



# Florida Department of Environmental Protection

Northwest District  
160 Governmental Center  
Pensacola, Florida 32502-5794

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

May 30, 2007

**CERTIFIED, RETURN  
RECEIPT REQUESTED**

**NON-COMPLIANCE  
LETTER**

Ted Gerald  
Regional Manager  
Ring Power Corporation  
32000 Blue Star Highway  
Midway, Florida 32343

Dear Mr. Gerald:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A field inspection by Department of Environmental Protection personnel on April 18, 2007 of Ring Power Corporation located at 32000 Blue Star Highway, Gadsden County, Florida, indicates that violations of the Resource Conservation and Recovery Act (RCRA) and Chapters 376 and 403, Florida Statutes and Rules may exist at the above-described facility. These possible violations are described in the "Summary of Alleged Violations" section of the enclosed Inspection Report. (All Title 40 Code of Federal Regulations provisions have been adopted by reference in Florida Administrative Code, Chapter 62-730).

The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of the above-described statutes or rules may involve potential liability for civil penalties and should be ceased. Operation of a facility in violation of state statutes or rule may result in liability for damages and restoration as set forth in Section 403.727, Florida Statutes.

Please be advised that this letter is part of an agency investigation preliminary to agency action within the meaning of Section 120.57(5), F.S. We request that you review the alleged violations noted in the enclosed inspection report and respond in writing within 14 days of receipt of this Non-compliance Letter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. Your written response should either describe what you have

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done to comply with the "Recommendations" section of the report, or provide evidence to support a claim that the alleged violations did not occur.

It is the Department's intention to allow you to document compliance or corrective actions. Your failure to respond promptly in writing may result in the initiation of formal enforcement proceedings. Follow-up inspections may be conducted to determine compliance with other Department rules and regulations.

We look forward to your cooperation in completing the investigation and resolution of this matter. If you have any other questions, please contact Nicole McDonald at telephone (850) 595-8360, extension 1252 or by email at [Nicole.McDonald@dep.state.fl.us](mailto:Nicole.McDonald@dep.state.fl.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. Kennedy". The signature is fluid and cursive, with the first name "Michael" and last name "Kennedy" clearly distinguishable.

Michael S. Kennedy, P.G.  
Program Administrator  
Waste Management Program

MSK:nmr

Encl: Hazardous Waste Inspection Report

cc: Rudy Carlson, Ring Power Corporation  
Dave Brimblecombe, [Dave.Brimblecombe@RingPower.com](mailto:Dave.Brimblecombe@RingPower.com)