

Alabama Liquefied Petroleum Gas Board
Minutes
July 2, 2014

The Alabama Liquefied Petroleum Gas Board held its quarterly board meeting on July 2, 2014 at 10:05 a.m. at Auburn University Montgomery Center for Lifelong Learning, 75 TechnaCenter Drive, Montgomery, AL.

Members Present: Chairman Wayne Caylor, Vice-Chairman Bob Reed, Scott Lybarger, Bill Montgomery, State Fire Marshal Designee Scott Pilgreen, Public Safety Designee Sgt. Will Wright, Board Attorney Matt Bledsoe.

Members Absent: Benny Gay, Elizabeth Barnett, and Ed Paulk.

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

The Chairman called for a motion to adopt the agenda.

- 1) Mr. Lybarger moved to adopt the agenda as presented. Seconded by Mr. Reed, 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 10, 2014 meeting.

- 2) Mr. Reed moved to approve the minutes of the April 10, 2014 meeting. Seconded by Mr. Lybarger, the ayes were unanimous.

OLD BUSINESS

A letter of response from United Propane Gas, Inc. explaining their activities during the January-February 2014 winter supply crisis was addressed by the board. Upon consideration of United Propane Gas' letter of response, the board took no action for further inquiry or dialogue of this issue with the permit holder.

- 3) Mr. Reed moved to recess from the regular meeting to conduct a public hearing for the purpose of considering Amendment of *Alabama Administrative Code 530-X-2-.04 Procedures for Liquefied Petroleum Gas Filling Stations*, repeal of *Alabama Administrative Code 530-X-2-.13 Permit Applications*, and repeal of *Alabama Administrative Code 530-X-2-.14 Liquefied Petroleum Motor Fuel Flat Rate Fees*. Seconded by Mr. Montgomery, the ayes were unanimous.

PUBLIC HEARING

The Chairman declared the board in a public hearing related to the proposed amendment of *Alabama Administrative Codes*.

The Administrator presented and read the proposed code amendments:

- Amendment 530-X-2-.04 *Procedures for LP-Gas Filling Stations*
- Repeal 530-X-2-.13 *Permit Applications*
- Repeal 530-X-2-.14 *LP Gas Motor Fuel Flat Rate Fees*

No oral or written comments related to the proposed code amendments were submitted.

The Chairman called for a motion to end the public hearing.

- 4) Mr. Montgomery moved to end the public hearing on the proposed amendments to the *Alabama Administrative Codes* and to reconvene the regular board meeting and move to new business on the agenda. Seconded by Mr. Lybarger, the ayes were unanimous.

NEW BUSINESS

The Chairman called for a motion to adopt the proposed amendment of *Alabama Administrative Code 530-X-2-.04 Procedures for Liquefied Petroleum Gas Filling Stations* as petitioned.

- 5) Mr. Lybarger moved to adopt the proposed amendment of *Alabama Administrative Code 530-X-2-.04 Procedures for Liquefied Petroleum Gas Filling Stations*. Seconded by Mr. Montgomery, the ayes were unanimous.

The Chairman called for a motion to adopt the proposed repeal of *Alabama Administrative Code 530-X-2-.13 Permit Applications* as petitioned.

- 6) Mr. Montgomery moved to adopt the proposed repeal of *Alabama Administrative Code 530-X-2-.13 Permit Applications*. Seconded by Mr. Lybarger, the ayes were unanimous.

The Chairman called for a motion to adopt the proposed repeal of *Alabama Administrative Code 530-X-2-.14 Liquefied Petroleum Motor Fuel Flat Rate Fees* as petitioned.

- 7) Mr. Reed moved to adopt the proposed repeal of *Alabama Administrative Code 530-X-2-.14 Liquefied Petroleum Motor Fuel Flat Rate Fees*. Seconded by Mr. Montgomery, the ayes were unanimous.

Mr. Reed commended the Administrator for work done on the amendments.

A Class B Permit application for Mid-South Wholesale LP, Inc., Detroit, AL was presented.

- 8) Mr. Lybarger moved to approve the Class B Permit application for Mid-South Wholesale LP, Inc., Detroit, AL. Seconded by Mr. Montgomery, the ayes were unanimous.

A Class B-1 Permit application for Central Propane, LLC, Albertville, AL was presented.

- 9) Mr. Montgomery moved to approve the Class B-1 Permit application for Central Propane, LLC, Albertville, AL. Seconded by Mr. Lybarger, the ayes were unanimous.

A Class C Permit application for Annette Hale's Indoor Comfort Systems, Huntsville, AL was presented.

- 10) Mr. Montgomery moved to approve the Class C permit application for Annette Hale's Indoor Comfort Systems. Seconded by Mr. Lybarger, the ayes were unanimous.

A Class C Permit application for Bankston Motor Homes, Huntsville, AL was presented.

- 11) Mr. Montgomery moved to approve the Class C Permit application for Bankston Motor Homes. Seconded by Mr. Reed, the ayes were unanimous.

Three Class F Permit applications were presented:

- (a) K & K, Inc., Millbrook, AL
- (b) Lake Martin Mini Mall, Eclectic, AL
- (c) Sanders Propane Express, Montgomery, AL

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

A Class F-1 Permit application for Advanced Welding Supply, Bessemer, AL was presented.

- 13) Mr. Reed moved to approve the Class F-1 Permit application for Advanced Welding Supply, Bessemer, AL. Seconded by Mr. Montgomery, the ayes were unanimous.

Chairman Caylor appointed Board members Scott Lybarger and Benny Gay to serve on the Research Education Advisory Committee (REAC) for 2014-2015.

CODE VIOLATION SETTLEMENT AGREEMENTS

Settlement Agreement 2014-11 for code violations was presented by recusing board member Bill Montgomery.

- 14) Mr. Reed moved to accept Settlement Agreement 2014-11. Seconded by Mr. Lybarger, there were four ayes. (Wright, Pilgreen, Reed, Lybarger voted aye. Mr. Montgomery abstained.)

Settlement Agreement 2014-12 for code violations was presented by recusing board member Scott Lybarger.

- 15) Mr. Montgomery moved to accept Settlement Agreement 2014-12. Seconded by Mr. Reed, there were four ayes. (Wright, Pilgreen, Montgomery, Reed voted aye. Mr. Lybarger abstained.)

Settlement Agreement 2014-15 for code violations was presented by recusing board member Sgt. Will Wright.

- 16) Mr. Reed moved to accept Settlement Agreement 2014-15. Seconded by Mr. Lybarger, there were four ayes. (Pilgreen, Montgomery, Reed, Lybarger voted aye. Sgt. Wright abstained.)

Settlement Agreement 2014-16 for code violations was presented by recusing board member Bill Montgomery.

- 17) Mr. Reed moved to accept Settlement Agreement 2014-16. Seconded by Mr. Lybarger, there were four ayes. (Wright, Pilgreen, Reed, Lybarger voted aye. Mr. Montgomery abstained.)

Settlement Agreement 2014-17 for code violations was presented by recusing board member Bob Reed.

- 18) Mr. Lybarger moved to accept Settlement Agreement 2014-17. Seconded by Mr. Montgomery, there were four ayes. (Wright, Pilgreen, Montgomery, Lybarger, voted aye. Mr. Reed abstained.)

Settlement Agreement 2014-18 for code violations was presented by the Administrator in the absence of recusing board member Ed Paulk.

- 19) Mr. Reed moved to accept Settlement Agreement 2014-18. Seconded by Mr. Montgomery there were five ayes. (Wright, Pilgreen, Montgomery, Reed, Lybarger voted aye.)

Settlement Agreement 2014-19 for code violations was presented by recusing board member Sgt. Will Wright.

- 20) Mr. Montgomery moved to accept Settlement Agreement 2014-19. Seconded by Mr. Lybarger, there were four ayes. (Pilgreen, Montgomery, Reed, Lybarger voted aye. Sgt. Wright abstained.)

Settlement Agreement 2014-20 for code violations was presented by recusing board member Wayne Caylor.

- 21) Mr. Montgomery moved to accept Settlement Agreement 2014-20. Seconded by Mr. Lybarger, there were five ayes. (Wright, Pilgreen, Montgomery, Reed, Lybarger voted aye. Caylor abstained.)

Settlement Agreement 2014-21 for code violations was presented by recusing board member Scott Lybarger.

- 22) Mr. Reed moved to accept Settlement Agreement 2014-21. Seconded by Mr. Montgomery, there were four ayes. (Wright, Pilgreen, Montgomery, Reed voted aye. Lybarger abstained.)

Settlement Agreement 2014-22 for code violations was presented by the Administrator in the absence of recusing board member Benny Gay.

- 23) Mr. Montgomery moved to accept Settlement Agreement 2014-22. Seconded by Mr. Lybarger, there were five ayes. (Wright, Pilgreen, Montgomery, Reed, Lybarger voted aye.)

Settlement Agreement 2014-23 for code violations was presented by the Administrator in the absence of recusing board member Benny Gay.

- 24) Mr. Montgomery moved to accept Settlement Agreement 2014-23. Seconded by Mr. Reed, there were five ayes. (Wright, Pilgreen, Montgomery, Reed, Lybarger voted aye.)

LPG FEE REDUCTION

Revenue collected in $\frac{3}{4}$ of FY 2014 appears sufficient to cover projected expenditures for entire year without the remaining 25% of annual revenue. Recent changes to the Alabama LP-Gas Board law grant the board discretionary authority to change the rate as often as necessary. The Administrator recommended that the Alabama LPG fee be reduced by 25% from a rate of .004 per gallon to .003 per gallon effective August 1, 2014.

- 25) Mr. Reed moved to reduce the Alabama LPG fee from a rate of .004 per gallon to .003 per gallon effective August 1, 2014. Seconded by Mr. Lybarger, the ayes were unanimous.

ADMINISTRATOR'S REPORT

The Administrator presented the following permits for cancellation:

- A-1 Refrigeration Service, Class C Permit No. 196, cancelled effective December 31, 2013, non-renewal of permit.
- Christopher Diesel Service, Class C-1 Permit No. 416, cancelled effective June 01, 2014 at the company's request.
- Diamond Plumbing & Remodeling, Class C Permit No. 889, cancelled effective December 31, 2013, non-renewal of permit.
- Nexair LLC/Opelika, Class B-1 Permit No. 648, cancelled effective May 19, 2014 at the company's request.
- NGL Crude Logistics LLC (formerly Gavilon LLC), Class B Permit No. 639, cancelled effective May 21, 2014 at the company's request.

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

- 26) Mr. Montgomery moved to accept the Administrator's Report as presented. Seconded by Mr. Lybarger, the ayes were unanimous.

BOARD MEMBER ELECTION – SOUTHEAST TERRITORY

Southeast Board member Benny Gay's term will expire November 28, 2014. The Administrator will begin the nomination process.

Date of the next board meeting is October 9, 2014.

27) Mr. Reed moved to pay the board members' expenses. Seconded by Mr. Montgomery, the ayes were unanimous.

The meeting was adjourned at 11:00 a.m.



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, Inc. / Huntsville Permit "B-1" #60
Code Violations

SETTLEMENT AGREEMENT 2014-11

Allgas, Inc. / 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. Respondent failed to perform a leak test before introducing LP-gas into a residential LP-gas system following an interruption of service.

STIPULATED CONCLUSIONS OF LAW

1. Respondent failed to perform a leak test before introducing LP-gas into a residential LP-gas system following an interruption of service in violation of *NFPA 54 (1999 Edition) 4.2.3.*

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 \$ 500 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 22ND day of APRIL, 2014



Scott Lybarger - Respondent
Regional Manager
Allgas, Inc.



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:

Blossman Gas / Prattville
Permit "B-1" # 71
Code Violations

SETTLEMENT AGREEMENT 2014-12

Blossman Gas / Prattville (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 placed an off-premise cylinder filling station in operation without first submitting certification paperwork to the Alabama LP-Gas Board.
2. Respondent placed an off-premise cylinder filling station in operation in violation of a "Red Tag" previously applied to the dispensing station by a board inspector.

STIPULATED CONCLUSIONS OF LAW

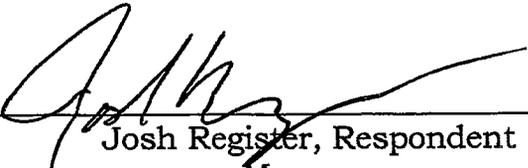
1. Respondent failed to submit "Certification" paperwork for an off-premise cylinder filling station operating as an agent in violation of *Alabama Administrative Code 530-X-2-.04(c & d)*.
2. Respondent violated a "Red Tag" previously applied by an Alabama LP-Gas Board Inspector on an off-premise cylinder filling dispenser in violation of *Code of Alabama §9-17-103*.

STIPULATED DISPOSITION

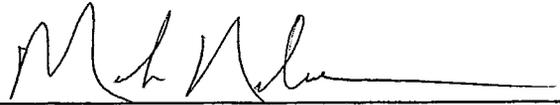
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 1500 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 22 day of May, 2014



Josh Register, Respondent
Manager
Blossman Gas / Prattville



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



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W. MARK NELSON
ADMINISTRATOR

**BEFORE THE
ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

IN THE MATTER OF:

Central Alabama Farmers' Co-Op / Selma
Permit "F" # 302
Code Violations

SETTLEMENT AGREEMENT 2014-15

Central Alabama Farmers' Co-Op / Selma (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 (Offense #1).

STIPULATED CONCLUSIONS OF LAW

1. Respondent filled a forklift cylinder to be transported in commerce without the use of scales in violation of *NFPA 58 (1998 Edition) 2-2.1.5*.

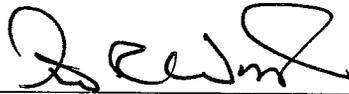
STIPULATED DISPOSITION

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 \$ 460 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, 2014



Tim Wood, Respondent
General Manager
Central Alabama Farmers' Co-Op



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:

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

SETTLEMENT AGREEMENT 2014-16

Ferrellgas of Butler, Georgia (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 disconnected a container owned by another permit holder and failed to plug the opening on the disconnected container.
2. Respondent disconnected a container owned by another permit holder and failed to leave it on a firm masonry foundation.

STIPULATED CONCLUSIONS OF LAW

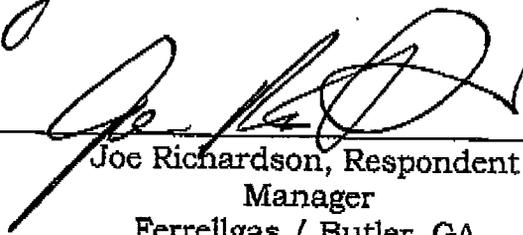
1. Respondent disconnected a container owned by another permit holder and failed to plug the opening of the disconnected container in violation of *Alabama Administrative Code 530-X-2-.16(b)(1)*.
2. Respondent disconnected a container owned by another permit holder and failed to leave it on a firm masonry foundation in violation of *Alabama Administrative Code 530-X-2-.16(b)(2)*.

STIPULATED DISPOSITION

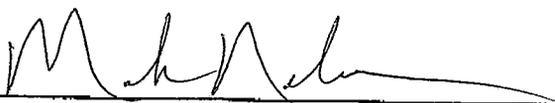
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 650 to the Board within 30 days of the Board's acceptance of this agreement. (*\$ 325 service valve not plugged; \$ 325 container not left on masonry foundation*)
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 17th day of May, 2014



Joe Richardson, Respondent
Manager
Ferrellgas / Butler, GA



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 / Evergreen
Permit "A" #227
Code Violations

SETTLEMENT AGREEMENT 2014-17

South Alabama Gas District / Evergreen (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. Escambia Lawn Center (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "A" permit #227 issued to Respondent, filled an out-of-date 20 lb. cylinder (Offense #1) without the use of scales (Offense #2). Respondent's agent also failed to perform a visual inspection of the cylinder prior to filling to verify suitability of continued service (Offense #3). The cylinder was not equipped with an OPD valve (Offense #4), and the employee attempting to fill the cylinder had not been trained in transferring LP-Gas (Offense #5).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent filled an out-of-date 20 lb. cylinder in violation of *NFPA 58 (1998 Edition) 4-2.2.4*.
2. Respondent admits that Respondent's agent filled a 20 lb. cylinder without the use of scales in violation of *Alabama Administrative Code 530-X-2.04(a)*.
3. Respondent admits that Respondent's agent failed to perform a visual inspection on a 20 lb. cylinder prior to filling to verify suitability for continued service in violation of *NFPA 58 (1998 Edition) 2-2.1.4*.

- 4. Respondent admits that Respondent's agent attempted to fill a 20 lb. cylinder that was not equipped with an OPD valve in violation of *NFPA 58 (1998 Edition) 2-3.1.5.*
- 5. Respondent admits that the employee of the Respondent's agent attempting to fill the cylinder had not been trained in violation of *NFPA 58 (1998 Edition) 1-5.*

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 \$ 1300 to the Board within 30 days of the Board's acceptance of this agreement. *(Not using scales \$500; Out-of-date cylinder \$200; Failure to perform visual inspection \$200; No OPD valve \$200; No employee training \$200).*
- 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 14 day of May, 2014



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



 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:

Ferrellgas / Bessemer
Permit "B-1" 381
Code Violations

SETTLEMENT AGREEMENT 2014-18

Ferrellgas / Bessemer (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. McKinney (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit #381 issued to Respondent, attempted to fill an out-of-date 5 lb. cylinder (Offense #1) without the use of scales (Offense #2). Respondent's agent also failed to perform a visual inspection of the cylinder prior to filling to verify suitability of continued service (Offense #3). The Respondent failed to submit *Certification* paperwork to the board registering the agent as operating under their permit and insurance (Offense #4).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent attempted to fill an out-of-date 5 lb. cylinder in violation of *NFPA 58 (1998 Edition) 4-2.2.4*.
2. Respondent admits that Respondent's agent attempted to fill a 5 lb. cylinder without the use of scales in violation of *Alabama Administrative Code 530-X-2.04(a)*.
3. Respondent admits that Respondent's agent failed to perform a visual inspection on a 5 lb. cylinder prior to attempting to fill to verify suitability for continued service in violation of *NFPA 58 (1998 Edition) 2-2.1.4*.

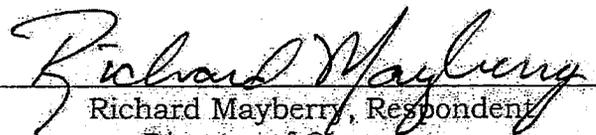
4. Respondent admits that no *Certification* paperwork was filed with the board for the dispensing station to act as an agent of Respondent in violation of *Alabama Administrative Code 530-X-2-.04(c & d)*.

STIPULATED DISPOSITION

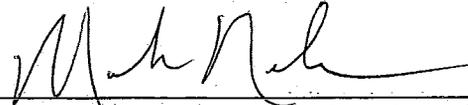
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 1850 to the Board within 30 days of the Board's acceptance of this agreement. (*Not using scales \$475; Out-of-date cylinder \$225; Failure to perform visual inspection \$250; No Certification paperwork \$900*).
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 29 day of MAY, 2014



Richard Mayberry, Respondent
Director of Operations
Ferrellgas / Bessemer



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:

Ferrellgas / Bessemer
Permit "B-1" 381
Code Violations

SETTLEMENT AGREEMENT 2014-19

Ferrellgas / Bessemer (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. Ferrellgas was operating an off-premise cylinder filling station at Driftwood, Inc. in Bay Minette, AL (hereinafter referred to as Respondent's agent), in violation of a condemn notice (written directive) issued for non-compliance with correction of discrepancies previously cited.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits placing an off-premise cylinder filling station back in service where discrepancies previously cited had not been repaired and in violation of a condemn notice issued by the Alabama LP-Gas Board in accordance with *Code of Alabama 1975, Section 9-17-108(a)*.

STIPULATED DISPOSITION

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

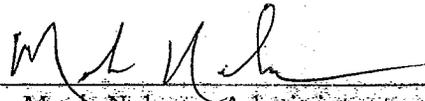
1. The Respondent agrees to remit a fine of \$ 1000 to the Board within 30 days of the Board's acceptance of this agreement.

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 27 day of MAY, 2014



Richard Mayberry, Respondent
Director of Operations
Ferrellgas / Bessemer



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:

Suburban Propane, L.P. dba Dowdle Gas / Tuscaloosa
Permit "B-1" 643
Code Violations

SETTLEMENT AGREEMENT 2014-20

Suburban Propane, L.P. dba Dowdle Gas / Tuscaloosa (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. Northport Lake Properties (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit #643 issued to Respondent, attempted to fill an out-of-date 5 lb. cylinder (Offense #1) without the use of scales (Offense #2). Respondent's agent also failed to perform a visual inspection of the cylinder prior to filling to verify suitability of continued service (Offense #3).

STIPULATED CONCLUSIONS OF LAW

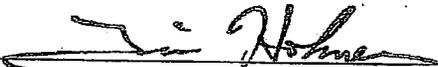
1. Respondent admits that Respondent's agent attempted to fill an out-of-date 5 lb. cylinder in violation of *NFPA 58 (1998 Edition) 4-2.2.4*.
2. Respondent admits that Respondent's agent attempted to fill a 5 lb. cylinder without the use of scales in violation of *Alabama Administrative Code 530-X-2.04(a)*.
3. Respondent admits that Respondent's agent failed to perform a visual inspection on a 5 lb. cylinder prior to attempting to fill to verify suitability for continued service in violation of *NFPA 58 (1998 Edition) 2-2.1.4*.

STIPULATED DISPOSITION

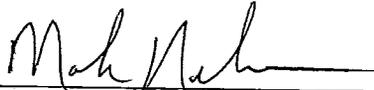
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 925 to the Board within 30 days of the Board's acceptance of this agreement. (*Not using scales \$450; 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 3RD day of June, 2014



Tim Holmes, Respondent
Director of Fleet & Safety
Suburban Propane, L.P.



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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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:

Suburban Gas Propane Partners, LLC dba
Thompson Gas Southeast / Talladega
Permit "B-1" #506
Code Violations

SETTLEMENT AGREEMENT 2014-21

Suburban Gas Propane Partners, LLC dba Thompson Gas Southeast / Talladega (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. Calhoun Campers (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit #506 issued to Respondent, attempted to fill an out-of-date 30 lb. cylinder (Offense #1) without the use of scales (Offense #2). Respondent's agent also failed to perform a visual inspection of the cylinder prior to filling to verify suitability of continued service (Offense #3). The cylinder was not equipped with an OPD valve (Offense #4).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent attempted to fill an out-of-date 30 lb. cylinder in violation of *NFPA 58 (1998 Edition) 4-2.2.4*.
2. Respondent admits that Respondent's agent attempted to fill a 30 lb. cylinder without the use of scales in violation of *Alabama Administrative Code 530-X-2.04(a)*.
3. Respondent admits that Respondent's agent failed to perform a visual inspection on a 30 lb. cylinder prior to filling to verify suitability for continued service in violation of *NFPA 58 (1998 Edition) 2-2.1.4*.

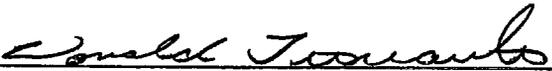
4. Respondent admits that Respondent's agent attempted to fill a 30 lb. cylinder that was not equipped with an OPD valve in violation of *NFPA 58 (1998 Edition) 2-3.1.5*.

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 \$ 1100 to the Board within 30 days of the Board's acceptance of this agreement. (*Not using scales \$450; Out-of-date cylinder \$225; Failure to perform visual inspection \$250; No OPD valve \$175*).
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 19th day of May, 2014



Donald Tetreault, Respondent
V.P. Southeast Operations
Suburban Gas Propane Partners dba
Thompson Gas Southeast



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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FAX (334) 240-3255
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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 Heritage Propane / Oxford
Permit "B-1" #361
Code Violations

SETTLEMENT AGREEMENT 2014-22

Heritage Operating LP dba Heritage Propane / Oxford (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. Minton's Auto & Truck Center (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit #361 issued to Respondent, attempted to fill an out-of-date 30 lb. cylinder (Offense #1) and also failed to perform a visual inspection of the cylinder prior to filling to verify suitability of continued service (Offense #2). The cylinder was not equipped with an OPD valve (Offense #3).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent attempted to fill an out-of-date 30 lb. cylinder in violation of *NFPA 58 (1998 Edition) 4-2.2.4*.
2. Respondent admits that Respondent's agent failed to perform a visual inspection on a 30 lb. cylinder prior to attempting to fill to verify suitability for continued service in violation of *NFPA 58 (1998 Edition) 2-2.1.4*.
3. Respondent admits that Respondent's agent attempted to fill a 30 lb. cylinder that was not equipped with an OPD valve in violation of *NFPA 58 (1998 Edition) 2-3.1.5*.

STIPULATED DISPOSITION

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

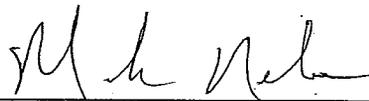
1. The Respondent agrees to remit a fine of \$ 750 to the Board within 30 days of the Board's acceptance of this agreement. (*Out-of-date cylinder \$250; Failure to perform visual inspection \$250; No OPD valve \$250*).
2. In consideration of Respondent's full and complete compliance with this Settlement 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 30th day of May, 2014

Scott Manley

Digitally signed by Scott Manley
DN: cn=Scott Manley, o=Amerigas, ou=Area 24,
email=Scott.Manley@Amerigas.com, c=US
Date: 2014.05.30 09:51:43 -05'00'

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



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
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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:

**Robinson Propane Gas / Heflin
Permit "A" #274
Code Violations**

SETTLEMENT AGREEMENT 2014-23

Robinson Propane Gas / Heflin (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. Petro Nation, Inc. / Lincoln, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "A" permit #274 issued to Respondent, attempted to fill an out-of-date 30 lb. cylinder (Offense #1) and also failed to perform a visual inspection of the cylinder prior to filling to verify suitability of continued service (Offense #2). The cylinder was not equipped with an OPD valve (Offense #3).

STIPULATED CONCLUSIONS OF LAW

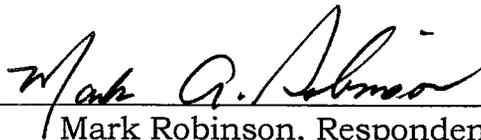
1. Respondent admits that Respondent's agent attempted to fill an out-of-date 30 lb. cylinder in violation of *NFPA 58 (1998 Edition) 4-2.2.4*.
2. Respondent admits that Respondent's agent failed to perform a visual inspection on a 30 lb. cylinder prior to attempting to fill to verify suitability for continued service in violation of *NFPA 58 (1998 Edition) 2-2.1.4*.
3. Respondent admits that Respondent's agent attempted to fill a 30 lb. cylinder that was not equipped with an OPD valve in violation of *NFPA 58 (1998 Edition) 2-3.1.5*.

STIPULATED DISPOSITION

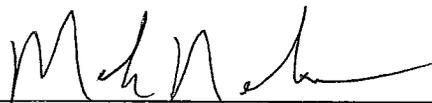
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 750 to the Board within 30 days of the Board's acceptance of this agreement. (*Out-of-date cylinder \$250; Failure to perform visual inspection \$250; No OPD valve \$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 5th day of June, 2014



Mark Robinson, Respondent
Manager / Owner
Robinson Propane Gas, Inc.



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board