



Florida Department of Environmental Protection

South District
Post Office Box 2549
Fort Myers, Florida 33902-2549
SouthDistrict@dep.state.fl.us

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

July 20, 2018

VIA ELECTRONIC MAIL

Joe S Snedegar, Authorized Member
Debra Snedegar, Authorized Member
Speedy Oil Environmental, LLC
5680 Pangola Road
Fort Myers, Florida 33905
E-mail: speedyoil2@outlook.com
advantageroll@yahoo.com

SUBJECT: Department of Environmental Protection v. Speedy Oil Environmental, LLC, OGC File No.: 18-1117
6940C Mission Lane, Fort Myers, FL
EPA ID# FLR000226332

Mr. and Mrs. Snedegar:

The State of Florida Department of Environmental Protection ("Department") finds that Speedy Oil Environmental, LLC ("Respondent") has operated a used oil transfer facility and used oil/used oil filter transporter in violation of the rules and statutes cited in the attached warning letter and inspection report. Before sending this letter, the Department requested that the Respondent undertake certain actions to resolve the violation(s). These actions have since been completed. However, due to the nature of the violation(s), the Respondent remains subject to civil penalties. The Respondent is also responsible for costs incurred by the Department during the investigation of this matter.

The Department's Offer

Based on the violations described above, the Department is seeking \$4,400.00 in civil penalties and \$600.00 for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of \$5,000.00. The civil penalties are apportioned as follows: \$1,000 for violation of Rule 62-710.600, F.A.C.; \$2,400 for violation of 40 C.F.R. 279.45(e)(2); \$1,000 for violation of 40 C.F.R. 279.44(a).

Respondent's Acceptance

If you wish to accept this offer and fully resolve the enforcement matter pending against the Respondent, please sign this letter and return it to the Department at P.O. Box 2549, Fort Myers, Florida 33902-2549 by August 7, 2018. The Department will then countersign it and file it with a designated clerk of the Department. Once the document is filed with the designated clerk, it will constitute a final order of the Department pursuant to Section 120.52(7), F.S. and will be effective unless a request for an administrative hearing is filed by a third party in accordance with Chapter 120, F.S. and the attached Notice of Rights.

By accepting this offer you, Joe S Snedegar and Debra Snedegar:

- (1) certify that you are authorized and empowered to negotiate, enter into, and accept the terms of this offer in the name and on behalf of Respondent;
- (2) acknowledge and waive Respondent's right to an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., on the terms of this offer, once final;
- (3) acknowledge and waive Respondent's right to an appeal pursuant to Section 120.68, F.S.; and
- (4) acknowledge that payment of the above amount does not constitute a waiver of the Department's right, if any, to recover emergency response related costs and expenses for this matter.

The Department acknowledges that the Respondent's acceptance of this offer does not constitute an admission of liability for the violation(s) referenced above.

Respondent's Performance

After signing and returning this document to the Department,

- (1) Respondent must pay \$ 5,000.00 in two equal installments of \$2,500.00. The first payment is due by September 10, 2018 and your final payment is due no later than March 10, 2019. Failure to timely make any installment payment will enable the Department, at its discretion, to accelerate the remaining balance to become immediately due.
- (2) Respondent shall make all payments required by this Order by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number assigned to this Order and the notation "Water Quality Assurance Trust Fund." Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>

It will take a number of days after this order is final and effective filed with the Clerk of the Department before ability to make online payment is available.

The Department may enforce the terms of this document, once final, and seek to collect monies owed pursuant to Sections 120.69 and 403.121, F.S.

Until clerked by the Department, this letter is only a settlement offer and not a final agency action. Consequently, neither the Respondent nor any other party may request an administrative hearing to contest this letter pursuant to Chapter 120, F.S. Once this letter is clerked and becomes a final order of the Department, as explained above, the attached Notice of Rights will apply to parties, other than the Respondent, whose interests will be substantially affected.

Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department.

Please be aware that if the Respondent declines to respond to the Department's offer, the Department will assume that the Respondent is not interested in resolving the matter and will proceed accordingly.

If you have any questions, please contact Karen Bayly at 239-344-5616 or at Karen.Bayly@dep.state.fl.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Iglehart", with a horizontal line extending to the right.

Jon M. Iglehart
District Director
Florida Department of Environmental
Protection
South District

FOR THE RESPONDENT:

I, Joe S. Snedegar, **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By:

[Signature]

Date:

7-7-2018

Title:

Joe Snedegar
[Type or Print]

FOR THE RESPONDENT:

I, Debra Snedegar, **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By:

[Signature]

Date:

8-7-2018

Title:

Debra Snedegar
[Type or Print]

RECEIVED

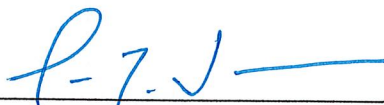
AUG 07 2018

D.E.P. South District

FOR DEPARTMENT USE ONLY

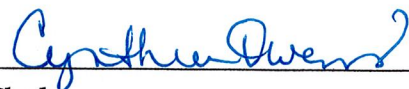
DONE AND ORDERED this 8th day of August, 2018, in Lee County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jon M. Iglehart
District Director
South District

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


Clerk

August 8, 2018
Date

Attachments: Notice of Rights
 Warning Letter
 Inspection Report

Final clerked copy furnished to:

Lea Crandall, Agency Clerk (lea.crandall@dep.state.fl.us)

NOTICE OF RIGHTS

Persons who are not parties to this Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Order means that the Department's final action may be different from the position it has taken in the Order.

The petition for administrative hearing must contain all of the following information:

- a) The OGC Number assigned to this Order;
- b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
- c) An explanation of how the petitioner's substantial interests will be affected by the Order;
- d) A statement of when and how the petitioner received notice of the Order;
- e) Either a statement of all material facts disputed by the petitioner or a statement that the petitioner does not dispute any material facts;
- f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Order;
- g) A statement of the rules or statutes the petitioner contends require reversal or modification of the Order; and
- h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Order.

The petition 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 at the address indicated above. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under Sections 120.569 and 120.57, Florida Statutes. Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.