

**ALABAMA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT**

IN THE MATTER OF:

WYATT OIL COMPANY, INC.

Re: Trackside Amoco

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**ADMINISTRATIVE
ORDER NO. 96-024-GW**

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FINDINGS

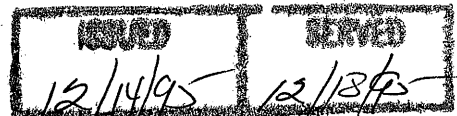
Pursuant to the provisions of the Alabama Environmental Management Act, §§ 22-22A-1 through 22-22A-16, Code of Alabama 1975, as amended, the Alabama Underground Storage Tank and Wellhead Protection Act, §§ 22-36-1 through 22-36-10, Code of Alabama 1975, as amended, and the administrative regulations 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 Route 3, Box 49-A, Union Road, Eutaw, Alabama. The UST system was registered by the owner on May 6, 1986, identified as ADEM Facility I.D. No. 15465-063-004077.
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. Investigation by Department personnel on April 28, 1994 documented that the owner/operator failed to install required line leak detection by in violation of ADEM Admin. Code R. 335-6-15-.14 and .15(b), and has continued to operate the UST system in violation of line leak detector requirements for over 4 years, up to and including April 28, 1994, the date of the inspection by the Department.
5. The inspection of April 28, 1994 further revealed that a line leak detector was laying in the sump next to the pressurized product delivery line unattached and one line leak detector had the copper line detached.

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 notice 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.

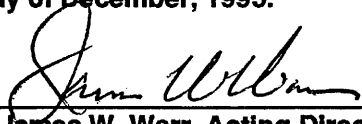
D. That the UST owner forthwith shall comply with all applicable requirements for each UST and shall continuously remain in compliance therewith each and every day thereafter until such time the UST is permanently removed from service pursuant to ADEM Admin. Code R. 335-6-15.

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

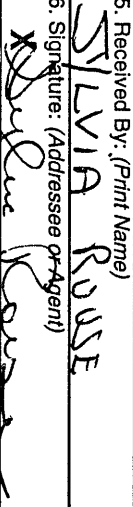
I, James G. Stevens, hereby certify that I have served Administrative Order Nos. 96-013-GW, 96-014-GW, 96-015-GW, 96-016-GW, 96-017-GW, 96-018-GW, 96-019-GW, 96-020-GW, 96-021-GW, 96-022-GW, 96-023-GW, 96-024-GW, 96-025-GW, 96-026-GW, 96-027-GW, 96-028-GW, 96-029-GW, and 96-030-GW upon Wyatt Brothers 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.


James G. Stevens

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

<p>SENDER:</p> <ul style="list-style-type: none">■ 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. <p>3. Article Addressed to: JOHN R WYATT WYATT BROTHERS OIL CO INC 3528 SKYLAND BOULEVARD EAST TUSCALOOSA AL 35449</p>		<p>4a. Article Number Z 363 303 025</p> <p>4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD</p> <p>5. Received By: (Print Name) SYLVIA ROUSE</p> <p>6. Signature: (Addressee or Agent) </p> <p>7. Date of Delivery 12-18-95</p> <p>8. Addressee's Address (Only if requested and fee is paid)</p>
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JCS/dt

FO 12/14/95

I also wish to receive the following services (for an extra fee):

1. ☒ Addressee's Address

2. ☐ Restricted Delivery


Consult postmaster for fee.

PS Form 3814, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 363 303 025


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

Sent to JOHN R WYATT	
BY WYATT BROTHERS OIL COMPANY	
INC	
Post Office 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	

12/18/95

PS Form 3800, March 1993