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## Storage Tank Enforcement: Alabama Department of Environmental Management and Decatur Regulated Substance Deliverer Enter into Consent Order

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The Alabama Department of Environmental Management ("ADEM") and ML Energy Transportation LLC ("ML") entered into a Consent Order ("CO") addressing an alleged violation of the Alabama Underground Storage Tank and Wellhead Protection Act.

The CO provides that ML is a regulated substance deliverer (i.e., transporter) in Decatur, Alabama.

ADEM Admin. Code r. 335-6-15-.45(3) provides that upon implementation of a delivery prohibition:

... it shall be unlawful for any regulated substance deliverer to deliver a regulated substance, and it shall be unlawful for owners and operators of UST systems to accept delivery of a regulated substance to an underground storage tank facility that is under delivery prohibition.

ML is stated to be a regulated substance deliverer that delivered a regulated substance to an underground storage tank facility that was under delivery prohibition. It is alleged that the regulated substance was delivered on September 20, 2019, to Busy Bee #1 Fuel City in Decatur, Alabama, while they were on delivery prohibition.

ML is stated to neither admit nor deny ADEM's CO.

The CO assesses a civil penalty of \$2,500.

A copy of the CO can be downloaded [here](#).