



# Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

January 8, 2016

***Via email only***

Mr. Scott Miller, Managing Member  
South Palafox Properties, LLC  
997 South Palafox Street, 2<sup>nd</sup> Floor  
Pensacola, Florida 32502  
[scottmiller@millerco.net](mailto:scottmiller@millerco.net)

Subject: South Palafox Properties, LLC – Amended Permission to Enter Property

Dear Mr. Miller:

I am in receipt of your January 4, 2016 correspondence where you purport to rescind the Amended Site Access Agreement between South Palafox Properties, LLC (“South Palafox”) and the department, executed December 3, 2015 (“Agreement”). In said correspondence, you set forth wild mischaracterizations, wholly irrelevant assertions, and completely unfounded, false allegations as to why the Agreement should be rescinded.

Additionally, while much of said correspondence is virtually incomprehensible, it appears you further allege that the department is responsible for the lack of final closure of the Rolling Hills Facility to date. Nothing could be further from the truth. Once final closure became the department’s responsibility, the department has worked, and continues to work, diligently to perform the activities necessary to achieve final closure of the Facility as expeditiously as possible, despite noncooperation and road blocks by South Palafox at nearly every juncture. The most recent example of South Palafox Properties’ noncooperation and continued roadblocks occurred on Monday, January 4 when South Palafox Properties went so far as to bypass the department’s gate lock in order to prevent access to the property. By denying the department access, you have knowingly delayed the delivery of 4400 cubic yards of cover material that was scheduled for delivery this week. This material and site access were key components in the effort to accomplish final closure, which would also serve to immediately abate the H2S odors coming from the site that are impacting the surrounding community.

Scott Miller

01/08/16

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In short, the department disagrees with all assertions set forth in your correspondence, and will proceed accordingly toward trial holding South Palafox fully responsible for its actions.

Sincerely,

A handwritten signature in cursive script that reads "Emile D. Hamilton".

Emile D. Hamilton  
District Director, Northwest District

cc: Christine Cook  
Megan Seward