

## Pedigo, Leslie

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**From:** cris januaryservices.com <cris@januaryservices.com>  
**Sent:** Wednesday, July 17, 2019 9:14 AM  
**To:** Pedigo, Leslie  
**Cc:** loren januaryservices.com; Kennedy, Shannon; SWD\_CRA  
**Subject:** Re: January Environmental Services Inc OGC File No 19-1271  
**Attachments:** consent 7-15-19.pdf

signed and attached

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**From:** Pedigo, Leslie <Leslie.Pedigo@FloridaDEP.gov>  
**Sent:** Tuesday, July 16, 2019 2:21 PM  
**To:** cris januaryservices.com  
**Cc:** loren januaryservices.com; Kennedy, Shannon; SWD\_CRA  
**Subject:** RE: January Environmental Services Inc OGC File No 19-1271

Cris,

There is nothing attached to your email. Please resend.

Thanks so much!



Leslie Pedigo  
Environmental Consultant  
Compliance Assurance Program  
Florida Department of Environmental  
Protection  
Southwest District  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926  
(813) 470-5870

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**From:** cris januaryservices.com <cris@januaryservices.com>  
**Sent:** Tuesday, July 16, 2019 2:54 PM  
**To:** Pedigo, Leslie <Leslie.Pedigo@FloridaDEP.gov>; loren januaryservices.com <loren@januaryservices.com>  
**Cc:** Kennedy, Shannon <Shannon.Kennedy@FloridaDEP.gov>; SWD\_CRA <SWD\_CRA@dep.state.fl.us>  
**Subject:** Re: January Environmental Services Inc OGC File No 19-1271

signed and attached

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**From:** Pedigo, Leslie <[Leslie.Pedigo@FloridaDEP.gov](mailto:Leslie.Pedigo@FloridaDEP.gov)>  
**Sent:** Tuesday, July 16, 2019 12:37 PM  
**To:** cris januaryservices.com; loren januaryservices.com  
**Cc:** Kennedy, Shannon; SWD\_CRA  
**Subject:** FW: January Environmental Services Inc OGC File No 19-1271

Cris and Loren,

Today the Department received your check in the amount of \$1,500.00 for Consent Order #19-1271. The copy of the Consent Order received with the check was not signed. Please return the signed Consent order to me as soon as possible. For your convenience, a copy of the Consent Order is attached (please see the second attachment).

Please let me know if you have any questions or concerns.

Sincerely,



Leslie Pedigo  
Environmental Consultant  
Compliance Assurance Program  
Florida Department of Environmental  
Protection  
Southwest District  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926  
(813) 470-5870

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**From:** Simmons, Jennifer L.  
**Sent:** Tuesday, July 16, 2019 10:16 AM  
**To:** Pedigo, Leslie <[Leslie.Pedigo@FloridaDEP.gov](mailto:Leslie.Pedigo@FloridaDEP.gov)>  
**Subject:** January Environmental Services Inc OGC File No 19-1271

Good morning Leslie,

I received the attached check from January Environmental Services for payment of penalties. Would you like me to send you this check or forward it to OGC here in Tallahassee?

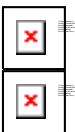
Thank you,  
Jennifer Simmons



Jennifer L. Simmons  
Permitting & Compliance Assistance Program  
Division of Waste Management  
2600 Blair Stone Road, MS4550  
Tallahassee, FL 32399-2400  
[Jennifer.L.Simmons@dep.state.fl.us](mailto:Jennifer.L.Simmons@dep.state.fl.us)  
850.245.8706



Please consider the environment before printing this email.





# FLORIDA DEPARTMENT OF Environmental Protection

Southwest District Office  
13051 North Telecom Parkway #101  
Temple Terrace, Florida 33637-0926

Ron DeSantis  
Governor

Jeanette Nuñez  
Lt. Governor

Noah Valenstein  
Secretary

July 2, 2019

January Environmental Services, Inc.  
Mr. Cris January, Owner  
1920 State Road 60 West  
Bartow, FL 33830  
[Cris@januaryservices.com](mailto:Cris@januaryservices.com)

SUBJECT: Department of Environmental Protection v. January Environmental Services, Inc.,  
OGC File No.: 19-1271  
HW Facility ID #FLD982162943  
Polk County

Mr. January:

The State of Florida Department of Environmental Protection ("Department") finds that January Environmental Services, Inc. ("Respondent") managed used oil in violation of the rules cited in the attached inspection report. Before sending this letter, the Department requested that the Respondent undertake certain actions to resolve the violations. These actions have since been completed. However, due to the nature of the violations, the Respondent remains subject to civil penalties. The Respondent is also responsible for costs incurred by the Department during the investigation of this matter.

### **The Department's Offer**

Based on the violations described above, the Department is seeking \$1,250.00 in civil penalties and \$250.00 for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of \$1,500.00. The civil penalties are apportioned as follows: \$625.00 for violation of Rule 62-710.500(1), 62-710.500(2), & 62-710.850(3), F.A.C.; \$625.00 for violation of Rule 62-710.510(5), F.A.C.

### **Respondent's Acceptance**

If you wish to accept this offer and fully resolve the enforcement matter pending against the Respondent, please sign this letter and return it to the Department at the Southwest District, 13051 N. Telecom Parkway, Suite 101, Temple Terrace, FL 33637 by **July 12, 2019**. The Department will then countersign it and file it with a designated clerk of the Department. Once the document is filed with the designated clerk, it will constitute a final order of the Department pursuant to Section 120.52(7), F.S. and will be effective unless a request for an administrative hearing is filed by a third party in accordance with Chapter 120, F.S. and the attached Notice of Rights.

By accepting this offer you, **Cris January, President of January Environmental Services, Inc.**:

- (1) certify that you are authorized and empowered to negotiate, enter into, and accept the terms of this offer in the name and on behalf of Respondent;
- (2) acknowledge and waive Respondents' right to an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., on the terms of this offer, once final;
- (3) acknowledge and waive Respondent's right to an appeal pursuant to Section 120.68, F.S.

The Department acknowledges that the Respondent's acceptance of this offer does not constitute an admission of liability for the violations referenced above.

### **Respondent's Performance**

After signing and returning this document to the Department,

- (1) Respondent must pay \$1,500.00 in full by **July 31, 2019**.
- (2) Respondent shall make all payments required by this Order by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the assigned "OGC number 19-1271" and the notation "Water Quality Assurance Trust Fund." Online payments by e-check can be made by going to the DEP Business Portal at:  
<http://www.fldepportal.com/go/pay/>  
It will take a number of days after this order is final and effective filed with the Clerk of the Department before ability to make online payment is available.

The Department may enforce the terms of this document, once final, and seek to collect monies owed pursuant to Sections 120.69 and 403.121, F.S.

Until clerked by the Department, this letter is only a settlement offer and not a final agency action. Consequently, neither the Respondent nor any other party may request an administrative hearing to contest this letter pursuant to Chapter 120, F.S. Once this letter is clerked and becomes a final order of the Department, as explained above, the attached Notice of Rights will apply to parties, other than the Respondent, whose interests will be substantially affected.

Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department. Please be aware that if the Respondent declines to respond to the Department's offer, the Department will assume that the Respondent is not interested in resolving the matter and will proceed accordingly.



DEP v. January Environmental Services, Inc.  
Proposed Consent Order, OGC File No.: 19-1271

If you have any questions, please contact Leslie Pedigo at (813) 470-5870 or at  
[Leslie.Pedigo@FloridaDEP.gov](mailto:Leslie.Pedigo@FloridaDEP.gov).

Sincerely,



Mary E. Yeargan, P.G.  
District Director  
Southwest District

Draft copy furnished to:

Loren January Dorwart, January Environmental Services, Inc.;  
[Loren@januaryservices.com](mailto:Loren@januaryservices.com)

Remainder of Page Intentionally Left Blank

FOR THE RESPONDENT:

I, Cris January [Type or Print Name], **HEREBY ACCEPT**  
**THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: [Signature]  
[Signature]

Date: 7/16/19

Title: Pres  
[Type or Print]

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**FOR DEPARTMENT USE ONLY**

DONE AND ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2019, in Hillsborough  
County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

\_\_\_\_\_  
Mary E. Yeargan, P.G.  
District Director  
Southwest District

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk,  
receipt of which is hereby acknowledged.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

Attachments:      Notice of Rights  
                         Penalty Assessment Worksheet  
                         3/8/2019 Inspection Report

Final clerked copy furnished to:

Loren January Dorwart, January Environmental Services, Inc.;

[Loren@januaryservices.com](mailto:Loren@januaryservices.com)

Lea Crandall, Agency Clerk; [Lea.Crandall@FloridaDEP.gov](mailto:Lea.Crandall@FloridaDEP.gov)