


Memorandum



Date: May 9, 2023

To: Honorable Juan Carlos "JC" Bermudez
Commissioner, District 12

Through: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Response to Resources Recovery Facility Memo Dated April 25, 2023

This memorandum is in response to your April 25, 2023, memorandum requesting information relating to Miami-Dade County's Resources Recovery Facility ("RRF"), located at 6990 NW 97 Avenue, Doral, FL. 33178. On February 12, 2023, the RRF caught fire, causing the waste-to-energy facility to cease operation. The Miami-Dade Fire Rescue Fire Investigation Report is attached. The report concludes that the fire's cause was accidental.

The fire at the RRF brings special attention to the issue of solid waste management in the County. As such, my administration is looking at the spectrum of solid waste disposal options, including zero waste strategies. In the near future, we will be bringing recommendations and options for the Board of County Commissioners, as well as a report in response to your motion on March 7, 2023, as we work together to formulate sensible short- and long-term plans for managing the County's waste.

In response to your question regarding whether there has been notice of litigation filed by any party as it pertains to the fire at the RRF, there is a federal lawsuit, to which the County is not a party — Brashevitzky et alia v. Covanta Holding Corporation, Covanta Dade Renewable, LLC et alia (Case No. 23-20861-Civ-Altonaga). The First Amended Class Action Complaint was filed March 10, 2023. Plaintiffs seek damages for: (i) negligence; (ii) trespass to real property; (iii) trespass to personal property; (iv) private nuisance; (v) public nuisance; (vi) statutory nuisance; (vii) injunctive and equitable relief; (viii) medical monitoring; and (ix) a reservation of right to amend to include a claim for punitive damages.

You further asked whether Covanta has laid off any employees to date, and if so, how many and has Covanta provided the County with notification of these layoffs. On April 14, Covanta provided the County with a Notice of Layoffs, which is attached. We understand that 64 employees have been laid off.

We will continue to keep the Board apprised of the status of the RRF and look forward to working together to find solutions to County's most challenging issues.

c: Geri Bonzon-Keenan, County Attorney
Gerald Sanchez, First Assistant County Attorney
Jess McCarty, Executive Assistant County Attorney
Office of the Mayor Senior Staff
Michael J. Fernandez, Director, Department of Solid Waste Management
Jennifer Moon, Chief, Office of Policy, and Budgetary Affairs
Yinka Majekodunmi, Commission Auditor
Basia Pruna, Director, Clerk of the Board
Eugene Love, Agenda Coordinator



INCIDENT NARRATIVE

INVESTIGATOR: Capt. Gerard Forrester

3036643
ALARM#

6990 NW 97 AVE
ADDRESS

02/12/2023
DATE

1 Based upon my thorough and scientific fire scene examination, including careful fire pattern analysis, and the
2 information provided by the witnesses and CCTV, I conclude that the fire's origin was inside the G gallery on or
3 adjacent to the tail area of the G 1 Conveyor. No exact ignition source was determined in the area of origin. The
4 most probable cause is either a mechanical or electrical event on or adjacent to the tail of the G 1 conveyor.
5 Therefore, I conclude that the fire's cause is classified as "Accidental."

6 The Incident Commander requested an origin and cause investigation for a fire involving a multiple-story Miami-
7 Dade County Resources Recovery Facility located at 6990 NW 97 AVE, Miami-Dade, FL. This incident involved many
8 fire suppression units and took several weeks to extinguish. An initial survey of the possible area origin was only
9 possible the following day, February 13, 2023, by Investigator 9 Lt. Windsor. On February 14, 2023, VOC Captain
10 Forrester assumed the investigation and requested the assistance of ATF Special Agent Carlos Perez, Jason Wilson,
11 and the Miami-Dade Police Department Arson Squad. Also, a request was made through Special Agent Perez for
12 technical support from Electrical/Fire Research Engineer Benjamin L. Rouleau and Electrical Engineer Juan. C.
13 Rosado. The ATF engineers collected all technical data, and Miami-Dade Police Arson Squad conducted the
14 interviews with all the facility employees.

15 The fire scene study was conducted utilizing recognized and accepted procedures and practices for fire
16 investigations as outlined in the National Fire Protection Association (NFPA) 921, Guide for Fire and Explosion
17 Investigations, 2021 edition. The study progressed with an examination of the exterior and interior of the structure.
18 Heat levels and smoke damage throughout the structure were compared, and fire movement and intensity patterns
19 throughout the structure were analyzed. Digital imagery, diagrams, and notes were used as necessary to document
20 observations. Evidence of fire initiation and development, heat transfer indicators, ventilation effects, relevant
21 physical evidence, and the statements of witnesses were utilized to establish the area of fire origin.

22 The Resource Recovery Plant and Facilities has been operating and providing the disposal needs for Miami-Dade
23 County since 1982. It has been operated and maintained by Covanta since February 2010. The Department of Solid
24 Waste Management works with the contracted RRF operator, Covanta, to manage the processing of over one
25 million waste tons under the terms of an Operations and Management agreement. The facility takes non-hazardous
26 waste and combusts it to generate steam to produce electricity.

27 A review of the Miami-Dade Fire Rescue 911 call information Report indicates the alarm time of 14:18 PM.
28 responding units arrived at 14:25 PM. Research of historical weather data reveals weather conditions at the

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29 approximate time of the fire included a temperature of 74 degrees Fahrenheit (° F), a dew point of 57° F, and an
30 average humidity of 55 percent. Winds were reported at 13 miles per hour (mph) from the west with wind gusts of
31 24 (mph). No precipitation was recorded, and no electrical storms were in the area for the day of or the day prior to
32 the fire.

33 The study began on the G galley's south (front) elevation and continued in a clockwise direction, noting the fire-
34 related damage. All elevations have evidence of smoke that was vented from the structure. The lightweight exterior
35 metal wall displayed thermal heat damage to the south and west side. Most of the lightweight material roof has
36 been consumed or into the structure.

37 The interior portion of the study began at the south-facing front-entrance door to the G gallery. It continued
38 systematically, working from the areas with the least fire damage to the area with the most significant fire damage.
39 The structure's interior displays varying degrees of smoke, heat, and fire damage. The machinery and contents in
40 the gallery sustained extensive fire damage. A survey of the conveyor's heads G1, G2, P1, and P2, the tail area of the
41 conveyors P1 and P2, catwalks, underneath void spaces, and the large circular air ducts revealed no evidence of fire
42 origination and eliminated as the area of fire origin.

43 Hot gas layer lines of demarcation in the G gallery, P1, P2 conveyer belt, and G1, G2 conveyer belt, and the
44 intensity of fire damage present indicate the fire originated on or adjacent to the tail of the G1 Conveyor belt.
45 Movement and intensity patterns are progressively greater moving toward this area. Fire progression analysis and
46 loss of mass indicate the fire originated on or adjacent to the G1 Conveyor belt tail, traveled upward and progressed
47 through the ceiling, vented through the roof, and extended to the other area of the plant.

48 An analysis was made of the available fuel packages and potential ignition sources in the G gallery. Fuel packages
49 were identified, but not limited to the waste "fuel," conveyor belts, and other miscellaneous discarded material.
50 Competent ignition sources were identified as the transfer panel underneath the G gallery, lights, a wall-mounted
51 electrical panel, associated branch circuit wiring, and running conveyor belt rollers. A systematic assessment was
52 conducted of each of these potential ignition sources. All competent ignition sources, with the exception of the
53 rollers and the branch wiring, reveal no damages consistent with fire origination, thus eliminating them as the cause
54 of the fire. A partially fire-damaged red plastic fuel container was found beneath the "G" Conveyor void space
55 beside the large circular air ducts.

56 Pictures were taken, copies of the CCTV were, and 11 items were collected, with seven items sent to the ATF
57 Forensic Science Laboratory for testing of the presence of an ignitable liquid. All items 1 through 7 were analyzed for
58 the existence of ignitable liquids with negative results. The four non-tested items were sent to the MDPD Property
59 Room. On February 22, 2023, a second red plastic fuel was found on an elevated catwalk in the north fuel storage
60 area. This fuel container was on the catwalk floor underneath an oil reservoir. The container was filled with oil that

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61 was consistent with the oil of the reservoir. The container and the oil within the container were collected. These two
62 items were 2 out of 4 items that were turned into to MDPD Property Room.

63 The CCTV video from G1/G2 camera or "F Watch G1_2," as displayed, showed the first indications of a fire in the
64 center of the "G" gallery towards the south at 2:09 PM. Video from the "P1/P2 from the S. Crane" camera or "P1
65 Conveyor," as displayed, eliminated a fire starting east of the "G" Gallery in the Fuel Storage. It also eliminated the
66 possibility that a burning item traveled from somewhere else into the "G" gallery.

67 The ATF Engineers obtained the alarm history from the Citect SCADA system on February 16, 2023. This data
68 showed the monitored status of processes by the control system. Per ATF Engineers, the log entries related to the
69 "G" Gallery showed an "OFF "alarm at 1:33 PM. This data was confirmed with the G1/ G2 CCTV video. Per
70 statements received by ATF from Eric Collins, the Powerhouse control room operator, he was unaware of G1 and P1
71 shutting down before the fire.

72 On February 17, 2023, representatives from WSE Fire and Security Systems, the fire alarm system inspection and
73 maintenance contractor, assisted the fire investigators on-site with obtaining data on the facility panels. The ATF
74 Engineers formulated an Investigative Timeline with the date from the collection of the available data from the
75 CCTV video system, Citect SCADA, and Fire Alarm System.

76

| 77 | Time | Event | Source |
|----|------------|--|--------------------------------------|
| 78 | • 11:11 AM | Fire Alarm trouble from the Powerhouse | Monitoring Company |
| 79 | • 01:33 PM | P1 and G1 Conveyors stop | Citect |
| 80 | • 02:09 PM | Flickering near G1 | "G" Gallery Video |
| 81 | • 02:10 PM | Visible fire behind columns | "G" Gallery Video |
| 82 | • 02:11 PM | Flickering From G Gallery | Video |
| 83 | • 02:11 PM | G1 linear heat lower detector activate | Fire alarm history approx. time |
| 84 | • 02:12 PM | Collins reports hearing a fire alarm | Approx. Time Ref. from ATF Interview |
| 85 | • 02:14 PM | P2 conveyor stop | Citect |
| 86 | • 02:15 PM | G2 and other conveyors stop | Citect |
| 87 | • 02:16 PM | Fire reported to 911 | Fire Dept. run sheet |
| 88 | • 02:20 PM | P2 Linear heat lower detector activate | Fire alarm history approx. time |

89 Please see the ATF report for this fire's detailed alarm-logged event history.

90 On February 22, 2023, Daniel Jimenez walked into the Doral Police station stating he knew who started the
91 recycling plant fire—Doral Police Department report 2023-A-00053. Miami-Dade Department Arson Squad

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92 interviewed Mr. Jimenez and ruled out his statements. Please see the MDPD Arson report for the interview
93 statements. Doral Police CCTV, video, and Investigation report were obtained.

94 On February 27, 2023, as requested by the Deputy Fire Marshall Alain Iglesias, a site survey of the plant's fire
95 protection system was completed with MDFR Lieutenant Fire Inspector Troy Maness. The Fire Protection system
96 was documented by pictures noting multiple maintenance inspection tags noted throughout the system. Milton
97 Wood Fire Protection issued these tags on December 15, 2022, and on December 22, 2022, by JW Fire Sprinkler,
98 INC.

99 After an assessment of the fire patterns observed and the sum of the evidence presented, it was determined that
100 the fire originated on or adjacent to the west side of the G1 conveyor belt. The most likely cause would have been a
101 mechanical or electrical event at or next to the G1 head area of the conveyor belt. While, the exact cause of the fire
102 was not determined due to the extensive fire damage to this area and the inability to perform a more extensive
103 deconstructive examination of the conveyor belt. The possibility of this fire is the result of an intentional act was
104 considered but ruled out by the CCTV footage of the area of origin and the tested item's negative ignitable liquids
105 laboratory results. Other possible ignition sequence theories, alternative hypotheses, and fire spread scenarios have
106 been considered and evaluated. Therefore, the determination of the fire cause will be classified as "accidental".

107 This conclusion is based on the fire patterns observed, fire dynamics, combustibles in the area of the fire origin,
108 competent ignition sources in the area of origin, the witness statements obtained by MDPD, and observations of
109 CCTV and electronic data obtained.

110 This report is based on presently known and available facts, data, and information. To the extent that additional
111 or different facts, data, or information develops or is discovered after the issuance of this report, MDFR reserves the
112 right to amend, alter, or change the report as needed to reflect consideration.

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Covanta Energy, LLC
445 South Street
Morristown, NJ 07960
Tel: 862.345.5000
Fax: 862.345.5130

April 14, 2023

Attn: Steven Gustafson
State Trade and Rapid Response Coordinator
REACT Program
MSC 229
107 E. Madison Street
Tallahassee, FL 32399-4137

Attn: Daniella Levine Cava
Mayor of Miami-Dade County
Stephen P. Clark Center
111 N.W. 1st Street, 29th Floor
Miami, FL 33128
Email: mayor@miamidade.gov

Re: Notice of layoffs – WARN Notice

We regret to inform you due to the fire that occurred on February 12, 2023, Covanta will be forced to conduct layoffs at the Dade Resources Facility. Over the last 6 weeks, we have continued to keep all employees actively employed assisting with the Site clean-up, pending the outcome of the Site's future. At this time, we do know the workforce requirements at the Site will be greatly reduced. As a result of this, we have encouraged employees to seek opportunities at other Covanta facilities and we have partnered with the County, and other nearby Companies to assist with employment opportunities. Unfortunately, we are now in a position that will require us to move to layoffs beginning on April 14, 2023, and continue through April 28, 2023.

As required by the Worker Adjustment and Retraining Notification Act of 1988, this letter serves to give you advance notice of the layoffs.

The layoffs will affect employees at the following site: Dade Resources Facility, Covanta Dade Renewable Energy, LLC. 6990 NW 97th Avenue, Doral, FL 33178.

We expect the layoff to be permanent in nature. The following departments will be affected by such layoff: Operations (hourly), Maintenance (hourly), and Support (salaried administration).

If you have additional questions, please contact Holly Weston, VP, Human Resources, South Region at hweston@covanta.com.

Sincerely,

A handwritten signature in cursive script that reads "Holly Weston".

Holly Weston
Vice President, Human Resources
Covanta – South Region

Attachment

Attachment
Impacted Positions/Employee Count

| Position | Number Impacted Employees: |
|-----------------------------------|-----------------------------------|
| Lead Utility | 1 |
| Assistant Control Operator | 4 |
| Auxiliary Operator | 7 |
| Boiler Operator | 1 |
| Cherry Picker | 1 |
| Control Room Operators | 10 |
| Crane Operator | 6 |
| Electrician/E&I | 4 |
| Lead Utility | 1 |
| Loader Operator | 6 |
| Maintenance Mechanic | 6 |
| Plant Operator | 1 |
| Scale Attendant | 1 |
| Security Guard | 1 |
| Traffic Control Director | 1 |
| Water Systems Operator | 2 |
| Manager, Maintenance | 1 |
| Planner/Scheduler | 2 |
| Manager, Safety | 1 |
| Safety Coordinator | 1 |
| Supv.Mechanical | 1 |
| Supv. Operations | 1 |
| Supv. Shift Supv. | 4 |