

**STATE OF MISSISSIPPI  
MISSISSIPPI INSURANCE DEPARTMENT  
LIQUEFIED COMPRESSED GAS BOARD**

**IN RE: RONALD EASON, d/b/a EASON SOUTHEAST PROPANE  
No. 10-6207**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND  
FINAL ADMINISTRATIVE ORDER**

**THIS MATTER** came for hearing before the State Liquefied Compressed Gas Board (“Board”), during a regularly scheduled meeting on July 14, 2011 in the offices of the State Fire Marshal, in the City of Jackson, Hinds County, Mississippi, on the Notice of Hearing and Statement of Charges against Ronald Eason, d/b/a Eason Southeast Propane (“Eason”), permit No. 1971. Eason appeared at the hearing with counsel, and participated fully in the hearing. The Board, finding that it has jurisdiction over the parties and the subject matter of this matter, and being fully advised in the premises, makes the following findings of fact and conclusions of law:

**FINDINGS OF FACT**

1.

On February 4, 2011, a fire broke out at the home of Thesean Mosby, 43 Parkway Drive, Natchez, MS 39201, injuring two occupants.

2.

A subsequent investigation by L.C. Gas Division Safety Inspector Charles Quick and Deputy Fire Marshall Medgar Gibbs found that the home was serviced by Eason. The inspection further showed that the data plate on the L.C. Gas tank was not legible, and two appliances did not have cutoff valves.

3.

On February 7, 2011, Inspector Quick met with William Singleton, the Eason employee who had filled the tank. Singleton admitted to Inspector Quick that the customer was out of gas and that he had not performed a leak check. On February 7, 2011, Inspector Quick issued ticket #752 to Eason for various safety violations as endangering human life and or property:

Violation #1 - NFPA 58, 2008 Edition, Chapter 6.14.1; NFPA 54 2009 Edition, Chapter 8; and MID Bulletin 2010-4, Failure to perform a leak check;

Violation#2: - NFPA 58 2008 Edition, Chapter 5.2.8.3- unreadable data plate.

4.

On December 10, 2010, Eason was charged with filling a previously unknown customer's tank which had no legible data plate, unapproved flex lines, and not performing a leak check after filling said tank. An Order was entered on April 6, 2011 finding said charges to be true and imposing a monetary penalty of \$1,000.00, with \$250.00 of same to be held in abeyance pending the completion of certain requirements. This, therefore, is Eason's second offense. The Board acknowledges that these events took place prior to the last hearing, though they were not considered at that hearing.

5.

The Board was very impressed with the testimony of William Singleton, and they were also pleased with the progress that Mr. Eason represented to the Board that the company had made since the last hearing.

## CONCLUSIONS OF LAW

6.

Per Miss. Code Ann. § 75-57-9, National Fire Protection Association NFPA-54 and NFPA-58 (among other national codes and standards specified therein) are adopted by reference as specifications for the purpose of material standards, construction, handling, transportation and installation of all liquefied compressed gas systems and inspection and operation of pressure vessels. Consequently, a violation of the provisions of NFPA-54 and NFPA-58 constitutes a violation of §75-57-9.

7.

Eason filled a customer's tank which had no legible data. Filling a tank with no legible data plate is a violation of NFPA 58, 2008 Edition, Chapter 5.2.8.3. Failure to perform and document a leak check when a customer is out of gas is a violation of NFPA 58, 2008 Edition, Chapter 6.14.1 and NFPA 54 2009 Edition, Chapter 8, and MID Bulletin 2010-4 (Leak Checks).

8.

The aforementioned safety violations by Eason constitute sufficient grounds for the imposition of a monetary penalty and other disciplinary action per Miss. Code Ann. § 75-57-107, and qualify as a second offense.

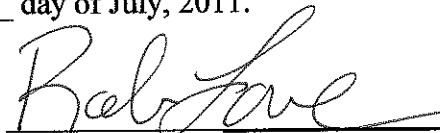
**FINAL ADMINISTRATIVE ORDER**

**IT IS THEREFORE ORDERED** that a monetary penalty in the amount of Two Thousand Dollars (\$2,000.00) shall be and hereby is imposed on Ronald Eason, d/b/a Eason Southeast Propane, with \$1,000.00 of such penalty payable to the Mississippi Insurance Department, within thirty (30) days of receipt of this Order.

However, \$1,000.00 of such penalty shall be suspended contingent upon the following:

- (a) All Eason employees, both fulltime and part-time, shall complete the out of gas class offered by the Mississippi Propane Gas Association by October 31, 2011.
- (b) Eason shall continue to perform leak checks and other safety inspections as previously ordered, and as prescribed by current standards.
- (c) Eason shall cooperate with the authority having jurisdiction, regardless of the inspector that may be assigned to his area.
- (d) Should Eason fail to comply with the provisions of this order, he shall be noticed for an additional hearing and the suspended portion of the above monetary penalty shall become due and payable to the Mississippi Insurance Department.

**SO ORDERED**, this the 21<sup>st</sup> day of July, 2011.



**ROB LOVE, CHAIRMAN  
LIQUEFIED COMPRESSED GAS BOARD**

**APPROVED BY:**

  
**MIKE CHANEY  
COMMISSIONER OF INSURANCE**