



Ron H. Noble
Direct Dial: 813-222-1175
rnoble@fowlerwhite.com

July 12, 2010

Jeff Close, Esquire
Senior Assistant General Counsel
Office of General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Re: Florida Department of Environmental Protection vs.
On Time Environmental Services, Inc.
Case No.: 08CA012426

Dear Jeff:

Thank you for your correspondence dated June 14, 2010, which provided the Department's concurrence on the additional information to be provided by On Time Environmental Services, Inc. to support the Department's conclusion that no fraudulent transfers were made in the sale of the assets of On Time Environmental Services, Inc. ("On Time") to a third party. Below please find the additional information requested by the Department as set forth in my correspondence to you dated June 9, 2010:

1. Description of the assets and property that were transferred by On Time:

All of the assets and property of On Time were sold and transferred, and there was no partial or conditional sale of the assets or property in connection with this transaction. The Asset Purchase Agreement contains two pages of definitions which identify in detail all of the categories of assets that are included as "Purchased Assets". Please let me know if the Department wants detailed descriptions from the Agreement (i.e., machinery equipment, parts, furniture, office equipment, etc.)

2. The name of the Buyer that purchased the assets of On Time:

The assets of On Time were purchased by Synergy Recycling of Central Florida, LLC.

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501 EAST KENNEDY BLVD., SUITE 1700 • TAMPA, FLORIDA 33602 • P.O. BOX 1438 • TAMPA, FL 33601
TELEPHONE (813) 228-7411 • FAX (813) 229-8313 • www.fowlerwhite.com

3. **A disclosure of any business relationships or affiliations between On Time and Synergy Recycling of Central Florida, LLC:**

The only business relationship between Synergy Recycling of Central Florida, LLC and On Time was the arms-length purchase and sale of used oil prior to the sales transaction. These transactions were with a different affiliated entity of Synergy Recycling of Central Florida, LLC. There were no business affiliations either before or after the sale of assets to Synergy Recycling of Central Florida, LLC.

4. **The total amount of consideration that was paid to On Time by Synergy Recycling of Central Florida, LLC.**

\$800,000.00

5. **How the purchase proceeds paid to On Time were distributed.**

The purchase proceeds were distributed to the shareholders of On Time after the Closing occurred.

6. **The specific dates applicable to the transaction and distributions referenced above.**

The Closing for the sale of assets to Synergy Recycling of Central Florida, LLC occurred on October 22, 2007. The majority of the purchase proceeds were paid to On Time's shareholders on October 29, 2007. The remaining proceeds were distributed on December 11, 2007.

We trust the information set forth above will allow the Department to finally conclude that On Time has no remaining assets and no fraudulent transfers occurred in connection with the sale of assets to Synergy Recycling of Central Florida, LLC. After you have an opportunity review these issues with Department staff, please contact me at your earliest convenience to discuss a proposed course of action. In the interim, please do not hesitate to contact me should you have any questions regarding the above matters or if you require any additional information.

Sincerely yours,

FOWLER WHITE BOGGS P.A.



Ron H. Noble

cc: On Time Environmental Services, Inc.

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