Air Enforcement: Alabama Department of Environmental Management and Barbour County Gasoline Transport Vessel Operator Enter into Consent Order



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The Alabama Department of Environmental Management ("ADEM") and Whatley Oil & Auto Parts Company, Inc. ("Whatley") entered into a September 10th Consent Order ("CO") addressing an alleged violation of the Alabama air regulations. See Consent Order No. 25-XXX-CAP.

The CO provides that Whatley is the owner and/or operator of a gasoline transport vessel ("Tank Truck") operating in Barbour County, Alabama.

The Alabama Administrative Code states that:

…No owner or operator may transfer, cause, or allow the transfer of gasoline from any gasoline tank truck into any stationary storage tank subject to this rule, unless the tank is equipped with a submerged fill pipe and the vapors displaced from the storage tank during filling are processed by a vapor control system in accordance with paragraph (4) of this rule.

ADEM personnel are stated to have observed on April 2nd Whatley delivering gasoline to an underground storage tank without utilizing the required vapor balance system. Further, the CO provides that it was noted it was operating without an Air Permit/Air Sticker.

In response to ADEM correspondence, Whatley stated that they deliver very little gasoline to that location and were not aware of the requirement to obtain an Air Sticker to deliver gasoline to a Bulk Plant. They further stated that they had no explanation for why the driver did not utilize the vapor balance system and only delivered one compartment of gas on the bulk side of the location.

Whatley neither admits nor denies ADEM's contentions.

A civil penalty of $3,500.00 is assessed.

A copy of the CO can be downloaded here.