

Alabama Liquefied Petroleum Gas Board
Minutes
April 9, 2015

The Alabama Liquefied Petroleum Gas Board held its quarterly board meeting on April 9, 2015 at 10:00 a.m. at Auburn University Montgomery Center for Lifelong Learning, 75 TechnaCenter Drive, Montgomery, AL.

Members Present: Chairman Wayne Caylor, Vice-Chairman Bob Reed, Benny Gay, Scott Lybarger, Bill Montgomery, State Fire Marshal Ed Paulk, Public Safety Designee Sgt. Will Wright.

Members Absent: Consumer Advocate Elizabeth Barnett and Board Attorney Matt Bledsoe.

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. Paulk moved to adopt the agenda as presented. Seconded by Mr. Gay, 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 January 8, 2015 meeting.

- 2) Mr. Reed moved to approve the minutes of the January 8, 2015 meeting. Seconded by Mr. Gay, the ayes were unanimous.

OLD BUSINESS

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

NEW BUSINESS

Three Class B permit applications were presented to the Board:

- Hargrove Transport, LLC, Pulaski, TN
- Hilco Transport, Inc., Greensboro, NC
- Sterling Transport Co., Inc., Vass, NC

- 3) Mr. Paulk moved to approve the three Class B Permit applications. Seconded by Mr. Lybarger, the ayes were unanimous.

Three Class B-1 Permit applications were presented:

- Apex Gas & Appliance Co., Inc., Clanton, AL
- Blossman Gas, Inc., Trenton, GA
- Holston Gases, Inc., Jasper, AL

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

Ten Class C Permit applications were presented:

- Aaron Construction, Madison, AL
- Cooleyco LLC dba Cooley's RVs, McCalla, AL
- D & K Gas Services, LLC, Albertville, AL
- D & N Marine/RV, Guntersville, AL
- Kowaliga Fireplace LLC, Tallassee, AL
- Mainline Heating & A/C, Inc., Alabaster, AL
- Paradise RV Sales LLC, Gardendale, AL
- Robertson RV, Five Points, AL
- RV Roadway & Roadway Collision Ctr., Inc., Calera, AL
- Wallace Heating & Air Conditioning, Munford, AL

5) Mr. Paulk moved to approve the ten Class C Permit applications. Seconded by Mr. Reed, the ayes were unanimous.

A Class C-2 Permit application was presented:

- Western International Gas & Cylinders Inc., Birmingham, AL

6) Mr. Paulk moved to approve the Class C-2 Permit application for Western International Gas & Cylinders Inc. Seconded by Mr. Lybarger, the ayes were unanimous.

Thirty-seven Class F Permit applications were presented.

- A-Okay RV Park, Dothan, AL
- Alabama Humble Homes Inc. dba Kountry Air RV Park, Prattville, AL
- Bayou Lumber Co., Inc., Irvington, AL
- Bud & Jean's Country Store Inc., Brewton, AL
- C & C Mini Mart, Somerville, AL
- Camping World Inc., Anniston, AL
- CMAC Services of Alabama, Fairhope, AL
- Cook & Sons Ace Hardware Inc., Albertville, AL
- D & N Marine RV, Guntersville, AL
- Foshee's Whats LLC, Alexander City, AL
- Gulf Coast Building Hardware & Supply, Robertsdale AL
- Harrison Supply Co., Inc., Springville, AL
- Jackson Hardware Co., Inc., Jackson, AL
- K-Lene Auto Parts, Inc., Jackson, AL
- Love's Travel Stop #566, Ozark, AL
- Marion County Co-Op, Hamilton, AL
- Maxco Distributors, Tuscaloosa, AL
- Minton Auto & Truck Center, Oxford, AL
- Northwood Lake Properties Inc., dba Northport Shell, Northport, AL

- Paradise RV Sales LLC, Gardendale, AL
- Ralph Paul & Associates, Grove Hill, AL
- RV Roadway & Roadway Collision Center Inc., Calera, AL
- Shree Krishna Enterprises LLC, Bay Minette, AL
- Taylors Automotive, Tuscaloosa, AL
- Thomasville Feed & Seed, Inc., Thomasville, AL
- Tractor Supply Co. #1470, Northport, AL
- U-Haul Co. of Alabama, Inc./Birmingham, 3028 Bessemer Road, Birmingham, AL
- U-Haul Co. of Alabama, Inc./Birmingham, 7733 First Avenue N, Birmingham, AL
- U-Haul Co. of Alabama, Inc./Birmingham, 4141 1st Avenue N, Birmingham, AL
- U-Haul Co. of Alabama, Inc./Decatur, 1802 6th Avenue SE, Decatur, AL
- U-Haul Co. of Alabama, Inc./Dothan, Dothan, AL
- U-Haul Co., of Alabama, Inc./Montgomery, 2525 Eastern Blvd, Montgomery, AL
- U-Haul Co., of Alabama, Inc./ Montgomery, 3138 Mobile Hwy., Montgomery, AL
- U-Haul Co., of Alabama, Inc./ Pelham, Pelham, AL
- U-Haul Co., of Alabama, Inc./Vestavia, Vestavia, AL
- Weaver's Service Center, McIntosh, AL
- Wind Creek State Park, Alexander City, AL

7) Mr. Lybarger moved to approve the thirty-seven Class F Permit applications. Seconded by Mr. Montgomery, the ayes were unanimous.

Two Class F-1 Permit applications were presented:

- Lester's Welding Supplies, LLC, Roanoke, AL
- Sexton Welding Supply Co., Inc., Hollywood, AL

8) Mr. Lybarger moved to approve the two Class F-1 permit applications. Seconded by Mr. Gay, the ayes were unanimous.

CODE VIOLATION SETTLEMENT AGREEMENTS

Settlement Agreement 2015-04 for code violations was presented for approval.

9) Mr. Paulk moved to accept Settlement Agreement 2015-04. Seconded by Mr. Lybarger, the ayes were unanimous.

Settlement Agreement 2015-05 for code violations was presented for approval.

10) Mr. Montgomery moved to accept Settlement Agreement 2015-05. Seconded by Mr. Paulk, the ayes were unanimous.

Settlement Agreement 2015-06 for code violations was presented for approval.

11) Mr. Lybarger moved to accept Settlement Agreement 2015-06. Seconded by Mr. Gay, the ayes were unanimous.

Settlement Agreement 2015-07 for code violations was presented for approval.

12) Mr. Gay moved to accept Settlement Agreement 2015-07. Seconded by Mr. Reed, the ayes were unanimous.

Settlement Agreement 2015-08 for code violations was presented to the Board by recusing Board member Sgt. Will Wright.

- 13) Mr. Lybarger moved to accept Settlement Agreement 2015-08. Seconded by Mr. Paulk, there were five ayes. (Lybarger, Paulk, Reed, Montgomery, Gay voted aye. Sgt. Wright abstained.)

Settlement Agreement 2015-09 for code violations was presented by the Administrator in the absence of recusing board member Elizabeth Barnett.

- 14) Mr. Montgomery moved to accept Settlement Agreement 2015-09. Seconded by Mr. Lybarger, the ayes were unanimous.

Settlement Agreement 2015-10 for code violations was presented for approval.

- 15) Mr. Reed moved to accept Settlement Agreement 2015-10. Seconded by Mr. Montgomery, the ayes were unanimous.

Settlement Agreement 2015-11 for code violations was presented for approval.

- 16) Mr. Lybarger moved to accept Settlement Agreement 2015-11. Seconded by Mr. Paulk, the ayes were unanimous.

Settlement Agreement 2015-12 for code violations was presented for approval.

- 17) Mr. Paulk moved to accept Settlement Agreement 2015-12. Seconded by Reed, the ayes were unanimous.

- 18) Mr. Reed made a motion to group the violation of “supplying product to a retail cylinder filling station not holding the required permit” with the violation of “operating without an appropriate permit” as approved at the January 2015 board meeting on the list of *Pre-Authorized Settlement Amounts for First Offense Violations of Adopted Code*. Seconded by Mr. Montgomery, the ayes were unanimous. (see attached table)

ADMINISTRATOR’S REPORT

The Administrator presented the following permits (12) for cancellation:

- D & S Propane, Ranburne, AL, Class A Permit No. 261 cancelled effective September 30, 2014.
- Lassetter Propane LLC, Cedartown, GA, Class A Permit No. 284 cancelled effective March 10, 2015. The company has been sold.
- American Cast Iron Pipe Company, Birmingham, AL, Class C Permit No. 123, cancelled effective January 12, 2015 at the company’s request.
- Camping World, Inc., Robertsedale, AL, Class C Permit No. 802 cancelled effective February 5, 2015 at the company’s request.

- Cann Dauson Construction, Inc., Prattville, AL, Class C Permit 223 cancelled effective February 10, 2015 at the company's request.
- Hood RV Center, Inc., Decatur, AL, Class C Permit No. 818 cancelled effective February 12, 2015 at the company's request.
- Johnson Mechanical Services, Cullman, AL, Class C Permit No. 861 cancelled effective December 31, 2014. Failed to remit renewal fees.
- Tri-County Gas Works, Prattville, AL, Class C Permit No. 894 cancelled effective December 31, 2013. Failed to meet statute requirements.
- Cospertank Testing Inc., Ohatchee, AL, Class C-2 Permit No. 415 cancelled effective December 31, 2014. Failed to meet statute requirements.
- Hood RV Center, Inc., Decatur, AL, Class F Permit No. 238 cancelled effective February 12, 2015 at the company's request.
- Whats Curb Market, Alexander City, AL, Class F Permit No. 395 cancelled effective February 13, 2015. The business has been sold.

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

19) 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 July 2, 2015.

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

The meeting was adjourned at 10:50 a.m.

**Pre-Authorized Settlement Amounts for First Offense Violations of
Adopted Code**

Description of Offense	Pre-Authorized Amount
Failure to leave another company's tank on masonry foundation after disconnecting	\$ 325
Failure to cap/plug outlet of another company's tank after disconnecting	\$ 325
Installation of another company's tank without authorization	\$ 1000
Extracting LP-gas from another company's tank without written authorization	\$ 1000
Filling another company's tank that is clearly marked without written authorization	\$ 400
Attempting / Filling a cylinder overdue for requalification	\$ 225 1 st cylinder \$ 100 each additional cylinder
Failure to change relief valves in motor fuel cylinders due for requalification	\$ 100
Improper / Fraudulent requalification of cylinder	\$ 250
Failure to perform visual inspection / remove sleeve on cylinder prior to filling	\$ 250 1 st cylinder \$ 100 each additional cylinder
Failure to use scales to fill DOT cylinders by weight	\$ 450 1 st cylinder \$ 100 each additional cylinder
Employees working unsupervised prior to passing ALPGB Review Examination	\$ 700
Failure to remain in attendance while loading / unloading a cargo tank truck	\$ 1000
Failure to use chock blocks	\$ 250
Missing / Discharged Fire Extinguisher	\$ 500
Operating without appropriate permit / <u>Supplying product to retail cylinder filling stations not holding the required permit</u>	\$ 1000
Exposed wiring at cylinder filling dispenser point of transfer	\$ 500
Failure to apply a consumer warning label to a cylinder	\$ 250 1 st cylinder \$ 25 each additional cylinder
Overfilled Container (unmitigated)	\$ 500
Loading a cylinder for transportation in a manner that is in violation of code (i.e. lying down, too large for passenger vehicle space)	\$ 400
Filling cylinder without an OPD valve	\$ 200
Failure to install plastic POL plug in old style cylinder valves (40+ lb. – 100 lb. capacity)	\$ 50
Failure to obtain an installation permit prior to beginning construction on a bulk plant	\$ 500
Failure to perform a leak test after interruption of service of a gas system	\$ 1000
Untrained employee transferring LP-gas unsupervised	\$ 200
Violation of Red Tag / Written Directive	\$ 1000





ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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MONTGOMERY, ALABAMA 36102-1742

W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Heritage Operating LP dba Coast Gas / Jemison
Permit "B-1" # 537
Code Violations

SETTLEMENT AGREEMENT 2015-04

Heritage Operating LP dba Coast Gas / Jemison (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 / Clanton, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit # 537 issued to Respondent, attempted to fill a 20 lb. cylinder without the use of scales.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent attempted to fill a 20 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 26 day of January, 2015

Scott Manley

Scott Manley, Respondent
Regional Manager
Heritage Operating LP dba Heritage Propane

Mark Nelson

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:

Heritage Operating LP dba Heritage Propane / Ft. Payne
Permit "B-1" # 173
Code Violations

SETTLEMENT AGREEMENT 2015-05

Heritage Operating LP dba Heritage Propane / Ft. Payne (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 # 556 / Ft. Payne, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit # 173 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 26 day of January, 2015

Scott Manley

Scott Manley, Respondent
Regional Manager
Heritage Operating LP dba Heritage Propane

Mark Nelson

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:

Heritage Operating LP dba Heritage Propane / Huntsville
Permit "B-1" # 546
Code Violations

SETTLEMENT AGREEMENT 2015-06

Heritage Operating LP dba Heritage Propane / Huntsville (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 # 773 / Huntsville, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit # 546 issued to Respondent, attempted to fill an out-of-date 20 lb. cylinder (Offense #1) without the use of scales (Offense #2).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent attempted to fill a 20 lb. cylinder that was due requalification because of an illegible requalification tag in violation of *NFPA 58 (2011 Edition) 5.2.2.2*.
2. Respondent admits that Respondent's agent attempted to fill a 20 lb. cylinder without the use of scales in violation of *Alabama Administrative Code 530-X-2-.04(a)*.

STIPULATED DISPOSITION

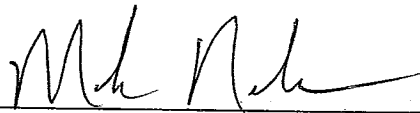
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 675 to the Board within 30 days of the Board's acceptance of this agreement (*Requalification violation \$225; Scale Violation \$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 26 day of January, 2015



Scott Manley, Respondent
Regional Manager
Heritage Operating LP dba Heritage Propane



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:

Blossman Gas / Opelika
Permit "B-1" # 80
Code Violations

SETTLEMENT AGREEMENT 2015-07

Blossman Gas / Opelika (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. Hornet's Quick Stop / Opelika, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit # 80 issued to Respondent, filled a 20 lb. cylinder without the use of scales (Offense #1) and without removing a plastic sleeve to facilitate visual inspection of the cylinder (Offense #2).

STIPULATED CONCLUSIONS OF LAW

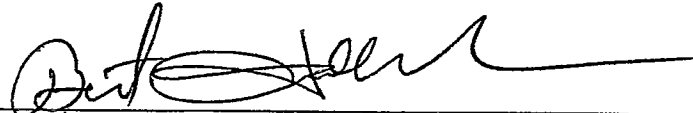
1. Respondent admits that Respondent's agent filled a 20 lb. cylinder without the proper use of scales in violation of *Alabama Administrative Code 530-X-2-.04(a)*.
2. Respondent admits that Respondent's agent filled a 20 lb. cylinder without removing a sleeve to facilitate visual inspection of the cylinder in violation of *NFPA 58 (2011 edition) 7.2.2.9*.

STIPULATED DISPOSITION

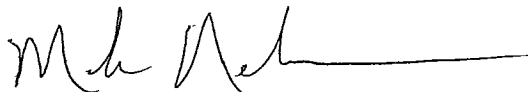
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 700 to the Board within 30 days of the Board's acceptance of this agreement (*Sleeve Violation \$250; Scale Violation \$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 28 day of January, 2015



Bert Hallmark, Respondent
Manager
Blossman Gas / Opelika



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:

South Alabama Gas District / Butler
Permit "A" # 257
Code Violations

SETTLEMENT AGREEMENT 2015-08

South Alabama Gas District / Butler (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 Greensboro Farmers Co-Op, 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

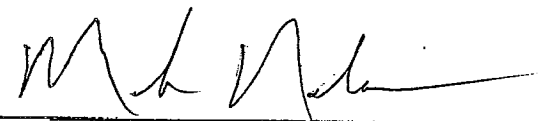
forego the pursuit of its administrative remedies available under Alabama Law.

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 5th day of FEBRUARY, 2015



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



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



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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 2015-09

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. Pilot Travel # 601 / McCalla, 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 an out-of-date 33 lb. forklift cylinder (Offense #1) without the use of scales (Offense #2).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent attempted to fill an out-of-date 33 lb. forklift cylinder in violation of *NFPA 58 (2011 Edition) 5.2.2.2.*
2. Respondent admits that Respondent's agent attempted to fill a 33 lb. forklift cylinder without the proper use of scales in violation of *Alabama Administrative Code 530-X-2-.04(a).*

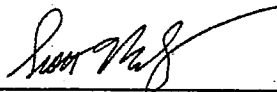
Note: This was a repeat offense of this violation in less than a year by this particular agent.

STIPULATED DISPOSITION

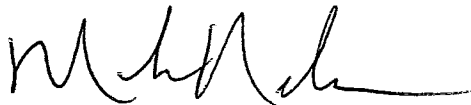
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 950 to the Board within 30 days of the Board's acceptance of this agreement (*Out-of-date \$225; Scale Violation \$725 - repeat offense in less than year*).
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 21 day of February, 2015



Scott Manley, Respondent
Regional Manager
Amerigas Propane



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:

South Alabama Gas District / Butler
Permit "A" # 257
Code Violations

SETTLEMENT AGREEMENT 2015-10

South Alabama Gas District / Butler (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. Ace Farm & Home / Gilberttown, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "A" permit # 257 issued to Respondent, attempted to fill an out-of-date 20 lb. cylinder (Offense #1).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent attempted to fill an out-of-date 20 lb. cylinder in violation of NFPA 58 (2011 edition) 5.2.2.2.

STIPULATED DISPOSITION

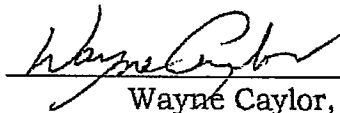
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 225 to the Board within 30 days of the Board's acceptance of this agreement.
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 11 day of February, 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

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 2015-11

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. Cahaba Heights Hardware, Inc. / Birmingham, 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 20 lb. cylinder without the use of scales (Offense #1) and without removing a plastic sleeve to facilitate visual inspection of the cylinder (Offense #2).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent attempted to fill a 20 lb. cylinder without the proper use of scales in violation of *Alabama Administrative Code 530-X-2-.04(a)*.
2. Respondent admits that Respondent's agent attempted to fill a 20 lb. cylinder without removing a sleeve to facilitate visual inspection of the cylinder in violation of *NFPA 58 (2011 edition) 7.2.2.9*.

STIPULATED DISPOSITION

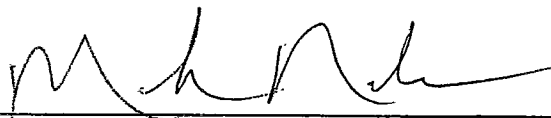
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 700 to the Board within 30 days of the Board's acceptance of this agreement (*Sleeve Violation \$250; Scale Violation \$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 21 day of February , 20 15



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:

Heritage Operating LP dba Heritage Propane / Huntsville
Permit "B-1" # 546
Code Violations

SETTLEMENT AGREEMENT 2015-12

Heritage Operating LP dba Heritage Propane / Huntsville (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 #762070 / Decatur, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit # 546 issued to Respondent, overfilled a 100 lb. cylinder (Offense #1) on the ground without the use of scales (Offense #2).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent overfilled a 100 lb. cylinder in violation of *NFPA 58 (2011 Edition) 7.4.2.2*.
2. Respondent admits that Respondent's agent filled a 100 lb. cylinder on the ground without the proper 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:

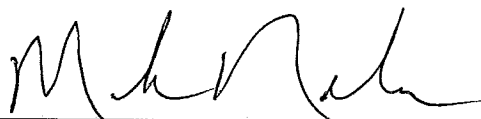
1. The Respondent agrees to remit a fine of \$ 950 to the Board within 30 days of the Board's acceptance of this agreement (*Overfilled cylinder \$500; Scale Violation \$450*).
2. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board 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 10 day of March, 2015

scott.manley@
amerigas.com

Digitally signed by
scott.manley@amerigas.com
DN:
cn=Scott.Manley@amerigas.com
Date: 2015.03.10 20:11:52 -05'00'

Scott Manley, Respondent
Regional Manager
Heritage Operating LP dba Heritage Propane



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board