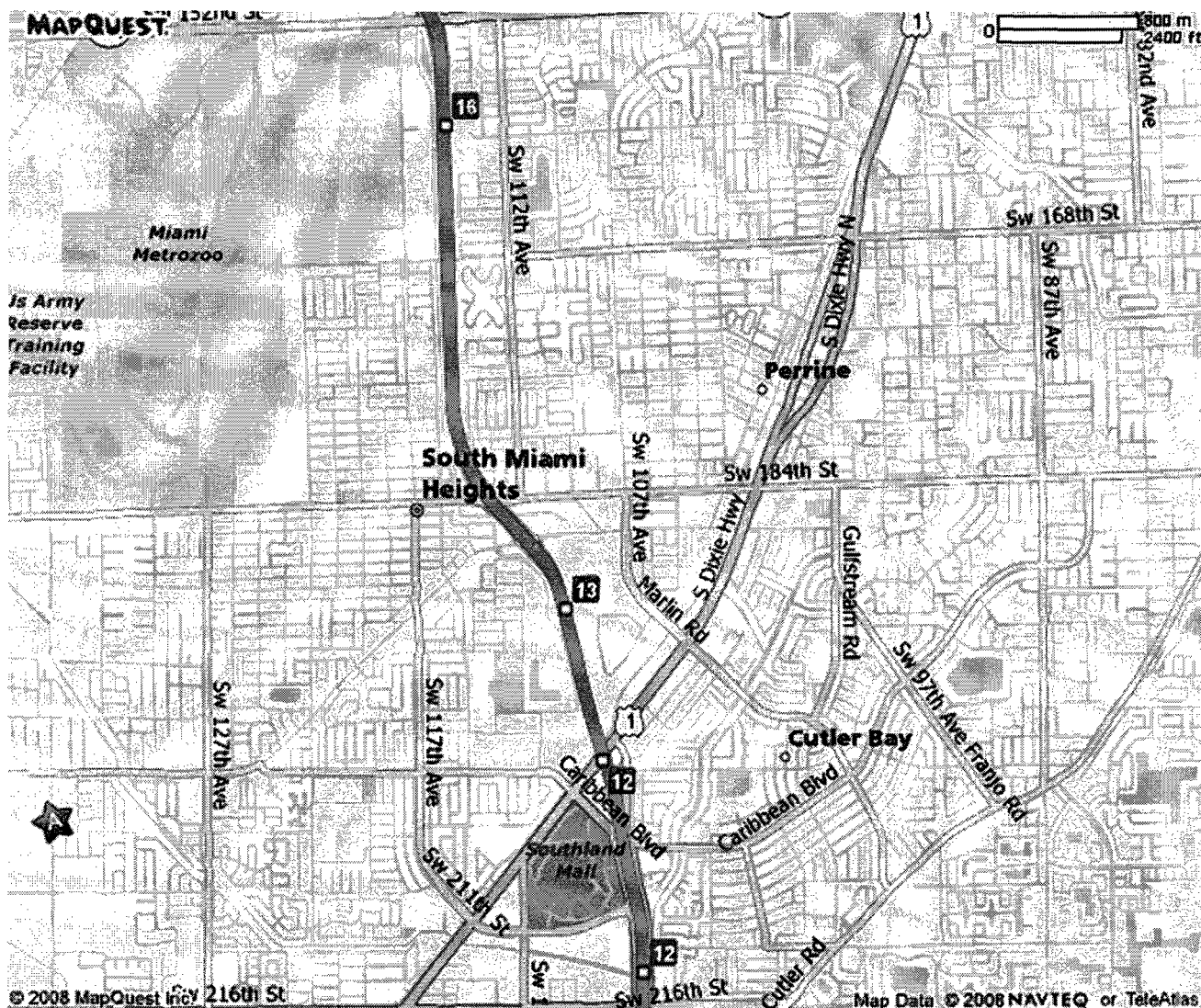
dieldrin and heptachlor in private potable wells

What is your 2008 Credit Score?

Excellent	750 - 850
Good	660 - 749
Fair	620 - 659
Poor	310 - 619
I Don't Know	????

Find out instantly!

A: 20200 SW 134th Ave, Miami, FL 33177-6012



MAPQUEST

Notes (only text visible within note field will print)

Visit your Ford or Lincoln Mercury Dealership for service on the go and save.

THE WORKS \$39.95 OR LESS

FUEL SAVER PACKAGE

- Motorcraft® Oil and filter change
- Inspect brake system • Rotate four tires • Test battery and more

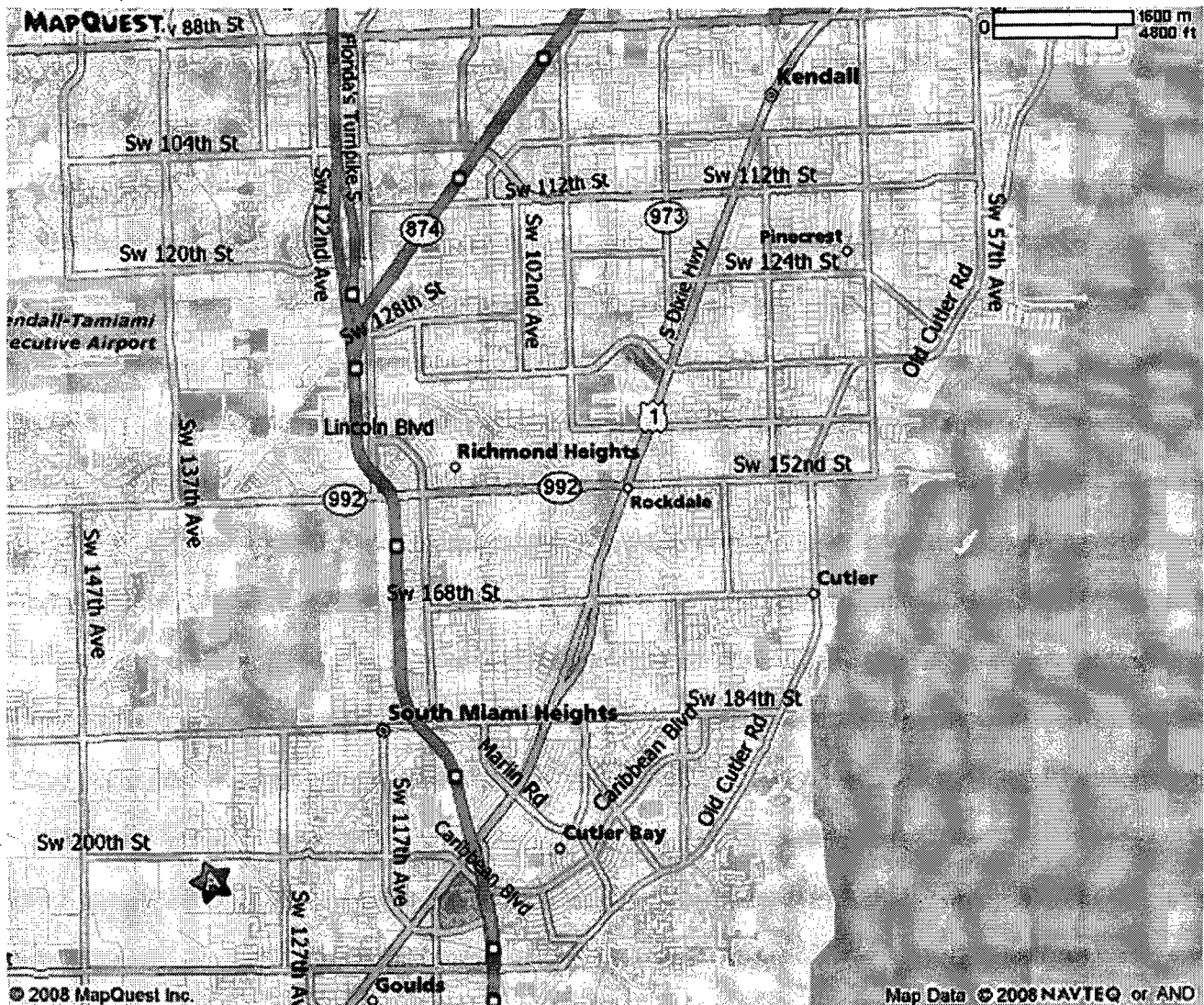
See participating dealership for details through 8/31/08.

Get Details

GENUINE PARTS & SERVICE

COME IN. KEEP GOING.

A: 20200 SW 134th Ave, Miami, FL 33177-6012



MAPQUEST

Notes (only text visible within note field will print)

What is your 2008 Credit Score?

Excellent	750 - 850
Good	660 - 749
Fair	620 - 659
Poor	310 - 619
I Don't Know	????

Find out instantly!

A: 20200 SW 134th Ave, Miami, FL 33177-6012

