Florida Department Of Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

January 28, 2022

Aspire Global Holdings
c/o Charles Igwe
7901 4 Street, North Suite 300
St. Petersburg, FL 33702
Tritech10000@gmail.com

Aspire Global Holdings
30 N. Gould Street, Suite 8214
Sheridan, Wyoming 82801

RE: Executed Consent Order
OGC File Number 21-1225
1421 Crystal Sands Drive, Jacksonville, FL 32218

Dear Mr. Igwe:

Enclosed is a copy of the executed Consent Order to resolve Case Number 21-1225.

The effective date of this Order is January 28, 2022, and all time frames will be referenced from this date.

As a reminder, a Consent Order is a binding legal document and was voluntarily entered into by both parties.

Should you have any questions concerning the Consent Order, please contact Matthew Kershner, at (904) 256-1678, or via e-mail at Jessica.R.Sherman@FloridaDEP.gov. Your continued cooperation in the matter is appreciated.

Sincerely,

James R. Maher, PE
Assistant Director

Enclosure: Executed Consent Order

ec: FDEP-OGC: Lea Crandall, Agency Clerk
FDEP-NED: Arlene Wilkinson, DEP_NED

FLORIDA DEPARTMENT OF Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

December 15, 2021

Aspire Global Holdings
c/o Charles Igwe
7901 4 Street, North, Suite 300
St. Petersburg, FL 33702
tritech10000@gmail.com

Aspire Global Holdings
30 N. Gould Street, Suite 8214
Sheridan, Wyoming 82801

SUBJECT: **Department of Environmental Protection v. Aspire Global Holdings**
OGC File No. 21-1225
ERP Site ID No. 390781
Parcel No. 106155-0010

Dear Mr. Igwe:

The State of Florida Department of Environmental Protection ("Department") finds that Aspire Global Holdings ("Respondents") conducted an unauthorized dredge and fill of jurisdictional wetlands without a permit, in violation of Rule 6-330.200(2)(a), Florida Administrative Code, ("Fla. Admin. Code.") and Chapters 403 and 373, Florida Statutes ("Fla. Stat."). Before sending this letter, the Department requested that you undertake certain actions to resolve the violation. These actions have since been completed. However, due to the nature of the violation, you remain 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 $ 4,500.00 in civil penalties and $1,000.00 for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of $ 5,500.00. The civil penalties are apportioned as follows: $4,500.00 for violation of 65-330.200(2)(a), Fla. Admin. Code.

Respondents' 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 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida, 32256, within 15 days of receipt 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), Fla. Stat., and will be effective unless a request for an administrative hearing is filed by a third party in accordance with Chapter 120, Fla. Stat., and the attached Notice of Rights.

By accepting this offer you:

(1) acknowledge and waive your right to an administrative hearing pursuant to Sections 120.569 and 120.57, Fla. Stat., on the terms of this offer;

(2) acknowledge and waive your right to an appeal pursuant to Section 120.68, Fla. Stat.;

(3) 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 your acceptance of this offer does not constitute an admission of liability for the violation referenced above.

Respondents' Performance

After signing and returning this document to the Department,

(1) The Respondents elect must pay the $5,500.00 required above in within 30 days of the date of execution of this Order.

(2) Respondents 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, Fla. Stat.

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, Fla. Stat. 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 Respondents 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 Jessica Sherman, at (904) 256-1678, or via email at Jessica.R.Sherman@FloridaDEP.gov.

Sincerely,

James R. Maher

James R. Maher, P.E.
Assistant Director

FOR THE RESPONDENT:

I, Charles Igwe [Charles Igwe], **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: _____ Date: Jan 21, 2022

Charles Igwe Signature for Aspire Global Holdings

FOR DEPARTMENT USE ONLY

DONE AND ORDERED this 28th day of January, 2022, in Duval County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____

Gregory J. Strong
District Director
Northeast District

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

_____ January 28, 2022

Clerk Date

Attachments: Notice of Rights

Copies furnished to:

FDEP-OGC: Lea Crandall, Agency Clerk
FDEP-NED: Matt Harris, Keri Armstrong, Chrissy Sellers, Jessica Sherman, DEP_NED
Adam Hoyles, wetlandguy@onesiteec.com

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.