

## Thursby, Kim

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**From:** Epost HWRS  
**Sent:** Monday, November 19, 2007 8:52 AM  
**To:** chris@rickysoil.com  
**Cc:** Kantor, Karen E.; Winston, Kathy; Posner, Augusta; Wick, Fred; Neves, Richard; Raoul.Clarke@dep.state.fl.us; Redig, Michael; johnmjonespe@sbcglobal.net; Bahr, Tim; Prusty, Rabin; Kothur, Bheem  
**Subject:** Rickys Oil Service, Inc.;FLD 981 019 755;61835-HO-001  
**Attachments:** 11-19-07-Rickys letter.pdf

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Regulation Section is forwarding the attached document to you by electronic correspondence "e-correspondence" in lieu of a hard copy through the normal postal service.

We ask that you verify receipt of this document by sending a "reply" message to [epost\\_hwrs@dep.state.fl.us](mailto:epost_hwrs@dep.state.fl.us). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

The attached document is in "pdf" format and will require Adobe Reader 6 or higher to open properly. You may download a free copy of this software at [www.adobe.com/products/acrobat/readstep2.html](http://www.adobe.com/products/acrobat/readstep2.html).

Please note that our documents are sent virus free. However, if you use Norton Anti-virus software, a warning may appear when attempting to open the document. Please disregard this warning.

Your cooperation in helping us affect this process by replying as requested is greatly appreciated. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Tim Bahr  
Environmental Administrator  
Hazardous Waste Regulation  
Department of Environmental Protection  
E-Mail Address: [epost\\_hwrs@dep.state.fl.us](mailto:epost_hwrs@dep.state.fl.us)

**Tracking:**

<b>Recipient</b>	<b>Delivery</b>	<b>Read</b>
chris@rickysoil.com		
Kantor, Karen E.	Delivered: 11/19/2007 8:52 AM	
Winston, Kathy	Delivered: 11/19/2007 8:52 AM	
Posner, Augusta	Delivered: 11/19/2007 8:52 AM	
Wick, Fred	Delivered: 11/19/2007 8:52 AM	
Neves, Richard	Delivered: 11/19/2007 8:52 AM	
Raoul.Clarke@dep.state.fl.us		
Redig, Michael	Delivered: 11/19/2007 8:52 AM	
johnmjonespe@sbcglobal.net		
Bahr, Tim	Delivered: 11/19/2007 8:52 AM	
Prusty, Rabin	Delivered: 11/19/2007 8:52 AM	
Kothur, Bheem	Delivered: 11/19/2007 8:52 AM	
Patel, Ashwin		Read: 11/19/2007 8:52 AM
Clarke, Raoul	Delivered: 11/19/2007 8:52 AM	
Baker, Bryan		Read: 11/19/2007 8:54 AM

**Thursby, Kim**

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**From:** Chris Ricci [chris@rickysoil.com]  
**Sent:** Monday, November 19, 2007 11:22 AM  
**To:** Epost HWRS  
**Subject:** Reciept

We received your e-mail. Thanks!



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

November 19, 2007

SENT VIA EMAIL

[chris@rickysoil.com](mailto:chris@rickysoil.com)

Mr. Chris Ricky, President  
Rickys Oil Service, Inc.  
Post Office Box 669295  
Miami, Florida 33166-9430

RE: Rickys Oil Service, Inc.  
EPA ID Number: FLD 981 019 755  
Permit Number: 61835-HO-001  
Renewal Permit Application

Dear Mr. Ricky:

Your used oil processor permit for the referenced facility will expire on November 25, 2007. Renewal permit applications must be submitted at least 60 days prior to expiration. After the deadline for renewal passed, the Department reminded you through phone calls and a letter to submit the renewal application as soon as possible. To date you have not complied.

The following are two options to continue operating or to obtain a new operating permit for this facility:

1. On or before November 26, 2007, submit the application to renew your used oil processor permit with a fee of \$2,000.00 and to renew the solid waste management section of the permit with a fee of \$1000.00. The Department will review the application, and if the application is not complete and technically adequate, the Department will evaluate penalties for failure to submit a sufficient renewal application in a timely manner. The facility can continue to be operated while the permit application is processed; or
2. The facility must shut down the used oil and solid waste processing operations effective November 25, 2007, and apply for a new permit to operate the facility. The Department will evaluate penalties for failure to submit a notification of

Mr. Chris Ricky  
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closure and an updated closure plan in a timely manner. Under this option, the facility cannot be operated as a used oil and solid waste processor until the new permit is issued.

This letter is final agency action, and you have the administrative and appellate rights outlined in the enclosed Notice of Rights.

If you have any questions or would like to arrange a meeting, please contact Rabin Prusty at (850) 245-8780, e-mail: [rabin.prusty@dep.state.fl.us](mailto:rabin.prusty@dep.state.fl.us) or Bheem Kothur at (850) 245-8781, e-mail: [bheem.kothur@dep.state.fl.us](mailto:bheem.kothur@dep.state.fl.us).

Sincerely,



Tim J. Bahr, Administrator  
Hazardous Waste Regulation

TJB/rp  
Enclosure

cc: Karen Kantor, DEP/West Palm Beach, [karen.e.kantor@dep.state.fl.us](mailto:karen.e.kantor@dep.state.fl.us)  
Kathy Winston, DEP/West Palm Beach, [kathy.winston@dep.state.fl.us](mailto:kathy.winston@dep.state.fl.us)  
Augusta Posner, DEP/Tallahassee, [augusta.posner@dep.state.fl.us](mailto:augusta.posner@dep.state.fl.us)  
Fred Wick, DEP/Tallahassee, [fred.wick@dep.state.fl.us](mailto:fred.wick@dep.state.fl.us)  
Richard Neves, DEP/Tallahassee, [richard.neves@dep.state.fl.us](mailto:richard.neves@dep.state.fl.us)  
Raoul Clarke, DEP/Tallahassee, [raoul.clarke@dep.state.fl.us](mailto:raoul.clarke@dep.state.fl.us)  
Michael Redig, DEP/Tallahassee, [michael.redig@dep.state.fl.us](mailto:michael.redig@dep.state.fl.us)  
John Jones, Miramar, [johnmjonespe@sbcglobal.net](mailto:johnmjonespe@sbcglobal.net)

### **NOTICE OF RIGHTS**

1. A person whose substantial interests are determined by this agency action and who disputes any issue of material fact raised by the determination has the right to a formal administrative proceeding (hearing) pursuant to Sections 120.569 and 120.57(1), Florida Statutes (F.S.) At a formal hearing, the substantially affected person will have the opportunity to be represented by counsel, to present evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing office's recommended order.
2. A person whose substantial interests are determined by this agency action and who does not dispute any issue of material fact has the right to an informal administrative proceeding pursuant to Sections 120.569 and 120.57(2), F.S. If an informal proceeding is held, the substantially affected person will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Department's determination, or to present a written statement challenging the grounds upon which the Department is justifying its action.
3. A formal or an informal proceeding is commenced by filing a written "Petition for Administrative Proceeding" within 21 days of receipt of this determination. The petition must be in the form required by Rule 28-106.201(2) Florida Administrative Code (F.A.C.) A petition is "filed" when it is received by the Department of Environmental Protection, Agency Clerk, Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000.
4. The right to a formal or an informal proceeding will be waived if a petition is not filed with the Department within 21 days of the date the substantially affected person receives notice of this agency action These time limits may be varied only by written order of the Department in response to a motion that complies with the requirements of Rule 28-106.111(3), F.A.C.
5. Mediation is not available in the context of this determination.
6. A party who is adversely affected by this determination when it becomes final is entitled to judicial review pursuant to Section 120.68, F.S. Review proceedings are governed by the Florida Rules of Appellate Procedure and are commenced by filing one copy of a Notice of Appeal with the Agency Clerk, Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, and a second copy, accompanied by filing fees prescribed by law, with the First District Court of Appeal or with the District Court of Appeal in the Appellate District where the party resides. The Notice of Appeal must be filed within 30 days of the date the determination becomes Final. The action becomes

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Final on the letterhead date, unless a timely Petition for formal hearing or informal proceeding is filed as outlined in this notice.