

**ALABAMA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT**

IN THE MATTER OF:

WYATT OIL COMPANY, INC.

Re: Wyatt Oil #7

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**ADMINISTRATIVE
ORDER NO. 96-028-GW**

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FINDINGS

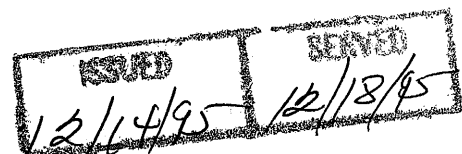
Pursuant to the provisions of the Alabama Environmental Management Act, §§ 22-22A-1 through 22-22A-16, Code of Alabama 1975, as amended, the Alabama Underground Storage Tank and Wellhead Protection Act, §§ 22-36-1 through 22-36-10, Code of Alabama 1975, as amended, and the administrative regulations promulgated pursuant thereto, the Alabama Department of Environmental Management (hereinafter, "the Department") makes the following FINDINGS:

1. Wyatt Oil Company, Inc. (hereinafter, "the owner"), is the registered owner of an underground storage tank system, located at 5750 University Boulevard East Tuscaloosa, Alabama. The UST system was registered by Krupp Oil Company, Inc. on April 29, 1986, identified as ADEM Facility I.D. No. 15465-125-007725.
2. Registration forms submitted by the owner indicate the age of the subject tanks to be approximately 3 years.
3. Pursuant to ADEM Admin. Code R. 335-6-15-.14 and .15(b), all UST systems with pressurized piping in Alabama were required to employ an acceptable method of line leak detection no later than December 22, 1990.
4. An inspection by the Department of Department records reveals that the owner/operator has not notified the Department of the leak detection method it has employed in accordance with ADEM Admin. Code R. 335-6-15-.17.
5. The inspection of July 13, 1994 further revealed that the pressurized piping was covered with soil and therefore any line leak detectors that might have been installed could not be checked.

ORDER

Based on the foregoing FINDINGS and pursuant to §§ 22-22A-5(10), 22-36-7 and 22-36-9, Code of Alabama 1975, as amended, it is hereby ORDERED:

- A. That within ten (10) days of notice of receipt of this Order, the owner shall provide to the Department written notice of its compliance with leak detection requirements for its underground storage tank system(s), as required by ADEM Admin. Code R. 335-6-15-.15.



B. That within thirty (30) days of receipt of this Order, the owner and/or operator shall pay to the Department a civil penalty in the amount of Two Thousand Dollars (\$2000.00).

C. That in the event that the requirement of Paragraph A is not complied with, the UST owner shall immediately cease the operation and use of all USTs registered to said owner. Said UST(s) shall not be operated or used thereafter nor shall additional product be introduced into the USTs until such time all requirements of this Order are satisfied.

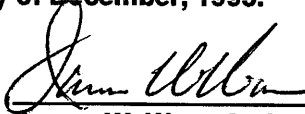
D. That the UST owner forthwith shall comply with all applicable requirements for each UST and shall continuously remain in compliance therewith each and every day thereafter until such time the UST is permanently removed from service pursuant to ADEM Admin. Code R. 335-6-15.

E. That pursuant to ADEM Admin. Code R. 335-6-16-.05, the UST owner is ineligible for benefits under the Tank Trust Fund for any release prior to the date the UST owner fully complies with the provisions of this Order.

F. That the issuance of this Order does not preclude the Department from seeking criminal prosecution, or other appropriate sanctions or relief against the owner/operator for the violations cited herein.

G. That failure to comply with the provisions of this Order shall constitute cause for commencement of legal action by the Department against the owner/operator for recovery of civil penalties, criminal fines, or other appropriate sanctions or relief.

ORDERED and ISSUED this 14th day of December, 1995.


James W. Warr, Acting Director
Alabama Department of
Environmental Management
1751 Cong. W. L. Dickinson Drive
Montgomery, Alabama 36109-2608
(334) 271-7977

CERTIFICATE OF SERVICE

I, James G. Stevens, hereby certify that I have served Administrative Order Nos. 96-013-GW, 96-014-GW, 96-015-GW, 96-016-GW, 96-017-GW, 96-018-GW, 96-019-GW, 96-020-GW, 96-021-GW, 96-022-GW, 96-023-GW, 96-024-GW, 96-025-GW, 96-026-GW, 96-027-GW, 96-028-GW, 96-029-GW, and 96-030-GW upon Wyatt Brothers Oil Company, Inc. by sending the same, postage paid, through the United States Mail, as Certified Mail No. Z 363 303 025, with instructions to forward and return receipt requested to:

John R. Wyatt
Wyatt Brothers Oil Company, Inc.
3528 Skyland Boulevard, East
Tuscaloosa, AL 35449

DONE this 14th day of December, 1995.

[Signature]
James G. Stevens


Is your **RETURN ADDRESS** completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		3. Article Addressed to: JOHN R WYATT WYATT BROTHERS OIL CO INC 3528 SKYLAND BOULEVARD EAST TUSCALOOSA AL 35449	
5. Received By: (Print Name) SYLVIA ROUSE		4a. Article Number Z 363 303 025	
6. Signature: (Addressee or Agent) <i>[Signature]</i>		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD <input checked="" type="checkbox"/> Certified	
7. Date of Delivery 12-18-95		8. Addressee's Address (Only if requested and fee is paid) [Blank]	

PS Form 3814, December 1994

Z 363 303 025

Receipt for Certified Mail
 No Insurance Coverage Provided
 Do not use for International Mail
 (See Reverse)

 UNITED STATES POSTAL SERVICE

Sent to	
JOHN R WYATT	
Street	
WYATT BROTHERS OIL COMPANY	
INC	
P.O. Box and ZIP Code	
3528 SKYLAND BOULEVARD EAST	
Post Office	
TUSCALOOSA AL 35449	
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
FO's 96-013-GW thru 96-030-GW	

PS Form 3800, March 1991

Thank you for using Return Receipt Service.