



# Florida Department of Environmental Protection

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary - Designee

January 12, 2007

Mr. Allen Paquette  
A. R. Paquette and Co., Inc.  
1400 East International Speedway Boulevard  
Deland, FL 32724

OCD-HW-C/E-07-006

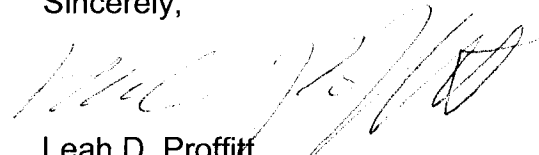
Volusia County - HW  
Settlement for A. R. Paquette  
OGC File No. 06-2612

Dear Mr. Paquette:

Enclosed is the signed and entered Consent Order to resolve the above-referenced case. This copy is for your records.

Your cooperation in resolving this case is appreciated.

Sincerely,



Leah D. Proffitt  
Environmental Specialist

Enclosure: Consent Order



# Department of Environmental Protection

Jeb Bush  
Governor

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Colleen Castille  
Secretary

CERTIFIED MAIL

7006 0810 0000 0865 9394

OCD-HW-C/E-06-0301

Mr. Allen Paquette, Owner  
A. R. Paquette and Co., Inc.  
1400 East International Speedway Boulevard  
Deland, FL 32724

**RE: PROPOSED SETTLEMENT BY SHORT FORM CONSENT ORDER  
A. R. PAQUETTE  
VOLUSIA COUNTY- HW FLD982105884  
OGC FILE NO. 06-2612**

Dear Mr. Paquette:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated August 31, 2006, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, you are assessed civil penalties in the amount of \$610.00, along with \$100.00 in Department costs, for a total of \$710.00.

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. This payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, 3319 Maguire Boulevard, Orlando, FL 32803, within 15 days of your signing this letter.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes.

**RECEIVED**  
**JAN 10 2007**  
**Central Dist. - DEP**

If you do not sign and return this letter to the Department at the District address within 15 days of receipt, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

If you have any questions about this proposed settlement, please contact Ms. Leah Proffitt at 407-893-3323 or by e-mail at [leah.proffitt@floridadep.net](mailto:leah.proffitt@floridadep.net).

Sincerely,



Vivian F. Garfein  
Director, Central District

Date: December 21, 2006

**FOR THE RESPONDENTS:**

I, Allen R. Paquette on behalf of A.R. Paquette & Co., Inc., **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: 

Date: 01-02-07

.....  
**FOR DEPARTMENT USE ONLY**


DONE AND ENTERED this 11th day of January, 2007.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
Director, Central District

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

 1/11/2007  
Clerk Date

Copies furnished to: Michael Redig, Tallahassee, RCRA, [michael.redig@floridadep.net](mailto:michael.redig@floridadep.net)  
Larry Morgan, OGC, [larry.morgan@floridadep.net](mailto:larry.morgan@floridadep.net)  
Alan Annicella, EPA Region IV, [annicella.alan@epa.gov](mailto:annicella.alan@epa.gov)