

Liquefied Petroleum Gas Board
Minutes
July 25th, 2013

The Alabama Liquefied Petroleum Gas Board held its quarterly board meeting on July 25th, 2013 at 10:00 a.m. at 777 S. Lawrence Street, Montgomery, AL.

Members Present: Chairman Wayne Caylor, Benny Gay, Scott Lybarger, State Fire Marshal Ed Paulk, and Public Safety Designee Sgt. Will Wright

Members Absent: Vice-Chairman Bob Reed, Darrel Calhoun, Consumer Advocate Elizabeth Barnett.

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. Lybarger moved to adopt the agenda as presented. Seconded by Mr. Paulk, 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 11th, 2013 meeting.

- (2) Mr. Paulk moved to approve the minutes of the April 11th, 2013 meeting. Seconded by Mr. Gay, the ayes were unanimous.

OLD BUSINESS

Administrator Mark Nelson gave an update from the Rules and Regulation Committee and advised the board that the committee is in the processing of revising board exams for employees.

PUBLIC HEARING

The Chairman called for a motion to officially begin a public hearing for the purpose of considering proposed amendments and/or adoption of Alabama Administrative Codes of the Alabama LP-Gas Board.

- (3) Mr. Paulk moved to begin a public hearing for the consideration of proposed amendments and/or adoption of Alabama Administrative Codes of the Alabama LP-Gas Board. Seconded by Mr. Gay, the ayes were unanimous.

The Administrator presented and read the proposed regulations:

- **Amendment** of Alabama Administrative Code 530-X-1-.02 Administration

- **Amendment** of Alabama Administrative Code *530-X-2-.06 Storage and Handling of Liquefied Petroleum Gas Codes*
- **Adoption** of Alabama Administrative Code *530-X-2-.17 Flame Effects Before a Proximate Audience*

There were no public comments, written or oral, prior to or during the public hearing related to the proposed amendments and/or adoptions.

- (4) Mr. Gay moved to end the public hearing. Seconded by Mr. Lybarger, the ayes were unanimous.
- (5) Mr. Gay moved to begin 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 amendments to *Alabama Administrative Code 530-X-1.02 Administration*.

- (6) Mr. Paulk moved to adopt the proposed amendments to *Alabama Administrative Code 530-X-1.02 Administration*. Seconded by Mr. Lybarger, the ayes were unanimous.

The Chairman called for a motion to adopt the proposed amendments to *Alabama Administrative Code 530-X-2-.06 Storage & Handling of LP-Gas Codes*.

- (7) Mr. Lybarger moved to adopt the proposed amendments to *Alabama Administrative Code 530-X-2-.06 Storage & Handling of LP-Gas Codes*. Seconded by Mr. Lybarger, the ayes were unanimous.

The Chairman called for a motion to adopt *Alabama Administrative Code 530-X-2-17 Flame Effects Before a Proximate Audience*.

- (8) Mr. Paulk moved to adopt the *Alabama Administrative Code 530-X-2-17 Flame Effects Before a Proximate Audience* as proposed. Seconded by Mr. Lybarger, the ayes were unanimous.

The Administrator presented a request for waiver of penalty on late LPG fees from ELTM, LP (Enbridge) Class B Permit #194.

- (9) Mr. Paulk moved to deny the request for waiver of late penalty on LPG fees from ELTM, LP (Enbridge) Class B Permit #194. Seconded by Mr. Gay, the ayes were unanimous.

The Administrator presented a request for waiver of penalty on late LPG fees from Escambia Operating, LLC, Class B permit #632.

- (10) Mr. Paulk moved to deny the request for waiver of late penalty on late LPG fees from Escambia Operating, LLC, Class B Permit #632. Seconded by Mr. Gay, the ayes were unanimous.

The Administrator asked the Board to authorize in advance a waiver of penalties on late LPG fees for penalty amounts \$10.00 or less due to costs of labor in researching and billing exceeding the potential return.

- (11) Mr. Lybarger moved that penalties of less than \$10.00 on late LPG fees be waived. Seconded by Mr. Paulk, the ayes were unanimous.

The Administrator presented a request for an advisory opinion from Suburban Gas Propane Partners, LLC d/b/a Thompson Gas Southeast regarding Board Regulation 530-X-2-.04 (c) *“Operators of cylinder filling stations shall be agents of LP-gas dealers and shall operate under their Alabama LP-Gas board permit and insurance (except Class “F” Permit holders).* The advisory opinion sought was to determine if Alabama LP-Gas Board laws or regulations preclude an LP-gas dealer from requiring additional liability insurance of their agents naming the dealer as an additional insured.

- (12) Mr. Paulk moved that it is the opinion of the Alabama LP Gas Board that there is nothing in the regulations or code that prohibit permit holders requiring additional insurance of agents. Seconded by Mr. Lybarger, there were three ayes (Paulk, Lybarger, and Wright voted aye. Gay abstained.) Board Attorney Bill Garrett agreed to draft an advisory opinion document for the Administrator to mail.

The Class B Permit application for Quantum Resources Management, LLC, Houston, TX was presented to the board.

- (13) Mr. Lybarger moved to approve the Class B Permit application for Quantum Resources Management, LLC, Houston, TX. Seconded by Mr. Paulk, the ayes were unanimous.

The Class C Permit application for AGS Installations, Pelham, AL was presented.

- (14) Mr. Paulk moved to approve the Class C Permit application for AGS Installations, Pelham, AL. Seconded by Mr. Lybarger, the ayes were unanimous.

The Class C Permit application for Green Valley Investments, Inc., d/b/a Phillips Plumbing Contractors, Glencoe, AL was presented.

- (15) Mr. Paulk moved to approve the Class C Permit application for Green Valley Investments, Inc., d/b/a Phillips Plumbing Contractors, Glencoe, AL as presented. Seconded by Mr. Lybarger, the ayes were unanimous.

Three Class F Permit applications were presented to the board for consideration:

- (a) Andalusia Farmers Cooperative, Inc., Andalusia, AL
- (b) Andalusia Farmers Cooperation, Inc., Florala, AL
- (c) Headland Peanut Warehouse Cooperative, Headland, AL

- (16) Mr. Paulk moved to approve the three Class F permit applications as presented. Seconded by Mr. Lybarger, there were three ayes. (Paulk, Lybarger, Wright voted aye. Gay abstained.)

The Class F-1 Permit application for Airgas USA, LLC, Troy, AL was presented for consideration.

- (17) Mr. Lybarger moved to approve the Class F-1 Permit application for Airgas USA, LLC, Troy, AL as presented to the Board. Seconded by Mr. Paulk, the ayes were unanimous.

CODE VIOLATION SETTLEMENT AGREEMENTS

Settlement Agreement 2013-14 for code violations was presented by recusing Board member Scott Lybarger.

- (18) Mr. Gay moved to accept Settlement Agreement 2013-14. Seconded by Mr. Paulk, there were three ayes. (Paulk, Gay, Wright voted aye, Lybarger abstained.)

Settlement Agreement 2013-15 for code violations was presented by recusing Board member Benny Gay.

- (19) Mr. Lybarger moved to accept Settlement Agreement 2013-15. Seconded by Mr. Paulk, there were three ayes. (Lybarger, Paulk, Wright voted aye. Mr. Gay abstained.)

In the absence of recusing Board member Elizabeth Barnett, Settlement Agreement 2013-16 for code violations was presented by the Administrator.

- (20) Mr. Paulk moved to accept Settlement Agreement 2013-16. Seconded by Mr. Gay, the ayes were unanimous. (Paulk, Gay, Lybarger, Wright voted aye.)

In the absence of recusing Board member Darrel Calhoun, Settlement Agreement 2013-17 for code violations was presented by the Administrator.

- (21) Mr. Paulk moved to accept Settlement Agreement 2013-17. Seconded by Mr. Gay, the ayes were unanimous. (Paulk, Lybarger, Gay, Wright voted aye.)

Settlement Agreement 2013-18 for code violations was presented to the Board by recusing Board member Wayne Caylor.

- (22) Mr. Lybarger moved to accept Settlement Agreement 2013-18. Seconded by Mr. Gay, there were four ayes. (Paulk, Lybarger, Gay, Wright voted aye. Caylor abstained.)

Settlement Agreement 2013-19 for code violations was presented to the Board by recusing Board member Ed Paulk.

- (23) Mr. Lybarger moved to accept Settlement Agreement 2013-19. Seconded by Mr. Gay, there were three ayes. (Wright, Gay, Lybarger voted aye. Paulk abstained.)

In the absence of recusing Board member Bob Reed, Settlement Agreement 2013-20 for code violations was presented to the Board by the Administrator.

(24) Mr. Paulk moved to accept Settlement Agreement 2013-20. Seconded by Mr. Gay, the ayes were unanimous. (Wright, Lybarger, Gay, Paulk voted aye.)

In the absence of recusing Board member Bob Reed, Settlement Agreement 2013-21 for code violations was presented to the Board by the Administrator.

(25) Mr. Paulk moved to accept Settlement Agreement 2013-21. Seconded by Mr. Lybarger, the ayes were unanimous. (Paulk, Lybarger, Gay, Wright voted aye.)

In the absence of recusing Board member Bob Reed, Settlement Agreement 2013-22 for code violations was presented to the Board by the Administrator.

(26) Mr. Lybarger moved to accept Settlement Agreement 2013-22. Seconded by Mr. Gay, the ayes were unanimous. (Gay, Lybarger, Paulk, Wright voted aye.)

In the absence of recusing Board member Bob Reed, Settlement Agreement 2013-23 for code violations was presented to the Board by the Administrator.

(27) Mr. Lybarger moved to accept Settlement Agreement 2013-23. Seconded by Mr. Gay, the ayes were unanimous. (Gay, Paulk, Wright, Lybarger voted aye.)

In the absence of recusing Board member Bob Reed, Settlement Agreement 2013-24 for code violations was presented to the Board by the Administrator.

(28) Mr. Gay moved to accept Settlement Agreement 2013-24. Seconded by Mr. Lybarger, the ayes were unanimous. (Gay, Lybarger, Wright, Paulk voted aye.)

In the absence of recusing Board member Bob Reed, Settlement Agreement 2013-25 for code violations was presented to the Board by the Administrator.

(29) Mr. Paulk moved to accept Settlement Agreement 2013-25. Seconded by Mr. Gay, the ayes were unanimous. (Paulk, Gay, Wright, Lybarger voted aye.)

In the absence of recusing Board member Bob Reed, Settlement Agreement 2013-26 for code violations was presented to the Board by the Administrator.

(30) Mr. Lybarger moved to accept Settlement Agreement 2013-26. Seconded by Mr. Gay, the ayes were unanimous. (Lybarger, Gay, Paulk, Wright voted aye.)

In the absence of recusing Board member, Bob Reed Settlement Agreement 2013-27 for code violations was presented to the Board by the Administrator.

(31) Mr. Paulk moved to accept Settlement Agreement 2013-27. Seconded by Mr. Lybarger, the ayes were unanimous. (Paulk, Lybarger, Gay, Wright voted aye.)

Settlement Agreement 2013-28 for code violations was presented to the Board by recusing Board member Lybarger.

(33) Mr. Gay moved to accept Settlement Agreement 2013-28. Seconded by Mr. Paulk, there were three ayes. (Paulk, Gay, Wright voted aye. Lybarger abstained.)

Settlement Agreement 2013-29 for code violations was presented to the Board by recusing Board member Lybarger.

(32) Mr. Paulk moved to accept Settlement Agreement 2013-29. Seconded by Mr. Gay, there three ayes. (Wright, Paulk, Gay voted aye. Lybarger abstained.)

Board members Lybarger and Gay were appointed to serve a 1-year term (July 2013-July 2014) on the Research Education Advisory Committee (REAC).

ADMINISTRATOR'S REPORT

The Administrator presented the following permits to the Board for cancellation:

Alabama Motor Coach Inc., Montgomery, AL, Class C Permit No. 265 cancelled effective December 31, 2012. Company failed to meet statute requirement (non-payment of renewal fee).

Phillips Heating & Air Condition, Gurley, AL, Class C Permit No. 871 cancelled effective December 31, 2012. Company failed to meet statute requirement (non-payment of renewal fee).

Airgas USA, LLC, Bessemer, AL, Class F-1 Permit No. 244 cancelled effective December 31, 2012 at the company's request.

Airgas USA, LLC, Decatur, AL, Class F-1 Permit No. 274 cancelled effective December 31, 2012 at the company's request.

Airgas USA, LLC, Decatur, AL, Class F-1 Permit No. 205 cancelled effective December 31, 2012 at the company's request.

Airgas USA, LLC, Montgomery, AL, Class F-1 Permit No. 216 cancelled effective December 31, 2012 at the company's request.

Airgas USA, LLC, Opelika, AL, Class F-1 Permit No. 217 cancelled effective December 31, 2012 at the company's request.

Holston Gases Inc., Ft. Payne, AL, Class F-1 Permit No. 234 cancelled effective March 18, 2013 at the company's request.

Nexair, LLC, Birmingham, AL, Class F-1 Permit No. 233 cancelled effective December 31, 2012. Failed to meet statutory requirements (non- payment of renewal fee).

NORTHEAST BOARD MEMBER ELECTION

The term of the current Northeast Board member representative, Darrel Calhoun, will expire on October 1, 2013. Nomination ballots have been mailed to all Class "A" Permit Holders (32) in the Northeast. Nominations must be returned by the deadline date, August 15th, 2013.

The Board's financial position was presented to the Board.

(33) Mr. Paulk moved to accept the Administrator's Report as presented. Seconded by Mr. Gay, the ayes were unanimous.

A work session to review NFPA 58 (2011 edition) is scheduled for September 12th, 2013, 9:00 a.m., Board's conference room. No official action will be taken in the work session.

Date of the next Board meeting is October 10th, 2013.

(34) Mr. Paulk moved to pay the Board members expenses. Seconded by Mr. Gay, the ayes were unanimous.

The meeting was adjourned at 11:30 a.m.



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
FAX (334) 240-3255
777 S. Lawrence Street, Suite 100
MONTGOMERY, ALABAMA 36102-1742



W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

**BEFORE THE
ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

IN THE MATTER OF:

Ferrellgas / Dothan
"B-1" Permit # 385
Code Violations

SETTLEMENT AGREEMENT 2013-14

Ferrellgas in Dothan, 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

Respondent failed to submit a "Certification" form for two (2) off-premise cylinder filling station agents that were in operation (2 Offenses). The two cylinder filling dispensers were not installed in compliance with adopted codes (2 offenses). The locations of the agent cylinder filling stations are as follows:

- Breedlove's Ace Hardware, 541 W. Bypass, Andalusia, AL
- Breedlove's Ace, 704 Old Perry Store Rd., Opp, AL

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits failing to submit "Certification" paperwork to the Board for two (2) operating agent cylinder filling stations in violation of *Alabama Administrative Code 530-X-2-.04(c & d)*.
2. Respondent admits to installing two (2) cylinder filling dispensers not in compliance with adopted installation codes in violation of *NFPA 58 (1998 Edition) 3-1.3*.

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 \$ 3800 to the Board within 30 days of the Board's acceptance of this agreement. *(Two offenses of failure to complete "Certification" paperwork \$1800; Failure to install two cylinder filling dispensers in compliance with code \$2000.)*
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 1 day of July, 2013



Andy Wise, Respondent
Director of Operations
Ferrellgas



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
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:

Camping World # 094/Calera
"F" Permit # 246
Code Violations

SETTLEMENT AGREEMENT 2013-15

Camping World # 094 in Calera, 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

The Respondent allowed an employee to fill cylinders without having first completed the Alabama LP-Gas Board's Class "F" permit review examination. Respondent's employee filled a cylinder in the presence of an LP-Gas Board inspector without using the scales and also failed to apply a warning label to the cylinder. An electrical junction box was damaged with exposed wiring in the in the classified hazardous area.

STIPULATED CONCLUSIONS OF LAW

1. Respondent allowed an employee to perform unsupervised work without having first passed the Alabama LP-Gas Board's Class "F" permit Review Examination in violation of *Alabama Administrative Code 530-X-2-.11*.
2. Respondent's employee failed to properly use scales to fill a cylinder by weight in violation of *Alabama Administrative Code 530-X-2-.04(a)*.
3. Respondent's employee failed to apply a warning label to a cylinder after filling in violation of *NFPA 58 (1998 edition) 2-2.6.4*.
4. Respondent failed to repair a damaged electrical junction box in a hazardous classified area in violation of *NFPA 58 (1998 edition) 3-7.2*.

STIPULATED DISPOSITION

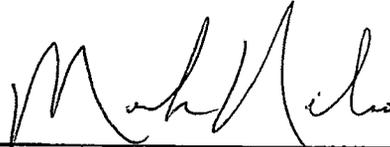
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 1700 to the Board within 30 days of the Board's acceptance of this agreement. (*Failure to submit Review examination for employee \$500; Failure to use scales when filling a cylinder \$450; Failure to apply warning label to cylinder \$250; Failure to repair electrical wiring \$500.*)
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 7 day of MAY, 2013



Steve Schriver, General Manager
Camping World, Inc.



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
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 / Birmingham Permit "B-1" #273
Code Violations

SETTLEMENT AGREEMENT 2013-16

Amerigas / 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 #602 (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 20 lb. cylinder (Offense #1) without the use of scales (Offense #2). Respondent's agent also failed to remove the cylinder sleeve and perform a visual inspection of the cylinder prior to attempting to fill (Offense #3).

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 (1998 Edition) 4-2.2.4*.
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)*.
3. Respondent admits that Respondent's agent attempted to fill a 20 lb. cylinder without removing the cylinder sleeve to perform a visual inspection in violation of *NFPA 58 (1998 Edition) 2-2.1.4*.

STIPULATED DISPOSITION

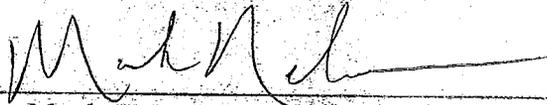
The Board and the Respondent agree that this action will be settled upon the following terms:

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; No visual inspection prior to filling \$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 10th day of June, 2013



Scott Manley, Respondent
Regional Manager
Amerigas



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742

TELEPHONE (334) 242-5649

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:

Inergy Propane dba Country Gas / Brent
"B-1" Permit # 528
Code Violations

SETTLEMENT AGREEMENT 2013-17

Inergy Propane dba Country Gas in Brent, 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

P.A. Tire Shop (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class B-1 permit #528 issued to Respondent, attempted to fill an out-of-date 20 lb. cylinder (Offense #1) without removing its sleeve to perform a visual inspection (Offense #2).

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 (1998 Edition) 4-2.2.4*.
2. Respondent admits that Respondent's agent failed to remove a cylinder sleeve and perform a visual inspection of the 20 lb. cylinder prior to attempting to fill in violation of *NFPA 58 (1998 Edition) 2-2.1.4*.

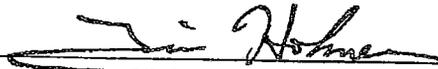


STIPULATED DISPOSITION

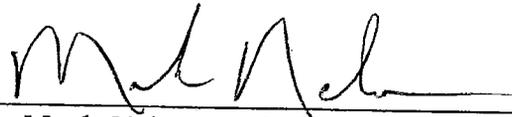
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 500 to the Board within 30 days of the Board's acceptance of this agreement. (*Out-of-date cylinder \$250; Failure to perform visual inspection prior to filling \$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 7th day of June, 2013



Tim Holmes, Respondent
Director of Fleet & Safety
Inergy Propane, LLC



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742

TELEPHONE (334) 242-5649

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 LP dba Dowdle Gas / Haleyville Permit "B-1" #633
Code Violations

SETTLEMENT AGREEMENT 2013-18

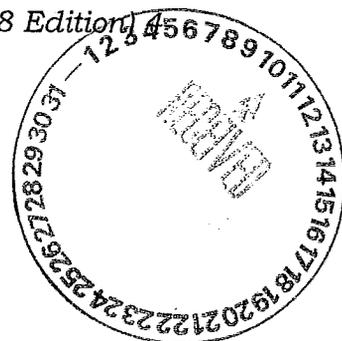
Suburban Propane LP dba Dowdle Gas / Haleyville (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

1. Free State Chevron in Double Springs, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit #633 issued to Respondent, attempted to fill a 33 lb. forklift cylinder without performing a visual inspection (Offense #1) that was overdue for requalification (Offense #2).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent attempted to fill a 33 lb. forklift cylinder without first performing a visual inspection in violation of *NFPA 58 (1998 Edition) 2-2.1.4*.
2. Respondent admits that Respondent's agent attempted to fill an out-of-date 33 lb. forklift cylinder in violation of *NFPA 58 (1998 Edition) 2.2.4*.

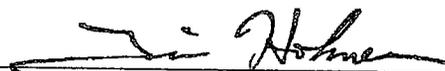


STIPULATED DISPOSITION

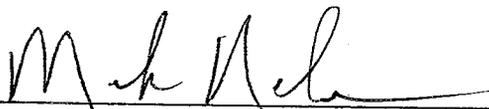
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 475 to the Board within 30 days of the Board's acceptance of this agreement. (Out-of-date cylinder \$225; No visual inspection prior to filling \$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.

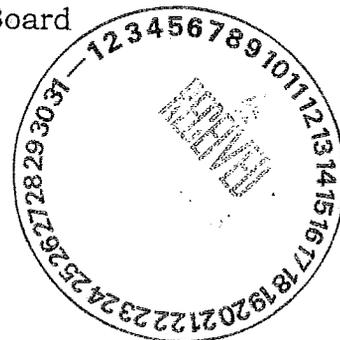
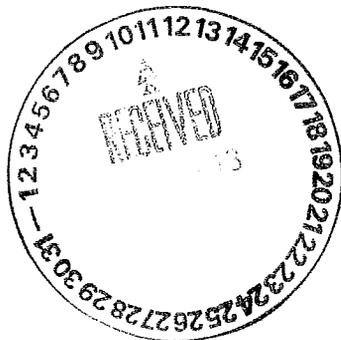
Signed this 7th day of June, 2013



Tim Holmes, Respondent
Director of Fleet & Safety
Inergy Propane / Suburban Propane LP



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board





ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
FAX (334) 240-3256
177 S. Lawrence Street, Suite 100
MONTGOMERY, ALABAMA 36102-1742

W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLY COOK
EXECUTIVE ASSISTANT

**BEFORE THE
ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

IN THE MATTER OF:

Mid-South Propane, Inc. / Detroit, AL "A" Permit # 275
Code Violations

SETTLEMENT AGREEMENT 2013-19

Mid-South Propane / Detroit, 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. The Respondent pumped, on two separate occasions, a container owned by United Propane Gas / Ala-Tenn Propane dba Tombigbee Propane Gas / Gordo (2 offenses). The container was clearly marked as the property of United Propane Gas.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits to filling a container owned by another company on two different occasions without written authorization from the owner of the container in violation *Alabama Administrative Code 530-X-2-16(c)*.

STIPULATED DISPOSITION

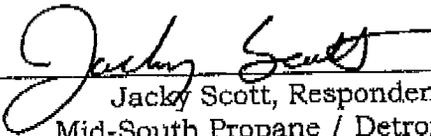
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 750 to the Board within 30 days of the Board's acceptance of this agreement. *(Filling another*

*company's container without written authorization 1st Offense \$ 250;
Filling another company's container without written authorization 2nd
Offense \$ 500)*

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 7 day of June, 2013



 Jacky Scott, Respondent
 Mid-South Propane / Detroit, AL



 Mark Nelson, Administrator
 Alabama Liquefied Petroleum Gas Board



W. MARK NELSON
ADMINISTRATOR

ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
FAX (334) 240-3255
777 S. Lawrence Street, Suite 100
MONTGOMERY, ALABAMA 36102-1742



LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE
ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Central Propane LLC / Hazel Green, AL "B-1" # 601
Code Violations

SETTLEMENT AGREEMENT 2013-20

Central Propane LLC / Hazel Green, 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. The Respondent disconnected and moved another company's LP-gas container and failed to leave the disconnected container on a firm masonry foundation (1 offense). The Respondent also failed to safely cap or plug the disconnected container's service valve or regulator outlet (1 offense).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits to disconnecting an LP-Gas container owned by another company and failing to leave the disconnected container on a firm masonry foundation in violation of *Alabama Administrative Code 530-X-2-16(b)(2)*.
2. Respondent admits to disconnecting an LP-Gas container owned by another company and failing to cap / plug the service valve or regulator outlet in violation of *Alabama Administrative Code 530-X-2-16(b)(1)*.

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 \$ 600 to the Board within 30 days of the Board's acceptance of this agreement. (*Failure to cap disconnected container \$ 300; Failure to leave disconnected container on firm masonry foundation \$ 300*)
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 JUNE, 2013



Bill Hassard, Respondent
Central Propane LLC



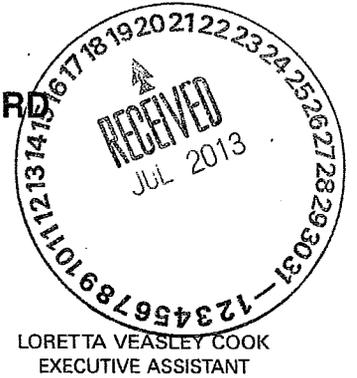
Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
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:

Allgas / Montgomery Permit "A" #193
Code Violations

SETTLEMENT AGREEMENT 2013-21

Allgas / Montgomery (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. Z-Tec General Store #1 (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "A" permit #193 issued to Respondent, attempted to fill an out-of-date 20 lb. cylinder (Offense #1) without the use of scales (Offense #2). Respondent also failed to submit a certification form to the Alabama LP-Gas Board documenting that Respondent's agent was operating as an agent under their permit (Offense #3).

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 (1998 Edition) 4-2.2.4.*
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).*
3. Respondent admits failing to submit a certification form documenting the cylinder filling operation as an agent of the Respondent in violation of *Alabama Administrative Code 530-X-2-.04(c &d).*

STIPULATED DISPOSITION

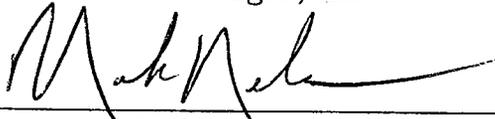
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 1750 to the Board within 30 days of the Board's acceptance of this agreement. (Not using scales \$500; Out-of-date cylinder \$250; No agent certification paperwork \$1000).
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 JULY, 2013



Scott Lybarger, Respondent
Regional Manager
Allgas, Inc.



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
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:

South Alabama Gas District / Thomasville Permit "A" #281
Code Violations

SETTLEMENT AGREEMENT 2013-22

South Alabama Gas District / Thomasville (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. Overton Grocery in Lower Peach Tree, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "A" permit #281 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 (1998 Edition) 4-2.2.4.*

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 \$ 300 to the Board within 30 days of the Board's acceptance of this agreement. (Out-of-date cylinder \$300).
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 1 day of July, 2013



Wayne Caylor

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

Mark Nelson

Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
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:

South Alabama Gas District / Thomasville Permit "A" #281
Code Violations

SETTLEMENT AGREEMENT 2013-23

South Alabama Gas District / Thomasville (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. Abrams Place in Alberta, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "A" permit #281 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 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 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 \$ 750 to the Board within 30 days of the Board's acceptance of this agreement. (Not using scales \$500; Out-of-date cylinder \$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 1 day of July, 2013

Wayne Caylor

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

Mark Nelson

Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board





ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5648
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 Gas Propane Partners dba Cooperative Propane / Montgomery
Permit "B-1" #586
Code Violations

SETTLEMENT AGREEMENT 2013-24

Suburban Gas Propane Partners dba Cooperative Propane / Montgomery (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. Cooperative Propane / Montgomery was observed filling a forklift cylinder without the use of scales. The cylinder was to be transported in commerce as one of many on a cylinder truck used in their cylinder exchange business, and should have been filled by weight in accordance with CFR 49.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's employee 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 \$ 550 to the Board within 30 days of the Board's acceptance of this agreement. (Not using scales \$550).
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 14th day of June, 2013


Donald Tetreault, V.P. Southeast Operations
Suburban Gas Propane Partners, LLC
Db a Thompson Gas Southeast


Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
FAX (334) 240-3255
777 S. Lawrence Street, Suite 100
MONTGOMERY, ALABAMA 36102-1742

W. MARK NELSON
ADMINISTRATOR



BEFORE THE
ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Suburban Propane LP dba Dowdle Gas / Tuscaloosa Permit "B-1" #643
Code Violations

SETTLEMENT AGREEMENT 2013-25

Suburban Propane LP 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. Wayne Wilson Texaco (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 20 lb. cylinder (Offense #1) without the use of scales (Offense #2). Respondent's agent also failed to remove a sleeve from the cylinder prior to filling to verify suitability of continued service (Offense #3).

STIPULATED CONCLUSIONS OF LAW

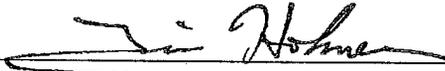
1. Respondent admits that Respondent's agent attempted to fill an out-of-date 20 lb. cylinder in violation of *NFPA 58 (1998 Edition) 4-2.2.4*.
2. Respondent admits that Respondent's agent attempted to fill a 20 lb. cylinder without the use of scales in violation of *Alabama Administrative Code 530-X-2.04(a)*.
3. Respondent admits that Respondent's agent failed to remove a sleeve 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*.

STIPULATED DISPOSITION

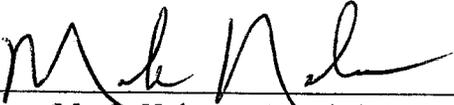
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 1000 to the Board within 30 days of the Board's acceptance of this agreement. (*Not using scales \$500; Out-of-date cylinder \$250; Failure to remove sleeve and inspect cylinder \$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 28th day of June, 2013



Tim Holmes, Respondent
Director of Fleet & Safety
Suburban Propane LP



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
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 / Birmingham Permit "B-1" #273
Code Violations

SETTLEMENT AGREEMENT 2013-26

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

STIPULATED FACTS

1. Tractor Supply #1499 (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 20 lb. cylinder (Offense #1) without the use of scales (Offense #2). Respondent's agent also failed to visually inspect 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 20 lb. cylinder in violation of *NFPA 58 (1998 Edition) 4-2.2.4*.
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)*.
3. Respondent admits that Respondent's agent failed to visually inspect a 20 lb. cylinder prior to filling to verify suitability for continued service in violation of *NFPA 58 (1998 Edition) 2-2.1.4*.

STIPULATED DISPOSITION

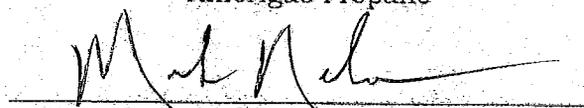
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 950 to the Board within 30 days of the Board's acceptance of this agreement. (*Not using scales \$450; Out-of-date cylinder \$250; Failure to visually inspect cylinder \$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 16th day of June, 2013



Scott Manley, Respondent
Regional Manager
Americas Propane



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742

TELEPHONE (334) 242-5649

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 / Jasper Permit "B-1" #283
Code Violations

SETTLEMENT AGREEMENT 2013-27

Amerigas / Jasper (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 installed and began operations of a cylinder filling station at Ace Hardware in Sumiton, AL without first having submitted a "Certification" form to the Board certifying the location as an agent of their permit (Offense #1). The cylinder filling station was not installed in compliance with adopted codes (Offense #2).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits to installing a cylinder filling station without first submitting appropriate paperwork to the Board certifying the location as an agent of their permit in violation of *Alabama Administrative Code 530-X-2-.04 (c & d)*.
2. Respondent installed a cylinder filling dispenser that was not in compliance with adopted codes in violation of *NFPA 58 (1998 Edition) 3-1.3*.



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 \$ 2000 to the Board within 30 days of the Board's acceptance of this agreement. (*Failure to submit "Certification" form \$1000; Failure to install cylinder filling station in compliance with code \$1000*).
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 24th day of June, 2013



Scott Manley, Respondent
Regional Manager
Amerigas Propane



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
FAX (334) 240-3256
777 S. Lawrence Street, Suite 100
MONTGOMERY, ALABAMA 36102-1742

W. MARK NELSON
ADMINISTRATOR



BEFORE THE
ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Suburban Propane LP dba Dowdle Gas / Jasper Permit "B-1" #634
Code Violations

SETTLEMENT AGREEMENT 2013-28

Suburban Propane LP dba Dowdle Gas / Jasper (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. Forestdale Ace Hardware & Lumber Supply in Birmingham, AL (hereinafter referred to as Respondent's agent), operator of a propane cylinder filling station under Class "B-1" permit #634 issued to Respondent, attempted and/or filled an out-of-date 20 lb. cylinder (Offense #1 committed by two separate employees) without the use of scales (Offense #2 committed by two separate employees). Respondent's agent also failed to remove a sleeve from the cylinder prior to filling to verify suitability of continued service (Offense #3 committed by two separate employees).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that Respondent's agent attempted and/or 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 attempted and/or 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 remove a sleeve 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.*

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 \$450 X 2; Out-of-date cylinder \$225 X 2; Failure to remove sleeve and inspect cylinder \$250 X 2.*)
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 13th day of June, 2013



Tim Holmes, Respondent
Director of Fleet & Safety
Suburban Propane LP



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
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:

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

SETTLEMENT AGREEMENT 2013-29

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. Respondent disconnected and moved two containers owned by another permit holder and failed to cap / plug the outlets on the disconnected containers (Offense #1 committed on two separate occasions). Respondent disconnected and failed to leave another permit holder's containers on a firm masonry foundation (Offense #2 committed on two separate occasions).

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits to disconnecting another company's containers on two separate occasions and failing to cap / plug the outlets of the disconnected containers in violation of *Alabama Administrative Code 530-X-2-.16(b)(1)*.
2. Respondent admits to disconnecting and moving another company's containers on two separate occasions and failing to leave the disconnected containers 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 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. (*Failure to cap / plug container outlet \$325 X 2; Failure to leave disconnected containers on a firm masonry foundation \$325 X 2*).
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 24th day of June, 2013

Scott Manley, Respondent
Regional Manager
Heritage Propane

Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board