

**RESOLUTION No. 16-75**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A WORK ORDER FOR R.J. BEHAR & COMPANY, INC., A PREQUALIFIED VENDOR, FOR ENVIRONMENTAL COMPLIANCE AUDITING OF ODOR CONTROL PROGRAMS AT THE LANDFIELD FACILITIES IN AN AMOUNT NOT TO EXCEED \$28,700.00; AUTHORIZING THE CITY MANAGER TO EXECUTE THE WORK ORDER AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Doral (the "City") contracted an environmental engineering consultant in 2013 to identify the potential source of odor and provided recommendations that we have brought to the attention of the respective administrations and, although we have experienced some improvements, we consider that additional work can be done; and

**WHEREAS**, the Mayor and City Council continue to be concerned with odor in the community, especially considering the encroachment of previously-approved development into areas closer to odor-emanating facilities; and

**WHEREAS**, R.J. Behar & Company, Inc., is a pre-qualified engineering consultant that was selected in accordance with Consultant Competitive Negotiation Act requirements and approved by the City Council in December 2014; and

**WHEREAS**, Staff has recommended that the City Council approve the Work Order to R.J. Behar & Company, Inc., based on the proposal submitted, a copy of which is attached hereto as Exhibit "A", for the provision of environmental compliance auditing services of the waste-to-energy facility and the landfill, identified as potential odor emitters, in an amount not to exceed \$28,700.00.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

**Section 2. Approval.** The Work Order for R.J. Behar & Company, Inc., for Environmental Compliance Auditing services; in an amount not to exceed \$28,700.00, a copy which proposal is attached hereto as Exhibit "A", is hereby approved. The City Manager is authorized to execute the Work Order and expend budgeted funds on behalf of the City.

**Section 3. Implementation.** The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution.

**Section 4. Effective Date.** This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Councilmember Ruiz who moved its adoption. The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Yes
Councilman Pete Cabrera	Absent/Excused
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Sandra Ruiz	Yes


PASSED AND ADOPTED this 13 day of April, 2016.

  
\_\_\_\_\_  
LUIGI BORIA, MAYOR

ATTEST:

  
\_\_\_\_\_  
CONNIE DIAZ, CMC  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE SOLE USE  
OF THE CITY OF DORAL

  
\_\_\_\_\_  
WEISS, SEROTA, HELFMAN, COLE, & BIERMAN, PL  
CITY ATTORNEY

# EXHIBIT “A”



September 22, 2015

Mr. Jose Olivo, PE  
Chief of Engineering  
City of Doral Public Works  
8401 NW 53<sup>rd</sup> Terrace  
Doral, FL 33166

**Re: Proposal for Environmental Compliance Auditing  
Medley Landfill – 9350 NW 89<sup>th</sup> Street – Medley, Florida 33178  
Covanta Dade Renewable Energy (WTE Plant) 6990 NW 97<sup>th</sup> Ave Doral, Florida 33178**

Dear Mr. Olivo:

Following is our proposal to audit the existing environmental compliance status of the Medley Landfill and Covanta Dade Renewable Energy (WTE Plant) located in Medley, Florida and Doral, Florida respectively. This proposal was prepared at the request of the City of Doral (City). We will utilize the services of Langan Engineering and Environmental Services, Inc. (Langan) as our environmental subconsultant for this task.

## **I. PROJECT DESCRIPTION:**

Our understanding regarding the scope of the project is to complete an environmental compliance audit of operations at the both the Medley Landfill and the Covanta Dade Renewable Energy Plant with the goal of identifying areas of environmental non-compliance, corrective actions needed, and any specific issues that may be contributing to odor sources. We understand that Medley Landfill is a 170-acre regional landfill owned and operated by Waste Management of Florida, Inc. and that the landfill accepts approximately 3,000 tons of waste per day and that the Covanta Data Renewable Energy (WTE Plant) operates a waste-to-energy facility and processes approximately 3,000 tons of municipal solid waste and 1,200 tons of biomass (compost and wood waste) per day. As outlined herein, this proposal provides our approach and scope of services to complete the project, and our proposed level of effort and costs.

## **II. SCOPE OF WORK:**

### **Task 1 – Information Gathering and File Review**

#### *Documentation Request and Review*

Documents and information relevant to the facility audits will be requested from the Medley Landfill and the Covanta Dade Renewable Energy Plant for review. We will prepare a list of documents required for review during the onsite audit and send the list via email prior to the site inspection in Task 2. In general these documents will include any and all available permits, licenses and certifications, contingency plans, compliance reports, waste logs, and equipment specifications and operations logs related to the environmental regulatory programs listed below under Task 2. If the facility has the documents available in electronic format and they can be provided prior to the site inspections this will greatly improve the efficiency and comprehensiveness of the inspection. If not available prior to the site inspection, they will be reviewed during the site inspection.

#### *Database Review*

A database search of the Miami Dade County, Florida Department of Environmental Protection (FDEP) and United States Department of Environmental Protection (USEPA) websites will be performed for the

facility. This search will identify any existing permits or outstanding violations at the facilities that can be incorporated into our audit report. Please note that this task does not include a complete regulatory agency file review. If an agency file review is requested, our team will amend this scope and estimated costs accordingly. We make no guarantee that the databases maintained by the FDEP or USEPA are current, complete or accurate. We will conduct a review of the following, county, state and federal databases to identify any Information related to compliance status.

Miami Dade County Department of Regulatory and Economic Resources: Includes a review of the emPOWER database for records of notices of violation, inspection reports, compliance actions, nuisance odor complaints, etc.

FDEP Oculus Online Database: Includes records and documents from the Division of Waste Management (DWM), Division of Water Resource Management (DWRM) and Division of Air Resource Management (DARM).

#### Air Databases

**Air Compliance and Enforcement Search (ACES):** provides both summary and detailed information about facilities' compliance and enforcement status and history in relation to federal and state air pollution regulations. The ACES is designed to be simple yet provide sufficient detail to meet a user's needs. The primary intent behind the ACES is to provide the public with a portal not only to learn about the regulatory oversight DEP provides, but also to retrieve the compliance records of facilities in their community.

**Air Permit Document Search:** offers electronic access to Prevention of Significant Deterioration (PSD) Air Quality Permits and Title V permit related documents.

**AOR Submittals Search:** provides facilities with the ability to search for past and current submissions and offers confirmation and receipt for submissions.

**Florida AOR Data Search (FADS):** provides an easy access to annual air pollutant emissions data through the Annual Operating Report (AOR) Data Search application.

**Florida's Air Quality System (FLAQS):** provides a host of mapping and reporting applications available to show ozone and particle pollution levels recorded by the state's ambient air monitoring network.

1. USEPA Envirofacts: A multisystem query integrates information from a variety of databases and includes latitude and longitude information. Each of these databases contains information about facilities that are required to report activity to a state or federal system. Using this database, information about hazardous waste (including the Biennial Report), toxic and air releases, Superfund sites, and water discharge permits can be retrieved.

## **Task 2 – Site Visit**

Each facility involves a number of activities, areas and processes regulated by federal and state environmental regulations. In particular, we understand that the facilities have air permits, NPDES permits, waste permits, oil storage areas, and hazardous waste storage areas. The scope of our audit will include evaluating the facility for compliance with the following federal regulatory requirements with an emphasis on odor generation activities:

- The Clean Air Act (CAA),
  - Title V Permit Review
  - NSPS Subpart WWW Compliance
  - NESHAPS Subpart AAAA Compliance
- Toxics Substance Control Act (TCSA),
- Emergency Planning and Community Right-to-Know Act (EPCRA)

The audit will also include evaluating compliance with local and state versions of these regulations when they are more stringent than the federal regulations.

The team will perform an on-site visit and inspection of the facilities with representatives of each facility to document current conditions and activities with respect to environmental regulations. Specifically, we will inspect all areas of the facility where regulated activities occur with a particular emphasis on odor generation activities. During the audit, we will gain an understanding of the site operations in order to identify compliance issues with current, applicable regulations. The visit will include, but is not limited to waste material and product storage areas, material transfer areas, processes involving air or wastewater discharges, points of hazardous waste generation, oil storage areas, hazardous and universal waste storage areas, maintenance areas, exterior areas including storage and stormwater outfalls, and office areas. The site inspection will include the following steps:

- Introductory meeting
- Overview site tour
- Interviews with facility personnel with knowledge of the regulated activities
- Detailed examination of regulated activities
- Exit interview

We assume that access to the areas described above will be available, and both a Medley Landfill and Covanta Dade Renewable Energy representative with knowledge of regulated activities will be available. The site inspection will be completed by a project scientist and a senior project manager. For the purposes of efficiency and based upon our experience with similar projects, we propose that two people will conduct a two-day site inspection of each facility.

### **Task 3 – Audit Report(s)**

Upon completion of the site inspection, our team will review the documentation collected before and during the audit, review the findings and prepare a report summarizing the results of the audit with recommendations for necessary corrective actions, as appropriate. A separate audit report will be prepared for each facility. The report(s) will provide a discussion of the following items:

- Objectives and scope of the facility audit;
- Discussion of the facility’s applicability and compliance obligations within the regulatory programs included in the scope of the audit;
- Summary of the facility’s compliance status and corrective actions needed; and
- Areas and items of concern.

The report will include an evaluation of the overall environmental compliance of the facility within the programs included in the audit scope, including the adequacy of pollution control and operations and maintenance practices.

Recommended corrective actions will also be presented in tabular form with appropriate information, including issues of concern, regulatory program and citation(s), recommended corrective actions, and recommendations to prevent reoccurrence. All documents reviewed as part of the audit will be referenced in the report. The draft report will be delivered to the City for review and comment within 30 days of receipt of all audit data and any additional information requested during or after the audit. We will prepare the final audit report within two weeks of receiving their comments. Please note that the thoroughness of the audit will be directly based on the information provided through the documentation review and the on-site visit.

#### **Task 4 – Recommendations on Odor Control Options based on the Compliance Audit**

We understands that City of Doral is looking to provide a traditional environmental compliance audit at both of the facilities but also provide recommendations on findings that may be contributing to the odor issues as documented in the Odor Monitoring Evaluation Report dated 7 February 2014 that are occurring within the Doral city limits. Due to this specific concern, we will add a separate section to the audit report that will focus on audit findings that may be directly related to the odor issues and provide recommendations and/or best management practices to address these issues. Areas of focus may include the landfill gas collection and control system; wellfield monitoring; perimeter monitoring; start-up, shut-down and malfunction records; flare operations; waste storage; and collection efficiency data.

#### **EXCLUSIONS**

The following exclusions apply to the audit described herein:

- Auditor will review and rely upon, but not necessarily verify current information provided in reports, permits, licenses, etc.
- Visual observations will be made during the audit. No detailed testing of equipment will be performed during the audit.
- Auditor will not perform calculations to confirm actual field conditions.
- Auditor will not physically verify the working condition of equipment such as pumps, oil/water separators, alarms or shut-off valves. Auditor will rely on employee interviews and facility records for this information.
- This audit only applies to the two facilities identified within this proposal.
- Medley Landfill and Covanta Dade Renewable Energy activities will be reviewed against environmental regulations administered by Miami Dade County, the USEPA and/or FDEP. Determinations of compliance with OSHA, DOT, fire codes, or other similar requirements are not included in the scope of this audit.
- This regulatory compliance audit does not address human health and safety concerns from mold or asbestos.
- The level of effort necessary for follow-up activities including corrective actions are not possible to estimate at this time, and therefore are not included in this proposal.

#### **COST ESTIMATE AND SCHEDULE**

The total not-to-exceed cost to complete Tasks 1 through 4 as outlined above is \$30,000.00. All costs will be charged on a time and materials basis in accordance with the attached Schedule of Fees and Conditions. This includes all fees and expenses, including travel, mileage and reimbursable expenses. No costs will be billed beyond the total estimated cost without prior approval from City of Doral.



We appreciate the opportunity to serve the City of Doral and pledge our commitment to client satisfaction thru responsive and professional service. If you have any questions please do not hesitate to contact me at (954) 680-7771.

Sincerely,

**R.J. BEHAR & COMPANY, INC.**

A handwritten signature in blue ink, appearing to read 'Javier Rodriguez', with a large, stylized flourish at the end.

Javier Rodriguez, PE  
Director, Civil Engineering