

Alabama Liquefied Petroleum Gas Board
Minutes
July 2, 2015

The Alabama Liquefied Petroleum Gas Board held its quarterly board meeting on July 2, 2015 at 10:04 a.m. at Auburn University Montgomery Center for Lifelong Learning, 75 TechnaCenter Drive, Montgomery, AL.

Members Present: Chairman Wayne Caylor, Benny Gay, Scott Lybarger, Bill Montgomery, State Fire Marshal Ed Paulk, Public Safety Designee Sgt. Will Wright, Consumer Advocate Elizabeth Barnett.

Member Absent: Vice-Chairman Bob Reed.

With a quorum present, the Chairman called the meeting to order and Mr. Lybarger gave the invocation.

The Chairman called for a motion to adopt the agenda.

- 1) Mr. Gay moved to adopt the agenda as presented. Seconded by Mr. Montgomery, the ayes were unanimous.

Copies of board meeting packages supplied to board members are retained on file at the Alabama LP-Gas Board office and are available for inspection upon request.

MINUTES OF THE LAST MEETING

The Chairman called for the approval of the minutes of the April 9, 2015 meeting.

- 2) Mr. Lybarger moved to approve the minutes of the April 9, 2015 meeting. Seconded by Mr. Montgomery, the ayes were unanimous.

OLD BUSINESS

Committee Chairman Scott Lybarger stated that the committee had not met this quarter.

NEW BUSINESS

Chairman Caylor appointed Board members Scott Lybarger and Benny Gay to serve on the Research Education Advisory Committee (REAC) for 2015-2016.

PETITIONS FOR ADOPTION OF RULE

The Administrator presented a Petition for Adoption to amend Alabama Administrative Code 530-X-2-.04 *Procedures for Liquefied Petroleum Gas Filling Stations*.

- 3) Mr. Paulk moved to initiate the rule-making process to amend Alabama Administrative Code 530-X-2-.04 *Procedures for Liquefied Petroleum Gas Filling Stations* as petitioned. Seconded by Mr. Montgomery, the ayes were unanimous.

Mr. Gay moved to amend the petition by striking Section (e) (1) but the motion did not receive a second.

The Administrator presented a Petition for Adoption to repeal and replace Alabama Administrative Code 530-X-2-.05 *Reporting Incidents/Vehicle Accidents/Complaints*.

- 4) Mr. Montgomery moved to initiate the rule-making process to repeal and replace Alabama Administrative Code 530-X-2-.05 *Reporting Incidents/Vehicle Accidents/Complaints* as petitioned. Seconded by Mr. Paulk, the ayes were unanimous.

The Administrator presented a Petition for Adoption to repeal Alabama Administrative Code 530-X-2-.17 *Flame Effects Before a Proximate Audience*.

- 5) Mr. Montgomery moved to initiate the rule-making process to repeal Alabama Administrative Code 530-X-2-.17 *Flame Effects Before a Proximate Audience*. Seconded by Mr. Paulk, the ayes were unanimous.

The Class A permit application for Wilcox Propane, LLC, Camden, AL was presented to the Board.

- 6) Mr. Paulk moved to approve the Class A permit application for Wilcox Propane, LLC, Camden, AL. Seconded by Mr. Gay, the ayes were unanimous.

Two Class B Permit applications were presented:

- Breitburn Operating LP, Houston, TX
- Cokinos energy Corporation, Houston, TX

- 7) Mr. Paulk moved to approve the two Class B permit applications. Seconded by Mr. Gay, the ayes were unanimous.

A Class B-1 Permit application for Ferrellgas, Loxley, AL was presented.

- 8) Mr. Montgomery moved to approve the Class B-1 permit application for Ferrellgas, Loxley, AL. Seconded by Mr. Paulk, the ayes were unanimous.

Ten Class C permit applications were presented:

- ACA Plumbing & Services LLC, Opelika, AL
- Emerald Coast RV Center, LLC dba Camping World RV Sales, Anniston, AL
- Emerald Coast RV Center, LLC dba Camping World RV Sales, Calera, AL
- Emerald Coast RV Center, LLC dba Camping World RV Sales, Dothan, AL
- Lackey's RV Service LLC, Cullman, AL
- M & B Plumbing, Columbiana, AL
- Mann Plumbing, Inc., Warrior, AL
- Minton Auto & Truck Center, Oxford, AL
- Mobile RV Repair, Bessemer, AL
- Robbins Electric Heating & Cooling, Opp, AL

- 9) Mr. Paulk moved to approve the ten Class C Permit applications, Seconded by Mr. Montgomery, the ayes were unanimous.

A Class C-2 Permit application for J & M Cylinder Gases, Inc., Decatur, AL was presented.

- 10) Mr. Montgomery moved to approve the Class C-2 Permit application for J & M Cylinder Gases, Inc., Decatur, AL. Seconded by Mr. Lybarger, the ayes were unanimous.

Forty-two Class F permit applications were presented:

- B Williams Supply Inc., Arley, AL
- Bankston Motor Homes, Albertville AL
- Bankston Motor Homes, Huntsville, AL
- BW Johnson Inc., dba Dixie Hardware, Montgomery AL
- Central Alabama Farmers Co-Op, Faunsdale, AL
- Costco Wholesale Corp. dba Costco Wholesale#1192, Mobile, AL
- Curry True Value Hardware, Jasper, AL
- Dan's Hardware & Supply Inc., Phenix City, AL
- Dawe's Hardware LLC, Mobile, AL
- Dekalb Farmers Cooperative, Crossville, AL
- Dekalb Farmers Cooperative, Rainsville, AL
- Dekalb Farmers Cooperative dba Albertville Farmers Co-Op, Albertville, AL
- Fairford Park LLC dba Autumn Lake RV Park, Calvert, AL
- Gardner Hardware, Linden, AL
- Georgia Mountain RV Resort, Guntersville, AL
- Gilberttown Feed Corporation, Butler, AL
- Hick's Service Station, Pine Hill, AL
- Hill's BP, Decatur, AL
- JJ Bait & Tackle, Monroeville, AL
- JKC Properties, Inc., Creola, AL
- Johnston Sales LLC dba Hood RV Center, Decatur, AL
- Lackey's RV Service, Cullman, AL
- Lakeland Grocery, Inc., Northport, AL
- Love's Travel Stop #580, Tuscumbia, AL
- Luverne Cooperative Services, Inc., Luverne, AL
- Marion County Co-Op/Haleyville, Haleyville, AL
- Morgan Farmers Cooperative, Hartselle, AL
- Nelson Lucas dba Lucas Propane, Centreville, AL
- Oak Glen Terrace dba Johnny's Lakeside RV Resort, Foley, AL
- Overstreet Grocery, Gainestown, AL
- Paynes Bellingrath Rd RV Park, Inc., Theodore, AL
- Pramukh Krupa Inc., Cedar Bluff, AL
- Q 2006 23420 CR 64 LLC dba Hilltop RV Park, Robertsedale, AL
- Russell Super Market, Inc., dba Piggly Wiggly – Ace Hardware, Pinson, AL
- Shady Acres Mobile Home Ct., Mobile, AL
- Smith Mountain, Inc. dba Lake Martin Building Supply, Alexander City, AL

- Talladega County Exchange dba St. Clair Farmers Co-Op, Pell City, AL
- Tnt Pit Stop, Billingsley, AL
- Tractor Supply Co #1483/Opelika, Opelika, AL
- U-Haul Co. of Alabama, Inc/Auburn, Auburn, AL
- Walker Brothers, LTD, Baileyton, AL
- Wilborn Outdoors, Cullman, AL

11) Mr. Montgomery moved to approve the forty-two Class F permit applications. Seconded by Mr. Gay, the ayes were unanimous.

Legislation passed Spring 2014 that all existing cylinder filling stations operating as agents of Class A or B-1 permit holders must have a Class F permit on or before August 1, 2015.

Three Class F-1 permit applications were presented.

- J & M Cylinder Gases, Inc., Decatur, AL
- J & M Cylinder Gases, Inc., Hartselle, AL
- Satterfield, Inc., Alexander City, AL

12) Mr. Paulk moved to approve the three Class F-1 permit applications. Seconded by Mr. Gay, the ayes were unanimous.

LPG FEE INCREASE

Mr. Paulk moved to increase the LPG fee rate from .003 to .004 effective date September 1, 2015. Seconded by Mr. Montgomery, the ayes were unanimous.

CODE VIOLATION SETTLEMENT AGREEMENTS

Settlement Agreement 2015-13 for code violations was presented for approval.

13) Mr. Paulk moved to accept Settlement Agreement 2015-13. Seconded by Mr. Montgomery, the ayes were unanimous.

Settlement Agreement 2015-14 for code violations was presented for approval.

14) Mr. Paulk, moved to accept Settlement Agreement 2015-14. Seconded by Mr. Gay, the ayes were unanimous.

Settlement Agreement 2015-15 for code violations was presented for approval.

15) Mr. Montgomery moved to accept Settlement Agreement 2015-15. Seconded by Mrs. Barnett, the ayes were unanimous.

Settlement Agreement 2015-16 for code violations was presented for approval.

16) Mr. Paulk moved to accept Settlement Agreement 2015-16. Seconded by Mr. Montgomery, the ayes were unanimous.

Settlement Agreement 2015-17 for code violations was presented for approval.

17) Mr. Paulk moved to accept Settlement Agreement 2015-17. Seconded by Mr. Montgomery, the ayes were unanimous.

Settlement Agreement 2015-18 for code violations was presented for approval.

18) Mr. Montgomery moved to accept Settlement Agreement 2015-18. Seconded by Mr. Lybarger, the ayes were unanimous.

Settlement Agreement 2015-19 for code violations was presented by recusing board member Edward Paulk.

19) Mr. Lybarger moved to accept Settlement Agreement 2015-19. Seconded by Mr. Montgomery, there were five ayes. (Lybarger, Barnett, Montgomery, Gay, Wright voted aye. Mr. Paulk abstained.)

Settlement Agreement 2015-20 for code violations was presented for approval.

20) Mr. Montgomery moved to accept Settlement Agreement 2015-20. Seconded by Mr. Lybarger, the ayes were unanimous.

Settlement Agreement 2015-21 for code violations was presented for approval.

21) Mr. Paulk moved to accept Settlement Agreement 2015-21. Seconded by Mr. Gay, the ayes were unanimous.

ADMINISTRATOR'S REPORT

The Administrator presented the following permits (10) for cancellation:

- Alabama Gas Solution, Headland, AL Class C Permit No. 927, cancelled effective December 31, 2014 for non-renewal of permit.
- Ashlind Construction Co., Inc., Madison, AL, Class C Permit No. 333, cancelled effective December 31, 2014 for non-renewal of permit.
- Castle Air Heating & Air Conditioning, Huntsville, AL, Class C permit No. 883, cancelled effective December 31, 2014 for non-renewal of permit.
- Monroe County Board of Education, Monroeville, AL, Class C Permit No. 252, cancelled effective December 31, 2014 for non-renewal of permit.
- Nexair LLC, Birmingham, AL, Class A Permit No. 293, cancelled at the request of company.
- Quantum Resources Management LLC, Houston, TX, Class B Permit No. 646, cancelled due to sale of company to Breitburn Operating LP.
- R & R A/C Refrigeration, Inc., Monroeville, AL, Class C Permit No. 46, cancelled effective December 31, 2014 for non-renewal of permit.
- Rambo A/C & Heating, Inc., Millbrook, AL, Class C Permit No. 422, cancelled effective December 31, 2014 for non-renewal of permit.

- Randolph County Board of Education, Wedowee, AL, Class C Permit No. 27, cancelled effective December 31, 2014 for non-renewal of permit.
- T & J Propane, Wetumpka, AL, Class F Permit No. 254, cancelled effective December 31, 2014 for non-renewal of permit.

The Board's financial position was presented by the Administrator.

22) Mr. Paulk moved to accept the *Administrator's Report* as presented. Seconded by Mr. Montgomery, the ayes were unanimous.

Date of the next board meeting is October 8, 2015.

23) Mr. Paulk moved to pay the board members' expenses. Seconded by Mr. Gay, the ayes were unanimous.

The meeting was adjourned at 11:19 a.m.



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
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FAX (334) 240-3255
777 S. Lawrence Street, Suite 100
MONTGOMERY, ALABAMA 36102-1742

W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Ferrellgas / Butler, GA
Permit "B-1" # 552
Code Violations

SETTLEMENT AGREEMENT 2015-13

Ferrellgas / Butler, GA (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

1. U-Haul of Alabama / Auburn, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit # 552 issued to Respondent, filled and offered for transportation seven (7) 20 lb. propane cylinders in a closed-bodied passenger vehicle.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent filled and offered for transportation seven (7) 20 lb. propane cylinders in a closed-bodied passenger vehicle in violation of *NFPA 58 (2011 Edition) 9.3.2.5(b)*.

STIPULATED DISPOSITION

The Board and the Respondent agree that this action will be settled upon the following terms:

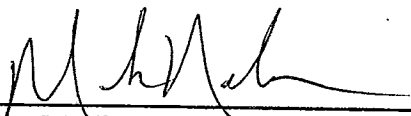
1. The Respondent agrees to remit a fine of \$ 400 to the Board within 30 days of the Board's acceptance of this agreement.

2. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its administrative remedies available under Alabama Law.
3. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
4. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
5. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 25th day of June, 2015



Linc Blankenship, Respondent
Manager
Ferrellgas / Butler, GA



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

South Alabama Gas District / Chatom
Permit "B-1" # 438
Code Violations

SETTLEMENT AGREEMENT 2015-14

South Alabama Gas District / Chatom, AL (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

1. Farmer's Co-Op / Leroy, AL (hereinafter referred to as Respondent's customer), operator of a propane cylinder filling station for forklift cylinders installed by Respondent, resumed operation of the condemned cylinder filling station prior to the completion of code violation repairs cited one month earlier by a board inspector.

STIPULATED CONCLUSIONS OF LAW

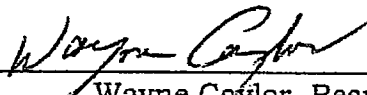
1. Respondent admits that Respondent's customer violated a "Red Tag" issued by a board inspector by resuming operation of a condemned cylinder filling station prior to the completion of code violations in violation of *Code of Alabama 9-17-100(11) and 9-17-103(b)*.

STIPULATED DISPOSITION

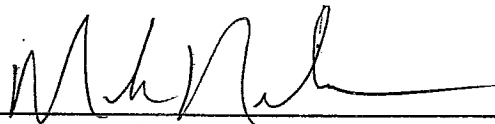
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 1000 to the Board within 30 days of the Board's acceptance of this agreement.
2. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its administrative remedies available under Alabama Law.
3. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
4. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
5. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 18 day of MAY, 2015



Wayne Caylor, Respondent
Director of Propane Operations
South Alabama Gas District



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Amerigas Propane / Greenville
Permit "B-1" # 281
Code Violations

SETTLEMENT AGREEMENT 2015-15

Amerigas Propane / Greenville (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

1. Tractor Supply # 1660 / Thomasville, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit # 281 issued to Respondent, attempted to fill a 100 lb. cylinder without the use of scales.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent attempted to fill a 100 lb. cylinder without the use of scales in violation of *Alabama Administrative Code 530-X-2-.04(a)*.

STIPULATED DISPOSITION


The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 450 to the Board within 30 days of the Board's acceptance of this agreement.
2. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to

forego the pursuit of its administrative remedies available under Alabama Law.

3. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
4. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
5. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 5 day of May, 2015



Don Lynch, Respondent
Regional Manager
Amerigas Propane



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Amerigas Propane / Theodore
Permit "A" # 202
Code Violations

SETTLEMENT AGREEMENT 2015-16

Amerigas Propane / Theodore (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

1. Respondent supplied LP-gas to Shady Acres Campground / Mobile, a retail; off-premise cylinder filling station that had not completed the requirements to obtain a Class "F" permit as required.

STIPULATED CONCLUSIONS OF LAW

1. Respondent supplied LP-gas to a retail, off-premise cylinder filling station required to possess a Class "F" permit without verification of a current permit with the board in violation of *Code of Alabama 9-17-105(b)(3)*.

STIPULATED DISPOSITION

The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 1000 to the Board within 30 days of the Board's acceptance of this agreement.
2. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to

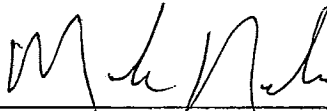
forego the pursuit of its administrative remedies available under Alabama Law.

3. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
4. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
5. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 5 day of May, 2015



Don Lynch, Respondent
Regional Manager
Amerigas Propane



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Amerigas Propane / Eastaboga
Permit "B-1" # 313
Code Violations

SETTLEMENT AGREEMENT 2015-17

Amerigas Propane / Eastaboga (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

1. Tractor Supply # 1271 / Moody, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit # 313 issued to Respondent, filled an out-of-date 100 lb. cylinder (Offense #1). Respondent's agent also failed to remove a sleeve to perform a visual inspection of the cylinder prior to filling (Offense #2).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent filled an out-of-date 100 lb. cylinder in violation of *NFPA 58 (2011 Edition) 5.2.2.2*.
2. Respondent admits that Respondent's agent failed to remove a sleeve to perform a visual inspection on a 100 lb. cylinder prior to attempting to fill in violation of *NFPA 58 (2011 Edition) 7.2.2.9*.

STIPULATED DISPOSITION

The Board and the Respondent agree that this action will be settled upon the following terms:

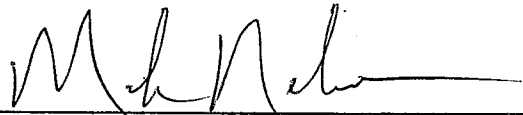
1. The Respondent agrees to remit a fine of \$ 475 to the Board within 30 days of the Board's acceptance of this agreement. (*Out-of-date cylinder \$225; Failure to perform visual inspection \$250*).
2. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its administrative remedies available under Alabama Law.
3. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
4. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
5. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 10 day of May, 2015

scott.manley@amerigas.com

Digitally signed by
scott.manley@amerigas.com
DN: cn=scott.manley@amerigas.com
Date: 2015.05.10 19:28:05 -0500

Scott Manley, Respondent
Regional Manager
Amerigas Propane



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Allgas / Boaz
Permit "B-1" # 58
Code Violations

SETTLEMENT AGREEMENT 2015-18

Allgas / Boaz (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

1. Farm Town / Sardis City, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit # 58 issued to Respondent, attempted to fill an out-of-date 100 lb. cylinder (Offense #1).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent filled an out-of-date 100 lb. cylinder in violation of *NFPA 58 (2011 Edition) 5.2.2.2*.

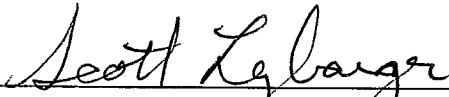
STIPULATED DISPOSITION

The Board and the Respondent agree that this action will be settled upon the following terms:

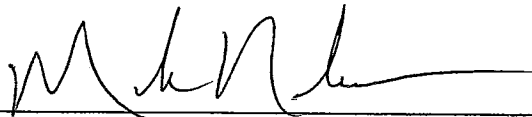
1. The Respondent agrees to remit a fine of \$ 225 to the Board within 30 days of the Board's acceptance of this agreement. (*Out-of-date cylinder \$225*).
2. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its administrative remedies available under Alabama Law.

3. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
4. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
5. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 10TH day of JUNE, 2015



Scott Lybarger, Respondent
Regional Manager
Allgas, Inc.

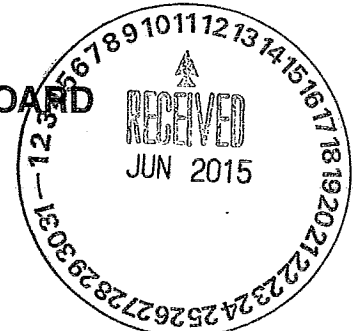


Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



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W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

**BEFORE THE
ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

IN THE MATTER OF:

Scott P. Manley & Associates dba
Manley Industrial Gas / Chattanooga, TN
Permit "D" # 257
Code Violations

SETTLEMENT AGREEMENT 2015-19

Scott P. Manley & Associates dba Manley Industrial Gas of Chattanooga, TN, (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

1. Respondent began construction on a bulk plant in Alabama without first obtaining the required installation permit from the Board (repeat offense).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits beginning construction on a bulk plant in Alabama prior to obtaining the required installation permit from the Board in violation of *Code of Alabama 9-17-105(b)(7)*.


STIPULATED DISPOSITION

The Board and the Respondent agree that this action will be settled upon the following terms:

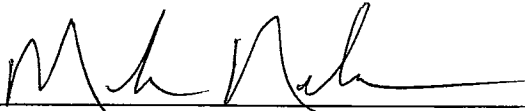
1. The Respondent agrees to remit a fine of \$ 1000 to the Board within 30 days of the Board's acceptance of this agreement.

2. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its administrative remedies available under Alabama Law.
3. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
4. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
5. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 9 day of June, 2015



Scott P. Manley, Respondent
Manley Industrial Gas



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 241-8887
FAX (334) 240-3255
777 S. Lawrence Street, Suite 100
MONTGOMERY, ALABAMA 36102-1742

W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Amerigas / Greenville
Permit "B-1" # 281
Code Violations

SETTLEMENT AGREEMENT 2015-20

Amerigas / Greenville (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

1. Respondent filled a forklift cylinder to be transported in commerce without the use of scales.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits to filling a forklift cylinder without the use of scales in violation of *Alabama Administrative Code 530-X-2-.04(a)*.

STIPULATED DISPOSITION

The Board and the Respondent agree that this action will be settled upon the following terms:

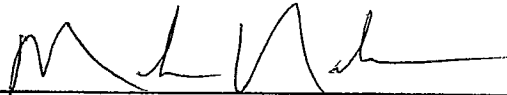
1. The Respondent agrees to remit a fine of \$ 450 to the Board within 30 days of the Board's acceptance of this agreement.
2. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its administrative remedies available under Alabama Law.

3. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
4. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
5. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 8 day of June, 2015



Don Lynch, Respondent
Regional Manager
Amerigas



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742

TELEPHONE (334) 241-8887

FAX (334) 240-3255

777 S. Lawrence Street, Suite 100

MONTGOMERY, ALABAMA 36102-1742

W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Amerigas Propane / Birmingham
Permit "B-1" # 273
Code Violations

SETTLEMENT AGREEMENT 2015-21

Amerigas Propane / Birmingham (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

1. Tractor Supply # 1499 / Montevallo, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit # 273 issued to Respondent, attempted to fill a forklift cylinder intended for transport without the use of scales.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent attempted to fill a forklift cylinder intended for transport without the use of scales in violation of *Alabama Administrative Code 530-X-2-.04(a)*.

STIPULATED DISPOSITION

The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 450 to the Board within 30 days of the Board's acceptance of this agreement.
2. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to

forego the pursuit of its administrative remedies available under Alabama Law.

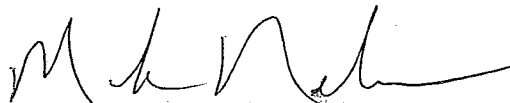
3. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
4. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
5. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 11th day of June, 2015

scott.manley@
amerigas.com

Digitally signed by
scott.manley@amerigas.com
DN:
cn=scott.manley@amerigas.com
Date: 2015.06.11 08:15:29 -05'00'

Scott Manley, Respondent
Regional Manager
Amerigas Propane



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board