



**MIAMI
WATERKEEPER®**

DEFENDING, PROTECTING, AND PRESERVING
MIAMI AND SURROUNDING WATERS THROUGH
CITIZEN INVOLVEMENT AND COMMUNITY
ACTION. MIAMI WATERKEEPER WORKS TO
ENSURE SWIMMABLE, DRINKABLE, FISHABLE
WATER FOR ALL.

30 March 2018

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cc: Lee Hefty, Director, Miami-Dade County Division of Environmental Resources Management

Via e-mail to: jason.andreotta@dep.state.fl.us; jennifer.k.smith@dep.state.fl.us;
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Dear Directors and Administrators:

Miami Waterkeeper is concerned about a significant water pollution problem in Miami-Dade County. Miami Waterkeeper, in conjunction with undergraduate, masters, and law students from a range of universities, reviewed publicly available permitting data, satellite imagery, land use and zoning maps and other geospatial data resources, as well as topographical data and sewer maps to determine rates of compliance with industrial stormwater pollution prevention requirements of the federal Clean Water Act (“CWA”). A select number of sites were inspected in person. After reviewing hundreds of properties in industrially-zoned areas, we have determined that as many as 30% of industrial properties near waterways in Miami-Dade County may be noncompliant with the requirements of the Clean Water Act and the National Pollution Discharge Elimination System (“NPDES”).

Stormwater pollution accounts for more than half of the total pollution entering the marine environment each year. In Miami, whenever there is significant rainfall, hundreds of millions of



gallons of polluted rainwater pour into Biscayne Bay. Stormwater runoff from asphalt plants, scrap yards, shipyards, and many other types of industrial sites often carries high concentrations of pollutants including heavy metals, dissolved and suspended solids, pH-

affecting substances, petroleum hydrocarbons, and others. Discharging stormwater pollution of this sort is prohibited by the Clean Water Act unless subject to an individual NPDES permit or a general permit, such as FDEP's Multi-Sector Generic Permit For Stormwater Discharge Associated with Industrial Activity. This stormwater pollution harms aquatic ecosystems, prevents the public from fully enjoying our waterways, and is unfair to competing industrial operations that have obtained stormwater permit coverage and bear the costs of complying with federal and state law.

Although our survey is an initial report, we feel the results merit further attention from FDEP. We therefore implore FDEP to use its regulatory authority to bring unpermitted industrial facilities in Miami-Dade County into compliance with the Clean Water Act.

A few examples of unpermitted facilities that we have identified are set forth below, and are reflective of Miami Waterkeeper's broader findings as they represent a cross section of industrial sectors discharging into several different canals within the County:

- 1) **5171 E. 10th Ct., Hialeah, FL 33013**
- 2) **4895 E. 10th Ct., Hialeah, FL 33013**
- 3) **3737 NW South River Drive, Miami, FL 33142**
- 4) **437 NW S. River Dr., Miami, FL 33128**

More detailed information regarding the listed properties is set forth on Attachment A to this letter. We ask that FDEP investigate compliance at these sites as well as review compliance generally in the region.

Miami Waterkeeper welcomes the opportunity to discuss the results of this investigation. We hope that together we can begin to address this widespread non-compliance with the Clean Water Act's stormwater pollution prevention provisions.

Sincerely,



Rachel Silverstein, Ph.D.
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Attachment A
Miami Waterkeeper
Stormwater Inspection Report (excerpts)
Inspection Date: 11/7/17

Site address: 5171 E. 10th Ct., Hialeah, FL 33013

Field observations: No access. Vehicle access restricted by locked gate and pedestrian access is only through an office. No Photos Taken. The site consists of a building and bare-ground storage area for vehicles. No stormwater outfalls were observed adjacent to the site. The site sits slightly above grade and any runoff would run offsite, likely to the north, east, and west. General surface runoff direction appears to be north. Potential for stormwater/contaminates to migrate offsite exists.

Site address: 4895 E. 10th Ct., Hialeah, FL 33013

Field Observations: No access. Vehicle access restricted by locked gate and pedestrian access is only through an office. No Photos Taken. The site consists of a building and bare-ground storage area for vehicles. Two stormwater outfalls were observed adjacent to the site one near the northwest of the site adjacent to the building, and one to the north of the site adjacent to the vehicle storage area. The site sits slightly above grade and any runoff would run offsite, likely to the north and west. General surface runoff direction appears to be north. Potential for stormwater/contaminates to migrate offsite exists. Potential for stormwater/contaminates to enter stormwater outfalls and enter the receiving water body exists.

Site address: 3737 NW South River Drive, Miami, FL 33142

Field Observations: No access. Vehicle access restricted by locked gate and pedestrian access is only through an office. Photos were only able to be obtained through one gate. All scrap, parts, and vehicle storage are on bare ground (no pavement/gravel). Piles of scrap and numerous vehicles are located directly adjacent to the Miami River on the north side of the site. A sparse row of Australian pines is located between these storage areas and the river. No physical barrier was observed between the trees/storage area and the river. The site is above grade. Surface water flow direction appears to be north to northeast. Potential for debris and/or contaminants to enter the river from the storage area exists. One stormwater outfall was observed adjacent to the south of the site. Potential for stormwater/contaminates to enter the stormwater outfall and enter the receiving water body exists.

(pictures taken next to site)



Site address: 437 NW S. River Dr., Miami, FL 33128

Field observations: No access. Vehicle access restricted by locked gate and pedestrian access is only through an office. No Photos Taken. Website still shows pictures of people conducting boat maintenance including pressure washing outdoors, without cover.

(from Norseman Shipbuilding website)

