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PAM -  
PLEASE Follow UP  
THANKS,  
GARY

August 17, 2011

Dep't of Environmental  
Protection  
Admitted to practice in Florida and  
The District of Columbia

AUG 19 2011  
Southwest District

Ms Pamala Vazquez  
Program Administrator  
Florida Dept. of Environmental Protection  
Southwest District  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926

COPY

**In Re: Settlement Offer**  
**OGC Case No. 11-0878**  
**January Env. Services, Inc.**  
**Polk County**

Dear Ms Vazquez:

This is in response to your letter to me of August 8, 2011, received via Email on August 9, 2011, proposing to settle the above-captioned case.

My understanding from your letter and the accompanying revised penalty computation worksheet is that you are offering to reduce the total penalties in this case from \$40,000.00 to \$20,099.00 and that you are willing to further reduce the penalty by another \$10,000.00 contingent upon Mr. Cris January successfully acquiring a used oil processor permit and providing financial assurance within 120 days of execution of a consent order.

Ms Pamala Vazquez  
August 17, 2011  
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It is my further understanding from the documents mentioned above that you are willing to resolve this matter through the entry of a Long Form Consent Order and the payment by Mr. January of \$10,099.00 in penalties and \$300.00 in Florida Department of Environmental Protection ("FDEP") costs.

Mr. January is willing to accept your offer based upon the following conditions:

1. That he and I approve the Long Form Consent Order.
2. That the terms and conditions of this offer will not be nullified by the failure of FDEP-Tallahassee to timely process Mr. January's used oil processor permit application. In other words, Mr. January is eager to timely submit his permit application but has no control over processing delays in Tallahassee.
3. That Mr. January and I be advised as soon as possible of the means by which you wish him to provide financial assurance.

Both Mr. January and I are very appreciative of the professional and very timely manner in which you have been handling this case. You rang me to inform me that you received my response to your draft Consent Order, you considered our arguments thoughtfully and you acted quickly and decisively. The standard you set is considerably above the norm and you are to be highly commended.

Sincerely  
  
Fred McCormack

cc: The Hon. Rick Scott  
The Hon. Charles S. Dean, Sr.  
The Hon. Trudi K. Williams  
Herschel T. Vinyard, Jr.  
Jeff Littlejohn  
Gary Colecchio  
C. January