



Florida Department of Environmental Protection

Southwest District
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926
Telephone: 813-632-7600

Rick Scott
Governor

Herschel T. Vinyard Jr.
Secretary

July 10, 2013

To: Largo Ventures, LLC
c/o Ron H. Noble, rnoble@fowlerwhite.com
Fowler White Boggs, P.A.

RE: Executed Modification to Agreement, OGC Case No. 11-1247
Former Waste Disposal Area, 3301 Whitney Road, Largo
WACS ID No. 94615
Pinellas County

Dear Mr. Noble:

Enclosed please find a copy of the executed Modification to Agreement for the above-referenced case. The effective date of the Modification to Agreement is July 9, 2013.

Please advise your client that the benefits and burdens of the Agreement shall terminate 36 months following the effective date of the Original Agreement, (e.g., August 25, 2011), or by August 25, 2014.

The Department appreciates your cooperation towards resolution of this matter. If you have any questions about this letter, please may contact Stephanie Watson by telephone at (813) 632-7600, extension 411, or by email at stephanie.m.watson@dep.state.fl.us.

Sincerely,

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

Susan J. Pelz, P.E.
Compliance Assurance Program Manager
Southwest District
Enclosure: Executed Modification to Agreement

Enclosure

cc: Mary Yeargan, P.G., District Director, FDEP SWD
Kirk White, FDEP OGC
John Morris, P.G., FDEP SWD
Stephanie Watson, FDEP SWD

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

IN THE OFFICE OF THE
SOUTHWEST DISTRICT

and,

OGC FILE NO.: 11-1247

LARGO VENTURES, LLC

_____/

MODIFICATION TO AGREEMENT FOR FORMER WASTE DISPOSAL AREA
3301 WHITNEY ROAD, PINELLAS COUNTY, FLORIDA

This Modification to Agreement ("Modification") is made and entered into by and between the State of Florida Department of Environmental Protection (the "Department") and Largo Ventures, LLC ("Largo") (Department and Largo collectively "the Parties") to modify certain terms and conditions of an Agreement, OGC File No. 11-1247, previously entered into between the Parties and filed with the Department's clerk on August 25, 2011 ("Original Agreement").

The Parties agree:

1. This Modification shall amend the Original Agreement only to the extent specifically stated herein. All other provisions of the Original Agreement shall remain in full force and effect.

2. Paragraph 13 of the Original Agreement is replaced with the following: The benefits and burdens of the Agreement shall terminate 36 months following its effective date, or in the event that the Property is sold, or title otherwise conveyed to an entity not a party to this Agreement, whichever occurs first. During the 36 month period, the Parties shall be bound by this Agreement unless modified and executed in writing. Each signatory of a Party to this Agreement represents that he or she is fully authorized to enter into the terms and conditions of this Agreement and to legally bind

such Party. At the 36 month termination date, in the event that this Agreement is not extended by mutual consent of the Parties, or the Property has not been sold, conveyed or title otherwise conveyed to an entity who is not a party to this agreement (in which case this Agreement terminates), Largo shall become responsible and liable for all regulatory requirements including, but not limited to, obtaining permits and conducting assessment, corrective and/or remedial actions required pursuant to Chapters 62-701 and 62-780, F.A.C.

NOTICE OF RIGHTS

Persons who are not parties to this Agreement, 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 Agreement means that the Department's final action may be different from the position it has taken in the Agreement.

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

- a) The OGC Number assigned to this Agreement;
- 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 Agreement;

- d) A statement of when and how the petitioner received notice of the Agreement;
- 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 Agreement;
- g) A statement of the rules or statutes the petitioner contends require reversal or modification of the Agreement; 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 Agreement.

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.

FOR LARGO VENTURES, LLC

April 8, 2013
DATE

Jim Jones
SIGNATURE

Jeff Jones
(PRINTED NAME)

TITLE Manager

DONE AND ORDERED this 8th day of July, 2013,
in Temple Terrace, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Mary E. Yeargan
Mary E. Yeargan, P.G.
District Director
Southwest District Office

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

Diane Mussano
Clerk

July 9, 2013
Date

E-copy furnished to: Lea Crandall, Agency Clerk

From: [Pelz, Susan](#)
To: rnoble@fowlerwhite.com;
cc: [Yeargan, Mary](#); [White, Kirk](#); [Morris, John R.](#); [Watson, Stephanie M.](#);
[Almand, Anne](#);
Subject: Executed Modification to Agreement, OGC Case No. 11-1247
Date: Wednesday, July 10, 2013 9:04:02 AM
Attachments: [WACS94615 LargoVentures LLC, CLtr,Mod. Executed OGC11-1247, 2013.pdf](#)

Dear Mr. Noble:

Attached, please find the above subject Document. In an effort to reduce costs and waste, our agency is moving to electronic rather than paper correspondence. This is the only copy that you will receive, unless you request otherwise.

Acrobat Reader 6.0 or greater is required to read this document. It is available for downloading at: <http://www.adobe.com/products/acrobat/readstep.html>.

If you have any questions concerning the contents of the attached Document, please contact Stephanie Watson at stephanie.m.watson@dep.state.fl.us.

Sincerely,

Diane S. Mussano
Secretary Specialist
Compliance/Enforcement Section

Florida Department of Environmental Protection
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926
Phone: (813) 632-7600, Extension 397
diane.mussano@dep.state.fl.us

Please take a few minutes to share your comments on the service you received from the department by clicking on this link. [DEP Customer Survey](#).