

**Liquefied Petroleum Gas Board**  
**Minutes**  
**October 10, 2019**

The Alabama Liquefied Petroleum Gas Board held its quarterly board meeting on October 10, 2019 at 10:10 a.m. at 770 S. McDonough Street, Montgomery, AL.

Members Present: Vice-Chairman Bill Montgomery, Dickie Ferguson, Larry Parden, State Fire Marshal Scott Pilgreen, Public Safety Designee Lt. Ronni Fetty, and Board Attorney Bill Garrett.

Members Absent: Chairman Benny Gay, Consumer Advocate Elizabeth Barnett, Public Service Commission Designee Wallace Jones.

With a quorum present, the Vice-Chairman called the meeting to order and Mr. Ken Coker of Wan-Bon Gas gave the invocation.

The Vice-Chairman called for a motion to adopt the agenda:

- (1) Lt. Fetty moved to adopt the agenda. Seconded by Mr. Ferguson, the ayes were unanimous.

*Copies of 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 Vice-Chairman called for approval of the minutes of the July 11, 2019 meeting.

- (2) Mr. Pilgreen moved to approve the minutes of the July 11, 2019 meeting. Seconded by Mr. Ferguson, the ayes were unanimous.

**Old Business**

The Administrator advised that the Northeast Board Member Election results have been submitted to the Governor for her appointment.

The Administrator updated the board on issues related to municipal and county code adoptions.

**New Business**

The board considered a request from ThompsonGas LLC to rescind a cancellation at the July 11, 2019 board meeting of the Class B-1 Permit No. 687 of ThompsonGas LLC/ Carbon Hill. The Administrator explained that ThompsonGas had erroneously submitted a Permit Cancellation form for the wrong branch office.

- (3) Mr. Parden moved to rescind the July 11, 2019 cancellation of Class B-1 Permit No. 687 issued to ThompsonGas/Carbon Hill. Seconded by Mr. Ferguson the ayes were unanimous

A Class B permit application was presented to the Board.

1. Shintech Louisiana LLC, Plaquemine, LA

(4) Mr. Parden moved to approve the Class B permit application. Seconded by Mr. Ferguson, the ayes were unanimous.

Eight Class C permit applications were presented to the Board.

1. Baldwin Heating & Air Conditioning, Inc., Daphne, AL
2. Brian's RV/Camper Service, Cullman, AL
3. Campers Inn RV of Huntsville, Inc., Huntsville, AL
4. Dixie RV Superstores of Grand Bay LLC, Grand Bay, AL
5. Isaac's Heating & Cooling, Inc., Arley, AL
6. Rocket City RV LLC, Tanner, AL
7. Transform Sears Home Services LLC, College Park, GA
8. Transform Sears Home Services LLC, St Petersburg, FL

(5) Mr. Ferguson moved to approve the eight Class C permit applications. Seconded by Lt. Fetty, the ayes were unanimous.

Nine Class F permit applications were presented to the Board.

1. ARK Huntsville HC LLC, Owens Cross Roads, AL
2. Brian's RV/Camper Service, Cullman, AL
3. Campers Inn RV of Huntsville, Inc., Huntsville, AL
4. Colbert Farmers Cooperative, Tuscumbia, AL
5. Dixie RV Superstores of Grand Bay LLC, Grand Bay, AL
6. LAH, Inc. dba Lydia's Ace Hardware, Rainsville, AL
7. Rocket City RV LLC, Tanner, AL
8. Ryan Equipment Center, Inc., Hartselle, AL
9. Tractor Supply Company, Daphne, AL

(6) Mr. Parden moved to approve the nine Class F permit applications. Seconded by Mr. Ferguson, the ayes were unanimous.

### **Code Violations Settlement Agreements**

Settlement Agreement 2019-06 for code violations was presented for approval. The settlement agreement was based on board pre-approved amounts.

(7) Mr. Ferguson moved to accept Settlement Agreement 2019-06. Seconded by Mr. Parden, the ayes were unanimous

Settlement Agreement 2019-07 for code violations was presented for approval. The settlement agreement was based on board pre-approved settlement amounts.

- (8) Lt. Fetty moved to accept Settlement Agreement 2019-07. Seconded by Mr. Pilgreen, the ayes were unanimous.

### **FY 2021 Budget Request**

The FY 2021 budget request for LP Gas Board Regulatory Services in the amount of \$1,986,794 was presented to the Board.

- (9) Mr. Ferguson moved to approve the FY 2021 budget request for LP Gas Board Regulatory Services in the amount of \$1,986,794. Seconded by Mr. Pilgreen, the ayes were unanimous.

The FY 2021 budget request for the LP Gas Board Research Education Advisory Committee (REAC) in the amount of \$200,000.00 was presented to the Board.

- (10) Mr. Pilgreen moved to approve the FY 2021 budget request for the LP Gas Research Education Advisory Committee (REAC) in the amount of \$200,000.00. Seconded by Mr. Ferguson, the ayes were unanimous.

### **Administrator's Report**

The Administrator presented the following permits for cancellation:

- A & E Factory Service LLC/College Park., College Park, GA, Class C Permit No. 903 cancelled because business closed.
- A & E Factory Service LLC/Sears Holding Corp, Nashville, TN, Class C Permit No.899 cancelled because business closed.
- A & E Factory Service LLC/St Petersburg, St Petersburg, GA, Class C Permit No. 902 cancelled because business closed.
- ABBAS LLC, Grant, AL, Class F Permit No. 490 cancelled at owner's request.
- Bradley Plumbing & Heating, Montgomery, AL, Class C Permit No. 32 cancelled due to non-renewal of permit.
- BTU Service Specialist, Huntsville, AL, Class C Permit No. 263 cancelled due to non-renewal of permit.
- C & R Fleet Services, Inc., Griffin, GA, Class E Permit No. 19 cancelled due to non-renewal of permit and insurance.
- City of Childersburg, Childersburg, AL, Class C Permit No. 88 cancelled at owner's request.

- Cokinos Energy Corporation, Houston, TX, Class B Permit No. 657 cancelled at owner's request.
- Dorroh Heating & Air Conditioning, Hueytown, AL, Class C Permit No. 286 cancelled at owner's request.
- Escambia County Board of Education, Brewton, AL, Class C Permit No. 176 cancelled due to business no longer performing LP-gas activities.
- Goodley Corporation dba Lakeside Landing, Cropwell, AL, Class F Permit No. 678 cancelled because business closed.
- H. A. Vaughn Seed Company, Tuskegee, AL, Class F Permit No. 271 cancelled at owner's request.
- Kowaliga Fireplace LLC, Tallassee, AL, Class F Permit No. 943 cancelled due to non-renewal of permit.
- Lawrence County Exchange, Inc., Courtland, AL, Class F Permit No. 581 cancelled because owner is no longer performing LP-gas activities.
- Lowndes County Commission, Hayneville, AL, Class C Permit No. 86 cancelled due to non-renewal of permit.
- Mid-South Wholesale LP Inc., Detroit, AL, Class B Permit No. 652 cancelled due to non-renewal of insurance.
- Mitchell Service Company, Columbus GA, Class C Permit No. 174 cancelled due to non-renewal of permit and insurance.
- R & R Plumbing Services LLC, Tallassee, AL, Class C Permit No. 999, cancelled due to non-renewal of permit.
- Ray Thompson Auto Service, Inc., Dothan, AL, Class C Permit No. C-1 Permit No. 417 cancelled due to non-renewal of permit and insurance.
- Reed Camper Sales, Huntsville, AL, Class F Permit No. 629 cancelled because owner is no longer performing LP-gas activities.
- Richard Electric Company, Inc., Cullman, AL, Class C Permit No. 143, cancelled due to change of ownership.
- Sears Roebuck & Co #7296, Hoffman Estates, IL, Class C Permit No. 311, because business closed.

- Sears Roebuck & Co #7316, Hoffman Estates, IL, Class C Permit No. 299, because business closed.
- Sears Roebuck & Co #7426, Hoffman Estates, IL, Class C Permit No. 308, because business closed.
- Sears Roebuck & Co #8046, Hoffman Estates, IL, Class C Permit No. 58, because business closed.
- Sears Roebuck & Co #8066, Hoffman Estates, IL, Class C Permit No. 310, because business closed.
- Sears Roebuck & Co #8106, Hoffman Estates, IL, Class C Permit No. 300, because business closed.
- Service Experts Heating & Air Conditioning, Birmingham, AL, Class C Permit No. 738 cancelled due to non-renewal of permit.
- Shelby County Board of Education, Columbiana, AL, Class C Permit No. 21 cancelled at the owner's request.
- Shree Krishna Enterprises LLC, Bay Minette, AL, Class F Permit No. 386 cancelled because owner sold business.
- Stephens Express Mart, Inc., Southside, AL, Class F Permit No. 637 at the request of the owner.
- Sunset Cove RV Park LLC, Lincoln, AL, Class F Permit No. 705, because business closed.
- Synergy Liquids LLC, Katy, TX, Class B Permit No. 677 cancelled due non-renewal of insurance
- TAB Plumbing, Columbia, AL, Class C Permit No. 960 cancelled due to non-renewal of permit.
- ThompsonGas LLC/Chancellor, Chancellor, AL, Class B-1 Permit No. 695 cancelled at the owner's request.
- ThompsonGas LLC/Jones Chapel, Cullman, AL, Class B-1 Permit No. 690 cancelled at the owner's request.
- U-Haul Co of Alabama Inc./Birmingham (1<sup>st</sup> Ave), Birmingham, AL, Class F Permit No. 433, because business closed.

- United Plumbing of Montgomery, Inc., Montgomery, AL, Class C Permit No. 832 cancelled due to non-renewal of permit and insurance.
- Wesco Gas & Welding Supply, Inc., Pennington, AL, Class F-1 Permit No. 330, because business closed.
- Yellowhammer RV LLC, Clanton, AL, Class C Permit No. 1002, because business closed.
- Yellowhammer RV LLC, Clanton, AL, Class F Permit No. 703, because business closed.

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

- (11) Mr. Ferguson moved to accept the Administrator's Report as presented.  
Seconded by Mr. Parden, the ayes were unanimous.

Date of the next board meeting is January 9, 2020.

- (9) Mr. Pilgreen moved to pay the board members' expenses. Seconded by Mr. Ferguson, the ayes were unanimous.

The meeting was adjourned at 10:38 a.m.



# ALABAMA LIQUEFIED PETROLEUM GAS BOARD

777 S. Lawrence Street, Suite 100

TELEPHONE (334) 430-7642

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P.O. BOX 1742

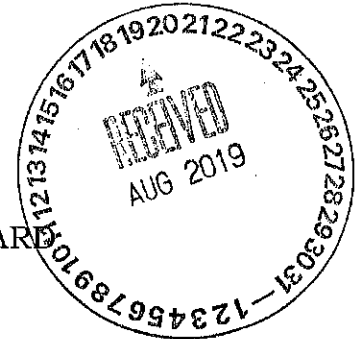
MONTGOMERY, ALABAMA 36102-1742

W. MARK NELSON  
ADMINISTRATOR

BEFORE THE  
ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Paris Ace Elberta, Inc. / Elberta, AL  
Permit "F" # 754  
Code Violations



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## SETTLEMENT AGREEMENT 2019-06

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Paris Ace Elberta, Inc. / Elberta, 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. Respondent attempted to fill an out-of-date (Offense #1) propane forklift cylinder without first performing a visual inspection (Offense #2) and without the use of scales (Offense #3).

### STIPULATED CONCLUSIONS OF LAW

1. Respondent admits attempting to fill an out-of-date propane cylinder in violation of *NFPA 58 (2011 edition) 5.2.2.2*.
2. Respondent admits failing to perform a visual inspection on a propane cylinder prior to filling in violation of *NFPA 58 (2011 Edition) 7.2.2.9*.
3. Respondent admits attempting to fill a propane cylinder without the use of scales in violation of *Alabama Administrative Code 530-X-2-.04(a)*.

### STIPULATED DISPOSITION

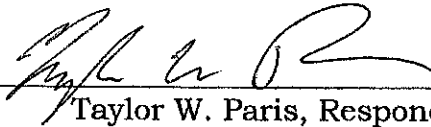
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 925 to the Board within 30 days of the Board's acceptance of this agreement. (*Out-of-date cylinder*

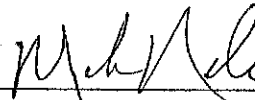
*\$225; Failure to perform visual inspection \$250; Failure to use scales \$450.)*

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 13 day of August, 2019



Taylor W. Paris, Respondent  
Paris Ace Elberta, Inc.



Mark Nelson, Administrator  
Alabama Liquefied Petroleum Gas Board

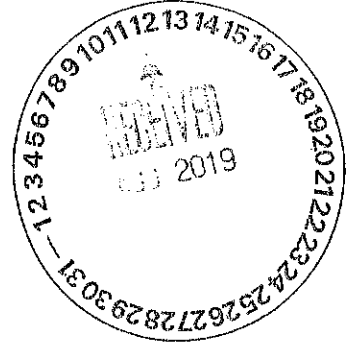




# ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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MONTGOMERY, ALABAMA 36102-1742

W. MARK NELSON  
ADMINISTRATOR



BEFORE THE  
ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Jackson Hardware Co., Inc. / Jackson, AL  
Permit "F" # 408  
Code Violations

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## SETTLEMENT AGREEMENT 2019-07

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Jackson Hardware Co., Inc. / Jackson, 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. Respondent attempted to fill an out-of-date (Offense #1) propane forklift cylinder without first performing a visual inspection (Offense #2) and without the use of scales (Offense #3).

### STIPULATED CONCLUSIONS OF LAW

1. Respondent admits attempting to fill an out-of-date propane cylinder in violation of *NFPA 58 (2011 edition) 5.2.2.2*.
2. Respondent admits failing to perform a visual inspection on a propane cylinder prior to filling in violation of *NFPA 58 (2011 Edition) 7.2.2.9*.
3. Respondent admits attempting to fill a propane cylinder without the use of scales in violation of *Alabama Administrative Code 530-X-2-.04(a)*.

### STIPULATED DISPOSITION

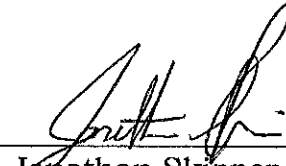
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 925 to the Board within 30 days of the Board's acceptance of this agreement. (*Out-of-date cylinder*

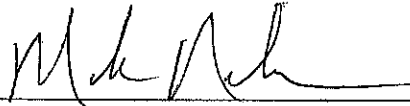
*(\$225; Failure to perform visual inspection \$250; Failure to use scales \$450.)*

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 13<sup>th</sup> day of August, 2019



Jonathan Skipper, Respondent  
Jackson Hardware Co., Inc.



Mark Nelson, Administrator  
Alabama Liquefied Petroleum Gas Board