



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

April 4, 2023

Dylan Ramawad, Owner
Dylan's Tire and Auto
5600 Washington St.
Hollywood, FL 33023
dylanramawad@aol.com

Re: Department of Environmental Protection vs Dylan's Tire and Auto
Facility EPA ID # FLR000256313
OGC Case # 22-2736

Dear Mr. Ramawad:

Enclosed is the executed Consent Order to resolve the above referenced case. This copy is for your records. Please be mindful of all required deadlines within the Order to ensure compliance.

Your cooperation in this matter is appreciated. Should you have any questions or comments, please contact Johanna Polycart at 561-681-6624 or via e-mail at Johanna.Polycart@floridadep.gov

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Andreotta".

for
Jason Andreotta
Director, Southeast District
Florida Department of Environmental Protection

Enclosure: Executed Short Form Consent Order

cc: Lea Crandall, OGC



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

April 4, 2023

Dylan Ramawad, Owner
Dylan's Tire and Auto
5600 Washington St.
Hollywood, FL 33023
dylanramawad@aol.com

SUBJECT: Department of Environmental Protection v. Dylan's Tire and Auto
OGC File No.: 22-2736
EPA ID: FLR000256313
Broward County

Dear Mr. Ramawad:

This Consent Order ("Order") is entered into between the State of Florida Department of Environmental Protection ("Department") and Dylan's Tire and Auto ("Respondent") to reach settlement of certain matters at issue between the Department and Respondent.

The State of Florida Department of Environmental Protection ("Department") finds that Respondent was in violation of the following at the time of the inspection: failure to close, label, and provide secondary containment for containers of used oil, failure to clean up and properly manage released used oil, failure to prevent discharges of used oil into soil, failure to prevent the co-mingling of used oil filters with solid waste destined for landfills, and failure to properly label containers of used oil filters pursuant to Title 40 Code of Federal Regulations Part 279, Chapter 403, Florida Statutes (F.S.), and Rule 62-710, Florida Administrative Code ("F.A.C.").

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 **\$ 6,000.00** in civil penalties and **\$ 500.00** for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of **\$ 6,500.00**. The civil penalty in this matter includes five violation(s) of **\$1,000.00** or more. In lieu of paying \$2,000 of this total, the Department will accept timely

completion of the Department's Online Environmental School and reduce the penalty total to **\$4,000.00**.

Respondent's Acceptance

If you wish to accept this offer and fully resolve this pending enforcement matter, please sign this letter and return it to the Department at FDEP Southeast District Office, 3301 Gun Club Road, MSC7210-1, West Palm Beach, FL, 33406 or via email at Johanna.Polycart@floridadep.gov **within twenty (20) calendar days of the mailing date of this Order**. 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, Mr. Ramawad:

- (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) If Respondent elects to complete Environmental School in order to reduce the penalty total to **\$ 4,000.00**, the online course must be completed with a passing score of 80 or above on the Environmental School exam by you Mr. Ramawad, within 30 calendar days of the Department's course activation date.
- (2) Within 60 days of the effective date of this Order, Respondent shall make payment of **\$4,000.00** required by this Order with completion of the online course.
- (3) Notwithstanding the election to complete Environmental School, payment of the **\$500.00** in costs must be paid within 30 calendar days of the effective date of the Consent Order.

- (4) If Respondent elects to complete Environmental School, Respondent must pay **\$4,000.00** in twelve monthly installments by the below established due dates:

Payment Due Date	Payment Amount
May 2, 2023	\$333.33
June 2, 2023	\$333.33
July 2, 2023	\$333.33
August 2, 2023	\$333.33
September 2, 2023	\$333.33
October 2, 2023	\$333.33
November 2, 2023	\$333.33
December 2, 2023	\$333.33
January 2, 2024	\$333.33
February 2, 2024	\$333.33
March 2, 2024	\$333.33
April 2, 2024	\$333.37

Failure to timely make an installment payment will enable the Department, at its discretion, to accelerate the remaining balance to become immediately due.

- (5) If the online course is not completed as noted in Paragraph (1) or if Respondent declines to complete Environmental School, Respondent shall make payment of the full civil penalty, which is **\$6,000.00**. Respondent must pay **\$6,000** in twelve monthly installments by the below established due dates:

Payment Due Date	Payment Amount
May 2, 2023	\$500
June 2, 2023	\$500
July 2, 2023	\$500
August 2, 2023	\$500
September 2, 2023	\$500
October 2, 2023	\$500
November 2, 2023	\$500
December 2, 2023	\$500
January 2, 2024	\$500
February 2, 2024	\$500
March 2, 2024	\$500
April 2, 2024	\$500

Failure to timely make an installment payment will enable the Department, at its discretion, to accelerate the remaining balance to become immediately due.

(6) 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, effective, and 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 you 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 you, 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 you decline to respond to the Department's offer, the Department will assume that you are not interested in resolving the matter and will proceed accordingly.

If you have any questions, please contact Johanna Polycart at 561-681-6624 or at Johanna.Polycart@floridadep.gov

Sincerely,



Jason Andreotta, Director
Southeast District Office

FOR THE RESPONDENT:

I, Click or tap here to enter text. [Dylan Ramawad], **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: Dylan Ajay Ramawad
Date: 03-25-2023
[Signature]
Title: 
Owner

FOR DEPARTMENT USE ONLY

DONE AND ORDERED this 4th day of April 2023, in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jason Andreotta
Director
Southeast District Office

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

Caitlin Hawley

Clerk

Attachments: Notice of Rights

April 4, 2023

Date

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 or received via electronic correspondence at Agency_Clerk@floridadep.gov, 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.