



Florida Department of Environmental Protection

Southeast District Office
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401-2913

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

CERTIFIED MAIL 7006 2766 0005 5726 7583
RETURN RECEIPT REQUESTED
MAY 21 2008

Mr. Chris Ricci, President
Ricky's Oil Service, Inc.
2017 NW 182nd Avenue
Pembroke Pines, Florida 33029

Miami-Dade County
HW- Ricky's Oil Service, Inc.

Ricky's Oil Service, Inc.
P.O. Box 669295
Miami, FL 32166-9430

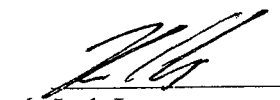
RE: Settlement of Department of Environmental Protection vs Ricky's Oil Service, Inc.
OGC Case No. 08-0256

Dear Mr. Ricci and Ricky's Oil Service:

Enclosed for your implementation is a copy of the fully executed and filed Consent Order in the above styled case. Please familiarize yourself with the compliance dates and terms of the Consent Order so the complete and timely performance of those obligations are accomplished.

Thank you for your cooperation in this matter. If you have any questions concerning this matter please contact Ms. Karen Kantor at 561/681-6670.

Sincerely,


to Jack Long
District Director
Southeast District

05/19/08
Date


JL/JWL/KK/kk

cc: Lea Crandall, OGC, DEP Tallahassee (MS #35)
Michael Redig via OCULUS
Roberto Abrahante, DERM via OCULUS



Florida Department of Environmental Protection

Charlie Crist
Governor

RECEIVED
Jeff Kottkamp
Lt. Governor

Southeast District Office
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401-2913

MAY 14 2008
DEPT of ENV PROTECTION
WEST PALM BEACH
Michael W. Sole
Secretary

APR 28 2008

DHL 27036024956

Mr. Chris Ricci, President
Ricky's Oil Service, Inc
2017 NW 182nd Ave.
Pembroke Pines, FL 33029

Miami-Dade County
HW- Ricky's Oil Service, Inc.

Ricky's Oil Service, inc.
P.O. Box 669295
Miami, FL 32166-9430

RE: Proposed Settlement by Short Form Consent Order in case of DEP vs. Ricky's Oil Service, Inc. OGC Number: 08-0256

Dear Mr. Ricci and Ricky's Oil Service:


The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Notice of Violation dated March 19, 2008, a copy of which is attached. Corrective actions required to bring your facility into compliance have been performed. In order to resolve the matter identified in the Warning Letter, you are assessed civil penalties in the amount of \$2,150.00 along with \$500.00 to reimburse the Department costs, for a total of \$2,650.00. The civil penalty originally calculated in this case consists of one violation of 2,000.00 or more.

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, 400 N. Congress Ave., Suite 200, West Palm Beach, Florida 33401 within 30 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 Section 120.69 and 403.121, Florida Statutes.

If you do not sign and return this letter to the Department at the Southeast District office within 20 days of receiving it, the Department will assume that you are not interested in settling this matter on the above-described terms and will proceed accordingly. This letter determines none of your rights or substantial interests unless you sign it and it is filed with the Department Clerk.

Sincerely,



Jack Long
District Director
Southeast District

4/20/08
Date



JL/JL/KK/kw

(This Space Intentionally Left Blank)

I ACCEPT THE TERMS OF THIS SETTLEMENT OFFER IDENTIFIED ABOVE.

Ricky's Oil Service, Inc.

For the Department:


Mr. Chris Ricci Date
Owner/Operator


Jack Long Date
District Director
Southeast District

Entered into this 21st day of May, 2008 in West Palm Beach,
Florida.

FILING AND ACKNOWLEDGMENT

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


Clerk

MAY 21 2008
Date

Attachments: Notice of Violation dated March 19, 2008

cc: DEP Files, West Palm Beach/Archboard
Michael Redig via Oculus
Lea Crandall, OGC MS # 35
Roberto Abrahante, DERM

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above. It must be filed (received) within 21 days of receipt of this notice, in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.